NORTH CAROLINA MARINE FISHERIES COMMISSION

November 2025

Business Meeting Briefing Materials

November 19-20, 2025

Wrightsville Beach, N.C.

NC Marine Fisheries Commission

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MEETING AGENDA

Holiday Inn Resort Lumina; Wrightsville Beach, NC
November 19-20, 2025

N.C.G.S. 138A-15(e) mandates at the beginning of any meeting of a board, the chair shall remind all members of their duty to avoid conflicts of interest under Chapter 138. The chair also shall inquire as to whether there is any known conflict of interest with respect to any matters coming before the board at that time.

N.C.G.S. 143B-289.54.(g)(2) states a member of the Marine Fisheries Commission shall not vote on any issue before the Commission that would have a "significant and predictable effect" on the member's financial interest. For purposes of this subdivision, "significant and predictable effect" means there is or may be a close causal link between the decision of the Commission and an expected disproportionate financial benefit to the member that is shared only by a minority of persons within the same industry sector or gear group. A member of the Commission shall also abstain from voting on any petition submitted by an advocacy group of which the member is an officer or sits as a member of the advocacy group's board of directors. A member of the Commission shall not use the member's official position as a member of the Commission to secure any special privilege or exemption of substantial value for any person. No member of the Commission shall, by the member's conduct, create an appearance that any person could improperly influence the member in the performance of the member's official duties.

Commissioners having questions about a conflict of interest or appearance of conflict should consult with counsel to the Marine Fisheries Commission or the secretary's ethics liaison. Upon discovering a conflict, the commissioner should inform the chair of the commission in accordance with N.C.G.S. 138A-15(e).

Wednesday, November 19, 2025

1:00 p.m. Preliminary Matters
- Commission Call to Order* – *Sammy Corbett, Chairman*
- Moment of Silence and Pledge of Allegiance
- Conflict of Interest Reminder
- Roll Call
- **Approval of Agenda ****
- **Approval of Meeting Minutes ****

1:15 p.m. Chairman's Report
- Letters and Online Comments
- Ethics Training and Statement of Economic Interest Reminder
- 2026 Proposed Meeting Schedule
- MFC Nominating Committee – *Chris Batsavage*
  - **Vote on slate of nominees for obligatory seat for the Mid-Atlantic Fishery Management Council ****

1:45 p.m. Director's Report – *Kathy Rawls*
- Rule Suspensions – *Jason Rock*

2:15 p.m. License & Statistics Annual Report – *Brandi Salmon*

2:45 p.m. Information about the R/V Carolina Coast/Program 195 – *Jason Rock*

3:45 p.m. Stock Assessments 101 – *Matt Damiano*

**** Times indicated are merely for guidance. The commission will proceed through the agenda until completed.***
*****Probable Action Items***

4:30 p.m. Break

6:00 p.m. Return for Public Comment Period

Thursday, November 20, 2025

9:00 a.m. Public Comment Period

9:30 a.m. Remarks by Secretary of Department of Environmental Quality – *Secretary Reid Wilson*

9:45 a.m. Rulemaking – *Catherine Blum*

- 2024-2025 Rulemaking Cycle Update
- 2025-2026 Rulemaking Cycle Update
    - **Vote on Final Approval to amend 15A NCAC 03I .0101, .0114, 03O .0501-.0503 for permit requirements**
    - **Vote on Final Approval to amend 15A NCAC 03I .0101, 03O .0201, .0207, .0208, .0210 for conforming changes to franchise and shellfish lease requirements**
- 2026-2027 Rulemaking Cycle
    - Preliminary Atlantic bonito proposed rulemaking language

10:15 a.m. Fishery Management Plan Updates – *Dan Zapf, Jeff Dobbs*

- Implementation of Adopted FMPs
- Upcoming FMPs
    - Red Drum FMP Amendment 2
    - Kingfishes FMP Amendment 1

10:30 a.m. Coastal Habitat Protection Plan Update – *Charlie Deaton*

11:00 a.m. Mandatory Harvest Reporting Demonstration – *Jesse Bissette*

11:30 p.m. Lunch Break

1:00 p.m. History of Southern Flounder Management through Amendment 5 – *Jeff Dobbs*

2:00 p.m. Indicators for the North Carolina Southern Flounder Stock – *Matt Damiano*

3:00 p.m. Estuarine Striped Bass FMP Amendment 2 Adaptive Management – *Dan Zapf, Charlton Godwin, Todd Mathes*

- Tar-Pamlico/Neuse Rivers Harvest Management Plan

4:00 p.m. Issues from Commissioners

4:30 p.m. Meeting Assignments and Preview of Agenda Items for Next Meeting – *Jesse Bissette*

4:45 p.m. Adjourn

**** Times indicated are merely for guidance. The commission will proceed through the agenda until completed.***
*****Probable Action Items***

Marine Fisheries Commission Business Meeting Minutes

DRAFT

Hilton Raleigh North Hills

Raleigh, North Carolina

August 20-21, 2025

The Marine Fisheries Commission (MFC) held a business meeting on August 20-21, 2025, at the Hilton Raleigh North Hills in Raleigh, North Carolina. In addition to the public comment sessions, members of the public submitted public comment online or via U.S. mail. The written comments, briefing materials, presentations, and full audio from this meeting are available here.

Actions and motions from the business meeting are listed in **bold** type.

BUSINESS MEETING

August 20, 2025

Preliminary Matters

Swearing In of New Commissioners

Prior to the business meeting, new MFC member John Mallette, was sworn in. Commissioner John Mallette replaced Ryan Bethea, whose term ended June 30, 2025, and is holding the Commercial Industry seat.

Chairman Corbett called the August 20-21, 2025, business meeting to order.

The Division of Marine Fisheries (DMF) MFC Liaison Jesse Bissette read into the record Commissioner John Mallette's Statement of Economic Interest (SEI) for actual and potential conflicts of interest pursuant to Chapter 138A of the N.C. General Statutes.

For John Mallette:

> "We did not find an actual conflict of interest but found the potential for a conflict of interest. The potential conflict of interest does not prohibit service on this entity… Mr. Mallette would fill the role of a member who is a commercial dealer or processor from the Coastal Region."

The evaluation of statement of economic interest for each appointee to the MFC is kept on record at the DMF.

Chairman Corbett began the meeting with a moment of silence, followed by the pledge of allegiance.

Next, Chairman Corbett reminded all commissioners of N.C. General Statute § 138A-15(e), which mandates at the beginning of any meeting of a board, the Chair shall remind all members of their duty to avoid conflicts of interest under Chapter 138. The Chair also shall inquire as to whether there is any known conflict of interest with respect to any matters coming before the board at that time. There were no stated conflicts of interest from any commissioner.

The following MFC members were in attendance: Sammy Corbett – Chairman, Mike Blanton, Willie Closs, Sarah Gardner, Alfred Hobgood, John Mallette, Doug Rader, Tom Roller, and William Service.

Chairman Corbett asked for any corrections or additions to the meeting agenda and then requested a motion to approve the agenda.

Motion by Commissioner Rader to approve the meeting agenda.

Second by Commissioner Gardner.

ROLL CALL VOTE					
Member	**Aye**	**Nay**	**Abstain**	**Recuse**	**Absent**
Blanton	☒	☐	☐	☐	☐
Closs	☒	☐	☐	☐	☐
Gardner	☒	☐	☐	☐	☐
Hobgood	☒	☐	☐	☐	☐
Mallette	☒	☐	☐	☐	☐
Rader	☒	☐	☐	☐	☐
Roller	☒	☐	☐	☐	☐
Service	☒	☐	☐	☐	☐
Corbett	☒	☐	☐	☐	☐

Motion passed unanimously.

View the recording of the motion and surrounding discussion.

Chairman Corbett asked for any corrections, additions or deletions that need to be made to the March 2025 MFC Quarterly Business Meeting minutes.

Motion by Commissioner Roller to approve the May 21-23, 2025, business meeting minutes.

Second by Commissioner Hobgood.

ROLL CALL VOTE					
Member	**Aye**	**Nay**	**Abstain**	**Recuse**	**Absent**
Blanton	☒	☐	☐	☐	☐
Closs	☒	☐	☐	☐	☐
Gardner	☒	☐	☐	☐	☐
Hobgood	☒	☐	☐	☐	☐
Mallette	☒	☐	☐	☐	☐
Rader	☒	☐	☐	☐	☐
Roller	☒	☐	☐	☐	☐
Service	☒	☐	☐	☐	☐
Corbett	☒	☐	☐	☐	☐

Motion passed unanimously.

View the recording of the motion and surrounding discussion.

Chairman's Report

Letters and Online Comments

Chairman Corbett referred commissioners to letters and comments provided in the briefing materials.

Ethics Training and Statement of Economic Interest Reminder

Chairman Corbett reminded commissioners to work with MFC Liaison Jesse Bissette to stay up to date on their ethics training and Statement of Economic Interest.

2026 Proposed Meeting Schedule

The 2026 proposed meeting schedule was provided in the briefing materials.

Elect Vice Chair

Chairman Corbett said the MFC elects its vice chair at its annual August meeting. He opened the floor for nominations for vice chair.

Commissioner Roller nominated Commissioner Hobgood for Marine Fisheries Commission Vice Chair. Seconded by Commissioner Service.

Commissioner Blanton nominated Commissioner Gardner for Marine Fisheries Commission Vice Chair. Seconded by Commissioner Mallette.

Votes for Commissioner Hobgood: 4

Votes for Commissioner Gardner: 5

0 abstentions.

Commissioner Gardner was elected as Marine Fisheries Commission Vice Chair.

Director's Report

Director Kathy Rawls began her report by welcoming DEQ Chief Deputy Secretary John Nicholson; she also welcomed Commissioner Mallette. Director Rawls provided an update on the CCA lawsuit, noting that the state has filed a motion for summary judgement, with a trial scheduled to begin in late January in Wake County. She then discussed updates to the Observer Trip Scheduling System (OTSS), explaining that some commissioners had expressed frustrations with the frequency of system notifications at the May meeting. Beginning September 1, Wednesday reminders will be discontinued, with Monday and Friday recall attempts for unanswered calls also stopping. All participants have received notifications of changes in the mail and were provided directions on how to opt out of reminders. Director Rawls reported that staff are making significant progress on implementation of the Oyster and Clam Fishery Management Plans, including the formation of an internal workgroup to quantify recreational users. She added that staff have nearly completed surveys for the Deepwater Oyster Recovery Areas and that the Division is seeking input for cultch-supported preseason sampling sites. Staff will be reaching out to oyster fishermen directly, and those who have not been contacted are encouraged to reach out to the Division. Regarding the upcoming flounder season, Director Rawls emphasized the importance of angler participation in the Marine Recreational Information Program (MRIP) and the Carcass Collection Program, as participation is essential for improving data quality and reducing uncertainty. She noted that details for the commercial flounder fishery are being finalized, with proclamations expected soon. She also reported that the CHPP Steering Committee will meet on Thursday, September 25. Director Rawls provided an update on Program 195, explaining that the Pamlico Sound Trawl Survey's research vessel Carolina.Coast, in use since the 1980s, is no longer structurally sound. The Division is exploring alternative methods, including conducting smaller tows with smaller vessels and evaluating data priorities for possible new surveys. Additional updates included the impacts of the state budget on DMF operations, the hiring of a Program Manager for Mandatory Harvest Reporting, implementation of Session Law 2025-48 regarding manmade ditches, and the upcoming public hearing for proposed rules scheduled for next week.

View the video recording of the Director's Report and discussion.

Rulemaking

Division of Marine Fisheries (DMF) Rulemaking Coordinator Catherine Blum provided updates on the 2024-2025 rulemaking cycle and 2025-2026 rulemaking cycle.

After the presentation, Chairman Corbett opened the floor to commissioners for comments and questions.

View the video recording of the presentation and surrounding discussion.

Independent Sampling Presentation

DMF Biologist Jacqui Deagan gave a presentation on the Independent Sampling programs used by the Division of Marine Fisheries.

After the presentation, Chairman Corbett opened the floor to commissioners for comments and questions.

View the video recording of the presentation and surrounding discussion.

Blue Crab Fishery Management Plan Amendment 3 Revision

DMF Biologists Robert Corbett and McLean Seward gave a presentation on the Blue Crab FMP Amendment 3 Revision.

After the presentation, Chairman Corbett opened the floor to commissioners for comments and questions.

View the video recording of the presentation and surrounding discussion.

Public Comment Period

Chairman Sammy Corbett held a public comment session that began at 6:00 p.m. The following members of the public provided comments to the commission: Dennis Reynolds, Mark Boettger, Steve Brewster, and Donald Willis. With no one else wishing to speak, Chairman Corbett ended the public comment period at 06:12 p.m.

View the video recording of the August 20, 2025, 6:00 p.m. public comment session.

August 21, 2025

Chairman Corbett convened the MFC business meeting at 9:00 a.m. on August 21, 2025.

Public Comment Period

Chairman Sammy Corbett held a public comment session that began at 9:00 a.m. The following members of the public provided comments to the commission: Timothy

Berthisol, Ron McCoy, Thomas Newman, Mary Ellen Hunter, Glenn Skinner, and Stuart Creighton. With no one else wishing to speak, Chairman Corbett ended the public comment period at 9:22 a.m.

View the video recording of the August 21, 2025, 9:00 a.m. public comment session.

Remarks from Chief Deputy Secretary John Nicholson

Chief Deputy Secretary John Nicholson provided remarks, noting that he previously worked with the Department of Environmental Quality from 2017 to 2022 and has recently returned to his position. He expressed concern regarding the Department's current budget and staffing challenges, stating that the Department has lost approximately 42.5 positions and nearly $8 million in appropriated funds over the past 15 years. He explained that about two-thirds of the Department's funding comes from grants and receipts, while the remaining third is appropriated by the General Assembly. Nicholson highlighted that a major concern is the lack of sufficient funding to maintain appropriate working equipment and gear, noting a total reduction of approximately $2.9 million in appropriated dollars, with DMF absorbing a portion of the impact. He also explained challenges regarding the uncertainty surrounding federal funding sources and referenced recent actions by Secretary Wilson to address these financial challenges within the Department.

View the recording of the remarks from Chief Deputy Secretary John Nicholson and surrounding discussion.

Atlantic Bonito Information Update

DMF Biologist Jacqui Deagan gave a presentation updating the Commission on Atlantic Bonito.

After the presentation, Chairman Corbett opened the floor to commissioners for comments and questions.

View the video recording of the presentation and surrounding discussion.

Standard Commercial Fishing License Eligibility Report

Motion by Commissioner Gardner to set the temporary cap on the number of licenses in the Standard Commercial Fishing License Eligibility Pool for fiscal year 2025-2026 at 500.

Second by Commissioner Blanton.

Motion passed with 8 votes in favor and 1 against.

View the video recording of the motion and surrounding discussion.

Fishery Management Plan Annual Review

DMF Biologist Supervisor Charlton Godwin gave a presentation on the 2025 Fishery Management Plan Monitoring. The presentation included information about the collection, storage, and analysis of data that the DMF undertakes, which led into a summary of the FMP review process with examples, and concluded with an overview of how the FMP reviews inform management and the annual FMP Review Schedule.

After the presentation, Chairman Corbett opened the floor to commissioners for comments and questions.

View the video recording of the presentation and surrounding discussion.

Atlantic Bonito Motion

Motion by Commissioner Roller to ask the DMF to bring proposed rulemaking language for a five-fish recreational bag limit per person for Atlantic Bonito to the MFC at its November 2025 business meeting.

Second by Commissioner Hobgood.

ROLL CALL VOTE					
Member	**Aye**	**Nay**	**Abstain**	**Recuse**	**Absent**
Blanton	☐	☐	☒	☐	☐
Closs	☒	☐	☐	☐	☐
Gardner	☐	☐	☒	☐	☐
Hobgood	☒	☐	☐	☐	☐
Mallette	☐	☐	☒	☐	☐
Rader	☒	☐	☐	☐	☐
Roller	☒	☐	☐	☐	☐
Service	☒	☐	☐	☐	☐
Corbett	☒	☐	☐	☐	☐

Motion passed 6-0, with 3 abstentions.

View the video recording of the motion and surrounding discussion.

Sheepshead Information Update

DMF Biologist Anne Markwith gave a presentation updating the Commission on Sheepshead in North Carolina.

After the presentation, Chairman Corbett opened the floor to commissioners for comments and questions.

View the video recording of the presentation and surrounding discussion.

Black Drum Information Update

DMF Biologist Chris Stewart gave a presentation updating the Commission on Black Drum in North Carolina.

After the presentation, Chairman Corbett opened the floor to commissioners for comments and questions.

View the video recording of the presentation and surrounding discussion.

Southern Flounder Fishery Management Plan Amendment 4

DMF Biologists Jeff Dobbs, Anne Markwith, and Holly White gave a presentation on the Southern Flounder FMP Amendment 4.

After the presentation, Chairman Corbett opened the floor to commissioners for comments and questions.

View the video recording of the presentation and surrounding discussion.

Motion by Commissioner Roller for the MFC to approve final adoption of the N.C. Southern Flounder Fishery Management Amendment 4 with the following management option:

- **EXPEDITED ALLOCATION SHIFT:**
  Expedite the sector allocation transition to 50% commercial and 50% recreational in 2025 rather than in 2026 as prescribed in Amendment 3.

Second by Commissioner Mallette.

ROLL CALL VOTE					
Member	**Aye**	**Nay**	**Abstain**	**Recuse**	**Absent**
Blanton	☐	☒	☐	☐	☐
Closs	☒	☐	☐	☐	☐
Gardner	☒	☐	☐	☐	☐
Hobgood	☒	☐	☐	☐	☐
Mallette	☒	☐	☐	☐	☐
Rader	☐	☐	☒	☐	☐
Roller	☒	☐	☐	☐	☐

Service	☒	☐	☐	☐	☐
Corbett	☐	☒	☐	☐	☐

Motion passed 6-2, with 1 abstention.

View the video recording of the motion and surrounding discussion.

Southern Flounder Fishery Management Plan Amendment 5

DMF Biologists Jeff Dobbs, Anne Markwith, and Holly White gave a presentation on the Southern Flounder FMP Amendment 5.

After the presentation, Chairman Corbett opened the floor to commissioners for comments and questions.

View the video recording of the presentation and surrounding discussion.

Central/Southern Management Area Striped Bass Data Analysis

DMF Biologists Dan Zapf, Charlton Godwin, and Todd Mathes gave a presentation on the data analysis of the Central/Southern Management Area (CSMA) Striped Bass.

After the presentation, Chairman Corbett opened the floor to commissioners for comments and questions.

View the video recording of the presentation and surrounding discussion.

Issues from Commissioners

Chairman Corbett opened the floor to commissioners for comments, questions, and other discussion.

Motion by Commissioner Blanton for the MFC Chair to send a letter to the NC General Assembly on behalf of the MFC to highlight the importance of the resources (funding) to the DEQ and the DMF to ensure the long-term viability and sustainability of the State's marine and estuarine resources, and potentially use the loss of Program 195 to highlight the importance of long-term sampling programs.

Second by Commissioner Hobgood.

ROLL CALL VOTE					
Member	**Aye**	**Nay**	**Abstain**	**Recuse**	**Absent**
Blanton	☒	☐	☐	☐	☐
Closs	☒	☐	☐	☐	☐
Gardner	☒	☐	☐	☐	☐

Hobgood	☒	☐	☐	☐	☐
Mallette	☒	☐	☐	☐	☐
Rader	☒	☐	☐	☐	☐
Roller	☒	☐	☐	☐	☐
Service	☒	☐	☐	☐	☐
Corbett	☒	☐	☐	☐	☐

Motion passed unanimously.

View the video recording of the Issues from Commissioners.

Meeting Assignments and Preview of Agenda Items for Next Meeting

The DMF's MFC Liaison Jesse Bissette reviewed meeting assignments and provided an overview of the November 2025 meeting items.

Having no further business to conduct, Chairman Corbett adjourned the meeting at 6:14 p.m.

NC Marine Fisheries Commission

Chairman's Report

November 2025 Quarterly Business Meeting

Documents

State Ethics Education Reminder

2026 Annual Meeting Calendar

MFC Workplan

MFC Nominating Committee Memo

MFC Nominating Committee Meeting Minutes

MAFMC Obligatory Seat Nominee Bios

EDUCATION REQUIREMENTS FOR PUBLIC SERVANTS

Public Servants must complete the Ethics and Lobbying Education program provided by the N.C. State Ethics Commission within **six months** of their election, appointment, or employment. We recommend that this be completed as soon as possible, but the training must be repeated every two years after the initial session.

Our new 90-minute on-demand online program is available on our website under the Education tab. For your convenience, here is the link. The new program is compatible with portable devices such as phones and tablets.

Live webinar presentations are also offered every month. These presentations are 90 minutes in length and give the opportunity to ask questions of the speaker. Registration information for those can be found here.

For questions or additional information concerning the Ethics Education requirements, please contact Tracey Powell at (919) 814-3600.

Marine Fisheries Commission 2026 Calendar

Dates are subject to change

January

Su	Mo	Tu	We	Th	Fr	Sa
					2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18		20	21	22	23	24
25	26	27	28	29	30	31

February

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March

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29	30	31				

April

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May

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31						

June

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28	29	30				

July

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August

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23	24	25	26	27	28	29
30	31					

September

Su	Mo	Tu	We	Th	Fr	Sa
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13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30			

October

Su	Mo	Tu	We	Th	Fr	Sa
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11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

November

Su	Mo	Tu	We	Th	Fr	Sa
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15	16	17	18	19	20	21
22	23	24	25			28
29	30					

December

Su	Mo	Tu	We	Th	Fr	Sa
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6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23			26
27	28	29	30	31		

2026 MFC Meeting Dates

MFC Business Meetings	Northern Regional AC	Southern Regional AC
February 18-19	January 6	January 7
May 20-21	March 10	March 11
August 19-20	June 9	June 10
November 18-19	September 8	September 9
Shellfish/Crustacean	**Finfish Standing AC**	**Habitat and Water Quality**
January 13	January 8	January 14
March 17	March 12	March 18
June 16	June 11	June 17
September 15	September 10	September 16

Calendar Key

	MFC		Shellfish/Crustacean Standing AC
	Northern Regional AC		Habitat and Water Quality Standing AC
	Southern Regional AC		State Holiday
	Finfish Standing AC		Federal Commission or Council Meeting
	Joint Meeting of ACs for MFC Review and Presentation of Action Items		
	Joint Meeting of Northern, Southern, and Finfish AC		

Marine Fisheries Commission Workplan - November 2025

Orange = Action Item		Green = No Action Necessary				
Topic	**Aug 2025**	**Nov 2025**	**Feb 2026**	**May 2026**	**August 2026**	**Nov 2026**
Active Management Plans						
Southern Flounder FMP Amendment 4	Final Adoption					
Southern Flounder FMP Amendment 5	MFC Discussion	Information Presented	In Progress	In Progress	In Progress	Send Draft for AC/Public Review
Blue Crab FMP Amendment 3 - Adaptive Management	Information Presented	Vote on Adaptive Management				
CSMA Striped Bass Amendment 2 Adaptive Management	Information Presented	Information Presented				
Kingfish FMP Amendment 1		Preliminary Information Presented				
Red Drum FMP		Preliminary Information Presented				
Rulemaking						
Permit-Related Rules	In Progress	Final Approval				
Franchises and Shellfish Leases	In Progress	Final Approval				
Atlantic Bonito Management	Background Information Presented	Rule Language Presented	Select Preferred Option	Notice of Text	In Progress	Final Approval

JOSH STEIN
Governor

D. REID WILSON
Secretary

KATHY B. RAWLS
Director

October 24, 2025

MEMORANDUM

TO: N.C. Marine Fisheries Commission

FROM: Chris Batsavage, Special Assistant for Councils
N.C. Division of Marine Fisheries

SUBJECT: Mid-Atlantic Fishery Management Council Obligatory Seat for North Carolina

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Issue

The N.C. General Statutes require the Marine Fisheries Commission to approve nominees for federal fishery management council seats for the governor's consideration, and that the statutes allow the governor to consult with the commission regarding additions to the list of candidates. The governor must nominate no fewer than three individuals for a federal fishery management council seat.

Findings
The Marine Fisheries Commission's Nominating Committee forwarded the following individuals to the Marine Fisheries Commission for the Mid-Atlantic Fishery Management Council Obligatory Seat:

Mid-Atlantic Fishery Management Council Obligatory Seat

- Robert Ruhle, a commercial fisherman and vessel owner from Dare County.
- Mary Ellon Balance, a commercial fishery industry member from Dare County.
- Thomas Newman, a commercial fisherman from Martin County.

Action Needed
The Commission Needs to approve nominees for the N.C. Mid-Atlantic Fishery Management Council Obligatory Seat.

For more information, please refer to:

- The draft minutes from the October 20, 2025 Nominating Committee Meeting
- The nominees' biographies

JOSH STEIN
Governor

D. REID WILSON
Secretary

KATHY B. RAWLS
Director

October 21, 2025

MEMORANDUM

TO: N.C. Marine Fisheries Commission
Marine Fisheries Commission Nominating Committee

FROM: Chris Batsavage and Coral Sawyer
N.C. Division of Marine Fisheries

SUBJECT: Meeting of the Marine Fisheries Commission's Nominating Committee, October 20, 2025

The Marine Fisheries Commission's (MFC) Nominating Committee held a meeting on October 20, 2025, at 5:00 p.m. via webinar.

The following were in attendance:

Committee members: Sarah Gardner – Chair, John Mallette, Tom Roller.

Division of Marine Fisheries (DMF) Staff: Chris Batsavage, Alan Bianchi, Jesse Bissette, Tina Moore, Brandi Salmon, Coral Sawyer.

Chair Gardner called the meeting to order at 5:04 p.m.

APPROVAL OF THE AGENDA AND MINUTES FROM PREVIOUS MEETING

The agenda was approved without modification.

Motion by Commissioner Roller to approve the October 17, 2024 meeting minutes as presented. Seconded by Commissioner Mallette.

	ROLL CALL VOTE				
Member	**Aye**	**Nay**	**Abstain**	**Recuse**	**Absent**
Mallette	☒	☐	☐	☐	☐
Roller	☒	☐	☐	☐	☐
Gardner	☒	☐	☐	☐	☐

Motion passed, 3-0.

PUBLIC COMMENT

There were no members of the public present via webinar or in person to provide comments.

REVIEW OF STATE AND FEDERAL REQUIREMENTS

Chris Batsavage briefly reviewed the N.C. General Statutes pertaining to the selection of nominees for federal fishery management council seats. He stated that the N.C. Marine Fisheries Commission must approve a slate of candidates for the governor's consideration, and that the statutes allow the governor to consult with the commission regarding additions to the list of candidates. Batsavage also described the federal statutes and regulations pertaining to qualification of candidates and notes that the governor must submit a list of no less than three nominees for an appointment. The commission will review the list of candidates approved by the committee at its business meeting on Nov. 19-20, 2025.

SELECTION OF CANDIDATES

Chris Batsavage reviewed the bios of the candidates for the Mid-Atlantic Fishery Management Council obligatory seat, briefly describing the background and qualifications of each: Robert Ruhle, Mary Ellon Ballance, Thomas Newman.

There was no discussion of the candidates.

Motion by Commissioner Roller to forward the names of Robert Ruhle, May Ellon Ballance, and Thomas Newman to the Marine Fisheries Commission for consideration for the Mid-Atlantic Fishery Management Council obligatory seat. Seconded by Commissioner Gardner.

	ROLL CALL VOTE				
Member	**Aye**	**Nay**	**Abstain**	**Recuse**	**Absent**
Mallette	☒	☐	☐	☐	☐
Roller	☒	☐	☐	☐	☐
Gardner	☒	☐	☐	☐	☐

Motion passed, 3-0.

ISSUES FROM COMMISSIONERS

Chairman Gardner opened the floor to commissioners for any comments and questions.

Commissioner Roller moved to adjourn. Seconded by Commissioner Gardner. Motion passed by unanimous consent.

The meeting ended at 5:15 p.m.

N.C. Marine Fisheries Commission Nominating Committee Meeting

Mid-Atlantic Fishery Management Council
Applicants for Obligatory Seat

Robert Ruhle

Mary Ellon Ballance

Thomas Newman

October 2025

Robert L. Ruhle

Wanchese NC

Robert Ruhle owns and operates the F/V DARANA R. His father, James Ruhle, served 3 consecutive terms as a Mid Atlantic Council member for NC, and his Uncle, Phillip Ruhle, also served on the New England Council. His proximity to the council was highly educational to both the process and function of the councils, as well as provided insight into the inner workings of Fisheries Management.
Robert is a member of Commercial Fisherman of America and North Carolina Fisheries Association (NCFA).

He has been fishing commercially since 1994 and a Captain since 2001 although his fishing career began in 1983 when he first went to sea with his father aboard the family's 90' trawler. He has held an NC commercial fishing license since 1988.

Over the course of his career, he has been active in numerous Mid Atlantic and New England fisheries and has fished from Hatteras to Canada. Primarily focusing on Illex squid, Longfin squid, Atlantic Mackerel, Sea herring, Atlantic Croaker and Butterfish.
He also participates in the Fluke, Black Sea Bass, Scup fisheries, landing in both North Carolina and Virginia.

Mr. Ruhle has served one term on the Mid-Atlantic Council and served multiple terms as on the Mid Atlantic Council's Atlantic Mackerel/Squid/Butterfish, Summer Flounder/Scup/Black Sea Bass, River herring/Shad, Ecosystems and Ocean Planning, and Sturgeon advisory panels. Mr. Ruhle has been very active in his capacity as an advisor and always made himself available to attend meetings as well as work with the council staff on many different issues. Robert is also an ASMFC advisor for the Northeast Trawl Advisory Panel (NTAP) and a member of the NTAP working group.
Robert has participated in all 3 Marine Resources Education Program (MREP) modules, (Management, Science 1 and Science 2) and has had over 20 yrs experience in co-operative research. He has worked on projects ranging from Gear selectivity to bycatch reduction with academic partners from, URI, Cornell, Manament, Scimfish, Rutgers, NOAA and VIMS. He has been a participant in the NOAA Study Fleet program since 2008.

Mr. Ruhle has been very active and a primary component in the Northeast Area Monitoring and Assessment Program (NEAMAP) trawl survey since 2006. Alongside VIMS, NEAMAP is conducted onboard the F/V DARANA R biannually during the spring and fall of each year. During his association with the survey, Mr. Ruhle has gained in depth knowledge of Fisheries/Scientific data collection methods as well as its use in Fisheries management practices. Over the course of NEAMAP, Mr. Ruhle has been a party to a multitude of outreach programs associated with the trawl survey.

Mary Ellon D. Ballance

Hatteras, NC

Since moving to Dare County, North Carolina in 1998, Mary Ellon Ballance has been actively involved in the commercial fishing community alongside her husband. Over the past 20 years, their family has participated in multiple fisheries, including gill net, drop net, pound net, and crabbing. Her direct experience in these fisheries has given her a strong understanding of the challenges and opportunities facing both harvesters and managers.

In addition to her on-the-water experience, Mary Ellon has worked closely with fishing organizations to support and advocate for North Carolina's commercial fishing industry. She has been actively involved with North Carolina Watermen United and the North Carolina Fisheries Association, contributing to efforts that represent fishermen's voices at the state and regional levels.

Mary Ellon is currently a member of the Atlantic States Marine Fisheries Commission (ASMFC) South Atlantic Advisory Panel, which includes the following ASMFC FMPs: Red Drum, Black Drum, Spot, Atlantic Croaker, Spotted Sea Trout, Cobia, Spanish Mackerel. She has also served as a community advisor during the development of Amendment 3 to the North Carolina Division of Marine Fisheries' Southern Flounder Fishery Management Plan. Through this work, she gained valuable insight into the fishery management process and the importance of balancing sustainable resource management with the economic and cultural needs of fishing communities.

Mary Ellon is currently a member of the Dare County Board of Commissioners representing District 4, Hatteras Island. With her background in both fisheries participation and stakeholder engagement, she brings a grounded perspective, strong community ties, and a commitment to fair and effective fishery management.

Mr. Thomas Newman

Williamston, NC

Mr. Newman is the owner/operator of the 40-ft. F/V Gotta Go with his homeport in Hatteras, NC. He has been commercial fishing for 30 plus years, mostly in North Carolina but ranging as far north as scalloping in New York and has fished many seasons in Virginia gill netting for monkfish.

He is currently serving on the Mackerel Cobia Advisory Panel (South Atlantic Fishery Management Council), the Northern Regional Advisory Panel (North Carolina Division of Marine Fisheries), and the Weakfish and Coastal Sharks Advisory Panels (Atlantic States Marine Fisheries Commission). Mr. Newman holds permits and fishes for Spanish mackerel, bluefish, spiny dogfish, smooth dogfish, king mackerel, croakers, large and small coastal sharks and monkfish, species which are mainly managed by the Mid-Atlantic Fishery Management Council, the South Atlantic Fishery Management Council, and the Atlantic States Marine Fisheries Commission.

Mr. Newman also works part-time for the North Carolina Fisheries Association, is a member of the Coastal Carolina River Watch, serves on the Citizen Science Projects Advisory Team (SAFMC), and is involved in state and federal fisheries management issues working directly with fisheries managers and industry groups.

NC Marine Fisheries Commission

Director's Report

November 2025 Quarterly Business Meeting

Documents

Rule Suspensions Memo

Mid-Atlantic Fishery Management Council Meeting Report

South Atlantic Fishery Management Council Meeting Report

Atlantic States Marine Fisheries Commission Meeting Report

JOSH STEIN
Governor

D. REID WILSON
Secretary

KATHY B. RAWLS
Director

October 30, 2025

MEMORANDUM

TO: N.C. Marine Fisheries Commission

FROM: Jason Rock, Fisheries Management Section Chief

SUBJECT: Temporary Rule Suspensions

Issue
In accordance with the North Carolina Division of Marine Fisheries Resource Management Policy Number 2014-2, Temporary Rule Suspension, the North Carolina Marine Fisheries Commission will vote on any new rule suspensions that have occurred since the last meeting of the commission.

Findings
There have been no new rule suspensions since the August 2025 meeting.

Action Needed
No action is needed.

Overview
In accordance with policy, the division will report current rule suspensions previously approved by the commission as non-action items. They include:

NCMFC Rule 15A NCAC 03J .0103 (h) GILL NETS, SEINES, IDENTIFICATION, RESTRICTIONS

Suspension of a portion of this rule for an indefinite period. Suspension of this rule allows the division to implement year-round small mesh gill net attendance requirements in certain areas of the Tar-Pamlico and Neuse rivers systems. This action was taken as part of a department initiative to review existing small mesh gill net rules to limit yardage and address attendance requirements in certain areas of the state. This suspension continues in Proclamation M-22-2025.

NCMFC Rule 15A NCAC 03J .0501 (e)(2) DEFINITIONS AND STANDARDS FOR POUND NETS AND POUND NET SETS

Suspension of a portion of this rule for an indefinite period. Suspension of this rule allows the division to increase the minimum mesh size of escape panels for flounder pound nets

in accordance with Amendment 3 of the North Carolina Southern Flounder Fishery Management Plan. This suspension was implemented in proclamation M-34-2015 and continues in Proclamation M-9-2024.

NCMFC Rule 15A NCAC 03L .0103 (a)(1) PROHIBITED NETS, MESH LENGTHS AND AREAS

Suspension of a portion of this rule for an indefinite period. Suspension of this rule allows the division to adjust trawl net minimum mesh size requirements in accordance with Amendment 2 to the North Carolina Shrimp Fishery Management Plan. This suspension was implemented in Proclamation SH-3-2019 and continues in Proclamation SH-1-2022.

NCMFC Rule 15A NCAC 03L .0105 (2) RECREATIONAL SHRIMP LIMITS

Suspension of a portion of this rule for an indefinite period. Suspension of this rule allows the division to modify the recreational possession limit of shrimp by removing the four quarts heads on and two and a half quarts heads off prohibition from waters closed to shrimping in accordance with Amendment 2 to the North Carolina Shrimp Fishery Management Plan. This suspension was implemented in Proclamation SH-4-2022.

NCMFC Rule 15A NCAC 03L .0205 (a) CRAB SPAWNING SANCTUARIES

Suspension of a portion of this rule for an indefinite period. Suspension of this rule allows the division to close crab spawning sanctuaries year-round to the use of trawls in accordance with Amendment 2 to the North Carolina Shrimp Fishery Management Plan. This suspension was implemented in Proclamation M-13-2024.

NCMFC Rule 15A NCAC 03M .0502 (a) MULLET

Suspension of a portion of this rule for an indefinite period. Suspension of this rule allows the division to modify the recreational and for-hire possession limits of mullet in accordance with Amendment 2 to the North Carolina Striped Mullet Fishery Management Plan. This suspension was implemented in Proclamation FF-27-2024.

NCMFC Rule 15A NCAC 03M .0515 (a)(2) DOLPHIN

Suspension of a portion of this rule for an indefinite period. Suspension of this rule allows the division to adjust the recreational vessel limit to complement management of dolphin under the South Atlantic Fishery Management Council's Amendment 10 to the Fishery

Management Plan for the Dolphin and Wahoo Fishery of the Atlantic. This suspension was implemented in Proclamation FF-30-2022.

NCMFC Rule 15A NCAC 03Q .0107 (4) SPECIAL REGULATIONS: JOINT WATERS

Suspension of a portion of this rule for an indefinite period. Suspension of this rule allows the division to adjust the creel limit for American shad under the management framework of the North Carolina American Shad Sustainable Fishery Plan. This suspension was continued in Proclamation FF-8-2025.

August 2025 Council Meeting Summary

The Mid-Atlantic Fishery Management Council met August 11-14, 2025, in Annapolis, MD. The following is a summary of actions taken and issues considered during the meeting. Presentations, briefing materials, motions, and webinar recordings are available on the Council's August 2025 meeting page.

HIGHLIGHTS

During this meeting, the Council:

- Approved a list of recommendations for submission in response to Executive Order 14276 on Restoring American Seafood Competitiveness.
- Adopted 2026–2027 specifications for summer flounder, scup, black sea bass, and bluefish. *
- Reviewed an SSC white paper on sector-specific OFLs and ABCs and agreed not to prioritize development of this concept at this time. *
- Reviewed draft conceptual alternatives and preliminary analysis for the Recreational Sector Separation Amendment and removed two options from further consideration. *
- Maintained status quo 2026–2028 *Illex* squid specifications and received results from the collaborative SQUIBS longfin squid biological sampling program.
- Agreed to form a joint subcommittee with SAFMC on blueline tilefish allocation north of Cape Hatteras while moving forward with 2026 specifications approved in June.
- Initiated a framework to consider modifications to the Atlantic mackerel rebuilding approach.
- Welcomed three new Council members and one reappointed member.
- Elected Joe Cimino as Council Chair and Skip Feller as Council Vice Chair.

** Items denoted with an asterisk (*) were undertaken during joint meetings with the Atlantic States Marine Fisheries Commission's Summer Flounder, Scup, Black Sea Bass Management Board, Bluefish Management Board, or ISFMP Policy Board.*

Executive Order on Restoring American Seafood Competitiveness

The Council discussed Executive Order (EO) 14276 on Restoring American Seafood Competitiveness and approved a list of recommended actions for submission to the Secretary of Commerce, as required under Section 4 of the EO. The actions are intended to address the EO objectives of reducing burdens and increasing production within U.S. fisheries. Specifically, the recommendations should "stabilize markets, improve access, enhance profitability, and prevent fishery closures." During the meeting, the Council considered public comments and reviewed a staff options paper describing new and ongoing actions that may be responsive to EO 14276. The Council approved twenty recommended actions covering a broad range of topics. A summary of these recommendations is available here. Staff is preparing the Council's formal response for submission to NMFS prior to the September 30 deadline.

Summer Flounder, Scup, Black Sea Bass, and Bluefish Specifications

The Council met jointly with the Atlantic States Marine Fisheries Commission's (Commission) Summer Flounder, Scup, and Black Sea Bass Management Board (Board) to set 2026-2027 specifications and commercial measures for summer flounder, scup, and black sea bass. The Council also met jointly with the Commission's Bluefish Management Board to set 2026-2027 specifications and recreational measures for bluefish. The table below summarizes commercial quotas and recreational harvest limits (RHL) for all four species (2025 values are provided for comparison). The Council will forward its recommendations to NOAA Fisheries for final approval, while the Commission's actions for state waters are final. See the sections below the table for additional details about the recommendations for each species.

	Commercial Quota *millions of pounds*			**Recreational Harvest Limit** *millions of pounds*		
	2025	**2026**	**2027**	**2025**	**2026**	**2027**
Summer Flounder	8.79	12.78	12.78	6.35	8.79	8.79
Scup	19.54	17.70	15.57	12.31	13.17	11.58
Black Sea Bass	5.00	7.83	7.83	6.27	8.14	8.14
Bluefish	3.03	4.66	4.75	15.70	22.02	22.50

Summer Flounder 2026-2027 Specifications

The 2025 management track assessment found that summer flounder was not overfished, and overfishing was no longer occurring in 2024. Spawning stock biomass was estimated to be about 83% of the biomass target. The Council and Board considered varying Acceptable Biological Catch (ABC) limits as well as a constant ABC across 2026-2027. After reviewing SSC recommendations under both approaches, they selected the SSC-recommended constant ABC approach. This results in an ABC of 30.01 million pounds for both years – a 55% increase compared to the 2025 ABC.

Under the allocations specified in the fishery management plan, 55% of the ABC is allocated to the commercial sector and 45% is allocated to the recreational sector. During the discussion, Council and Board members discussed the large volatility in summer flounder ABCs over the past decade, noting that sharp increases have often been followed by sharp decreases. They also noted the continued below average recruitment, and concerns about management uncertainty and stability. After much discussion, the Council and Board adopted a 12% management uncertainty buffer for both sectors to be deducted from the sector-specific annual catch limits (ACL) to derive the annual catch targets (ACT).

After applying the buffer and accounting for each sector's expected dead discards, the Council and Board adopted a commercial quota of 12.78 million pounds and an RHL of 8.79 million pounds for 2026 and 2027. They agreed that no changes are needed to the commercial management measures, which include a 14" minimum fish size, minimum mesh size (5.5" diamond or 6.0" square mesh), and mesh exemption programs. Recreational bag, size, and season limits for upcoming years will be discussed during the December 2025 Council and Board meeting.

Scup 2026-2027 Specifications

The 2025 management track assessment found that scup was not overfished, and overfishing was not occurring in 2024. Spawning stock biomass was estimated to be about 3.23 times the biomass target. For 2026, the Council and Board approved an ABC of 42.09 million pounds, a 2% increase compared to the 2025 ABC. For 2027, they approved an ABC of 37.01 million pounds.

Under the allocations specified in the fishery management plan, 65% of the ABC is allocated to the commercial sector and 35% is allocated to the recreational sector. No deductions were made in either sector to account for management uncertainty. After accounting for each sector's expected dead discards, the 2026 ABC results in a commercial quota of 17.70 million pounds and an RHL of 13.17 million pounds. The 2027 ABC results in a commercial quota of 15.57 million pounds and an RHL of 11.58 million pounds. The Council and Board agreed that no changes are needed to the commercial management measures which can be modified through the specifications process. Recreational bag, size, and season limits for upcoming years will be discussed during the December 2025 Council and Board meeting.

Black Sea Bass 2026-2027 Specifications

The 2025 management track assessment found that black sea bass was not overfished, and overfishing was not occurring in 2024. Spawning stock biomass was estimated to be about 2.84 times the biomass target. The Council and Board approved an ABC of 21.34 million pounds for both 2026 and 2027, a 28% increase compared to the 2024-2025 ABC.

Under the allocations specified in the fishery management plan, 45% of the ABC is allocated to the commercial sector and 55% is allocated to the recreational sector. No deductions were made in either sector to account for management uncertainty. After accounting for each sector's expected dead discards, the resulting commercial quota for 2026 and 2027 is 7.83 million pounds (a 31% increase compared to 2024-2025), and the resulting RHL for 2026 and 2027 is 8.14 million pounds (a 30% increase).

The Council and Board adopted a 5% in-season commercial closure buffer for 2025, meaning the commercial fishery will close if 105% of the quota is projected to be landed prior to the end of the year. They made no changes to any other federal commercial management measures. Recreational bag, size, and season limits for 2026-2027 will be considered during the December 2025 Council and Board meeting.

Bluefish 2026-2027 Specifications and Recreational Measures

The 2025 management track assessment for bluefish concluded that overfishing was not occurring in 2024, and while the stock was not overfished, it has not yet fully rebuilt to the biomass target reference point. Spawning stock biomass was estimated to be about 89% of the biomass target. The stock is projected to be rebuilt in 2025; however, since this is a projection, the stock will not be considered rebuilt until a future stock assessment determines that the rebuilding target has been achieved.

Based on the SSC's recommendation, the Council and Bluefish Board approved an ABC of 44.61 million pounds for 2026 and 45.41 million pounds for 2027. Under the allocations specified in the fishery management plan, 86% of the ABC is allocated to the recreational sector and 14% to the commercial sector. After considerable debate, the Council and Bluefish Board adopted management uncertainty buffers of 25% for the commercial sector and 30% for the recreational sector. These buffers, applied to the sector-specific annual catch limits to derive the annual catch targets, are intended to prevent management volatility and ensure the continued rebuilding of the stock. Council and Board members also noted that the upcoming changes to the MRIP estimates are a significant source of uncertainty. After applying the buffers and accounting for expected discards, the Council and Board adopted a commercial quota of 4.66 million pounds and an RHL of 22.02 million pounds for 2026, and a commercial quota of 4.75 million pounds and an RHL of 22.50 million pounds for 2027. Compared to 2025, these values represent increases of approximately 50% for the commercial quota and 40% for the RHL.

Recreational measures for bluefish were also modified for 2026 and 2027, with the private recreational bag limit increasing from 3 to 5 fish and the for-hire bag limit increasing from 5 to 7 fish.

SSC White Paper on Sector-Specific OFLs and ABCs for Summer Flounder, Scup, and Black Sea Bass

At the direction of the Council, the SSC developed a white paper titled "Scientific Considerations of Developing Separate OFLs and ABCs for the Commercial and Recreational Summer Flounder, Scup, and Black Sea Bass Fisheries." The Council and the Commission's Summer Flounder, Scup, and Black Sea Bass Board reviewed the final white paper and discussed next steps.

The Council tasked the SSC with development of this white paper in response to concerns from commercial fishery representatives that the current process for setting overfishing limits (OFLs) and acceptable biological catch limits (ABCs) creates the potential for overages in the recreational fishery to negatively impact the commercial fishery. The white paper demonstrated that a purely scientific basis for allocating ABCs by sector can be developed. However, these allocations would differ from the current commercial/recreational allocations and would likely change with each assessment update. A considerable amount of additional analytical work would be needed to more fully develop the concepts in the white paper and there would be a number of both foreseeable and unforeseeable effects.

The Council and Board agreed that the white paper is valuable for better understanding the implications of sector-specific OFLs and ABCs. However, they decided not to prioritize further development of this concept at this time. They noted it may be more appropriate to consider if sector-specific management uncertainty buffers can address the concerns that lead to development of this white paper. The Council and Board agreed to consider how to best further consider this topic while balancing other priorities during upcoming discussions on the Council's 2026 Implementation Plan and the Commission's 2026 Action Plan.

Recreational Sector Separation Amendment

The Council met jointly with the Commission's Interstate Fishery Management Plan Policy Board (Policy Board) to review draft conceptual alternatives and preliminary analysis for the Recreational Sector Separation Amendment. This amendment considers options for managing for-hire recreational fisheries separately from other recreational fishing modes, as well as options related to for-hire permit and reporting requirements.

The Council and Policy Board removed two approaches from further consideration:

1) Separate allocations under recreational sector separation – These options were removed due to concerns about extending the amendment timeline and adding complexity to the fishery management plans, as well as concerns about uncertainty in the mode-specific data that would inform separate allocations.
2) Temporary limitations on the ability to renew inactive federal for-hire permits – This conceptual alternative was removed due to concerns that it would not address the needs of this action and that permit inactivity can be driven by regional and temporal variations in availability.

The Fishery Management Action Team/Plan Development Team (FMAT/PDT) will continue to develop a draft range of alternatives for the remaining approaches for tentative Council and Policy Board approval in December.

The Council and Policy Board also received an update on a plan for developing a white paper on the recreational data collection issues that were previously removed from this amendment. The purpose of the white paper is to clarify the relevant problem statements and objectives, and to assess the feasibility of various approaches for addressing concerns with recreational data collection and use. Staff expects to develop this white paper in 2026, with tentative plans to present a draft outline to the Council and Policy Board in early 2026.

2026-2028 *Illex* Squid Specifications

The Council set 2026-2028 *Illex* squid specifications, maintaining the status quo from 2025. Although the *Illex* stock status remains unknown, a variety of analyses suggest the stock is generally lightly exploited. The quota would stay at 38,631 MT, based on maintaining a 40,000 MT ABC and a 1,369 MT deduction for estimated discards.

SQUIBS Longfin Squid Data Collection Program

Dr. Anna Mercer, Northeast Fisheries Science Center's Cooperative Research Branch Chief, highlighted the results of the Longfin Squid Biological Sampling Program (SQUIBS). Between April 2023 and June 2025, this research engaged 32 fishing vessels in collecting 24,474 longfin squid for biological analysis and aging. Data from SQUIBS advanced understanding of longfin squid life history and assisted development of novel squid stock assessment approaches, demonstrating the power of collaborative research for advancing scientific understanding.

SAFMC Blueline Tilefish Request

The Council discussed a recent request from the South Atlantic Fishery Management Council (SAFMC) to form a joint subcommittee to address how the Acceptable Biological Catch (ABC) for blueline tilefish north of Cape Hatteras, North Carolina should be apportioned between the two Councils.

The most recent assessment for blueline tilefish (SEDAR 92) split the stock at Cape Hatteras, NC. The region north of Cape Hatteras includes a portion of the blueline stock managed by the SAFMC as well as the full management unit managed by the Mid-Atlantic Council. Following SEDAR 92, leadership from both Councils agreed on a process for setting catch and landing limits in their jurisdictions. This process included formation of a joint SSC subgroup to recommend an ABC for the stock north of Cape Hatteras. The sub-group also provided a method for apportioning the stock between regions, resulting in a recommended allocation of 70% of the ABC to the area north of the North Carolina/Virginia border and 30% to the area south.

At the June 2025 meeting, the Mid-Atlantic Council approved blueline tilefish specifications for 2026 based on the recommended 70/30 split. When these recommendations were reviewed at the June 2025 SAFMC meeting, members raised concerns with both the basis of the allocation and the fact that the decision was made by a technical group without Council involvement. The SAFMC subsequently sent a letter to the Mid-Atlantic Council proposing the creation of a joint sub-committee, including members of both Councils, to collaboratively determine how the ABC should be divided.

At this meeting, the Mid-Atlantic Council agreed to support the formation of such a joint Council subcommittee to help inform future specifications. Council members emphasized the importance of continued coordination with the SAFMC, given that blueline tilefish is a single stock along the Atlantic coast. The Council also recommended moving forward with the 2026 specifications approved at the June meeting, noting that they were developed through a mutually agreed-upon process, supported by a joint SSC recommendation, and reflect the best scientific information available. Moving forward with these specifications will ensure timely submission of the final package to NMFS and provide effective management for the upcoming fishing year.

Atlantic Mackerel Rebuilding

Under New Business, and in response to public comment, the Council agreed to consider modifications to the Atlantic mackerel rebuilding plan. The current rebuilding plan, which has been in place since 2023, has a 61% probability of rebuilding the stock by 2032. The proposed modification will consider an alternative rebuilding path that maintains at least a 50% probability of rebuilding by 2032 while allowing for more fishery yield in upcoming years than the current approach would provide (both depend on pending assessment). The Council

was already scheduled to set specifications for upcoming years at its December 2025 meeting. The Council agreed to utilize a framework adjustment to integrate consideration of the revised rebuilding approach into the planned specifications-setting. An initial review will take place at the October 2025 Council Meeting, with final action expected in December 2025.

Other Business

New and Reappointed Council Members

Three newly appointed members were sworn in to begin three-year terms on the Council: Elizibeth "Lisa" Wooleyhan (Delaware), Todd Janeski (Virginia), Jake Wiscott (New Jersey). In addition, reappointed Council member Scott Lenox (Maryland) was sworn in for his third term.

Officer Elections

During the yearly election of officers, the Council elected Joe Cimino as Chair and Skip Feller as Vice Chair. Mr. Cimino is the Administrator of the New Jersey Department of Environmental Protection's Marine Resources Administration. He has served as New Jersey's designated state official since 2018. Mr. Feller is currently in his second term as an appointed member holding Virginia's obligatory seat. He operates a fleet of head boats out of Rudee Inlet in Virginia Beach, Virginia.

Upcoming Meetings

The next Council meeting will be held **October 7-9, 2025,** in Philadelphia, PA. A complete list of upcoming meetings can be found at https://www.mafmc.org/council-events.

October 2025 Council Meeting Summary

The Mid-Atlantic Fishery Management Council met October 7-9, 2025, in Philadelphia, PA. The following is a summary of actions taken and issues considered during the meeting. Presentations, briefing materials, motions, and webinar recordings are available on the Council's October 2025 meeting page.

HIGHLIGHTS

During this meeting, the Council:

- Postponed final action on the Omnibus Alternative Gear-Marking Framework until additional information is available to inform decision making
- Took final action on the Spiny Dogfish Accountability Measures and 2026-2027 Specifications Framework, keeping the commercial quota nearly the same as 2025
- Approved a public hearing document for the Omnibus Essential Fish Habitat Amendment
- Reviewed a draft range of alternatives for the Recreational Tilefish Reporting Framework and recommended several modifications
- Reviewed a draft range of alternatives for the Atlantic Mackerel Rebuilding and 2026-2027 Specifications Framework
- Adopted status-quo 2026-2028 monkfish specifications and effort controls
- Endorsed the monkfish provisions of the New England Council's Management Flexibility Amendment
- Received updates on habitat activities of interest in the Mid-Atlantic region
- Received an update on recent Marine Recreational Information Program (MRIP) actions, including improvements to the Fishing Effort Survey
- Received an update on the Atlantic Coast Regional Offshore Wind Fisheries Compensation Program
- Reviewed and provided feedback on proposed actions and deliverables for the 2026 Implementation Plan (Executive Committee)

Omnibus Alternative Gear-Marking Framework

The Council met to consider taking final action on the Joint Omnibus Alternative Gear-Marking Framework. This action, which was developed in collaboration with the New England Fishery Management Council (NEFMC) and the NOAA Fisheries Greater Atlantic Regional Fisheries Office (GARFO), considers revisions to current gear marking regulations to allow for the optional use of alternative gear marking in fixed gear fisheries (i.e., trap/pot and gillnet) in the Greater Atlantic Region. This could provide increased fishing access for fishermen in areas closed to persistent buoy lines under the Atlantic Large Whale Take Reduction Plan (TRP). Currently, these persistent buoy line closures only apply to the American lobster and Jonah crab trap/pot fishery. However, future modifications to the TRP could create new persistent buoy line restricted areas for other fisheries. Revised gear-marking regulations could allow increased fishing access in the future for fixed-gear fishermen for all fisheries within the TRP restricted areas. This action would not limit the use of current gear-marking methods and would not require the use of gear-marking alternatives or on-demand gear.

After reviewing public comments and receiving an update from the Plan Development Team/Fishery Management Action Team (PDT/FMAT), the Council voted to delay final action on the framework until additional information on ropeless gear and visualization technology, as solicited through a NOAA Fisheries Request for

Information (RFI), is available to better inform stakeholder input and Council decision-making. The Council's motion to postpone final action mirrored a similar motion passed by the New England Fishery Management Council at their September 2025 meeting. The GARFO Regional Administrator indicated that NOAA Fisheries plans to issue an RFI in 2026 to solicit public input on various questions pertaining to alternative gear marking and the approval of certain systems for use. Updates on this action can be found here.

Spiny Dogfish Accountability Measures and Specifications Framework

The Council took final action on a framework action to set 2026-2027 spiny dogfish specifications and modify some accountability measures. Because spiny dogfish are jointly managed by the Mid-Atlantic and New England Councils, both Councils must approve the framework for it to take effect. The New England Fishery Management Council will consider taking final action at their December 2025 meeting.

Specifications: The spiny dogfish stock is projected to be at 113% of its biomass target in 2026. Based on advice from its Scientific and Statistical Committee (SSC), the Council adopted constant 2026-2027 specifications with the same Acceptable Biological Catch (ABC) limit as 2025. The Council decided it was appropriate to set aside slightly more for discards, which will reduce the commercial quota from 2025's 9.3 million pounds to 9.2 million pounds for 2026-2027. No changes were recommended to other measures, such as the federal trip limit.

Accountability Measures: Currently, the Spiny Dogfish Fishery Management Plan (FMP) requires strict pound-for-pound payback of any Annual Catch Limit (ACL) overages as an accountability measure. Under the revised measures adopted by the Council, ACL overages would be calculated using a 3-year average of catch compared to a 3-year average of ACLs. This approach is intended to smooth out annual variability in landings and discards to reduce the likelihood of overages resulting from short-term fluctuations and/or imprecise estimates. In addition, payback amounts would scale with biomass levels as follows:

- **At or above target biomass**: No payback would be required for ACL overages. However, the Councils would still consider management adjustments during the next specifications cycle to prevent future overages.
- **At or below 75% of target biomass**: Full, pound-for-pound paybacks would be required and deducted from the next available single-year ACL.
- **Between 75% and 100% of target biomass**: The payback amount would be calculated on a sliding, linear scale based on biomass level (for example, a 50% payback would be required when the stock is at 87.5% of the target biomass).

This change is intended to better align accountability measures with stock status and reduce unnecessary economic impacts when the stock is healthy. However, this flexibility would not apply while a rebuilding plan is in place, and full paybacks would still be required until the stock is rebuilt. The Council also voted to allow specifications to include a landings closure threshold of up to 105% of the quota if biomass is greater than 50% of the target. This measure is intended to reduce negative economic impacts of coastwide closures on states that have not fully harvested their quotas. Updates on this action can be found here.

Omnibus Essential Fish Habitat Amendment

The Council reviewed and approved a public hearing document for the Omnibus Essential Fish Habitat (EFH) Amendment. This action proposes revisions to the EFH designations for 14 of the Council's managed species. After reviewing input from its Ecosystem and Ocean Planning (EOP) Committee and EOP Advisory Panel, the Council approved the document for public comment and hearings and identified Alternative 2 as the Council's preferred alternative. A schedule of public hearings, along with instructions for submitting written comments,

will be available on the Council website in the coming weeks. The Council will consider final action on the Amendment at its meeting in April 2026. Updates on this action can be found here.

Recreational Tilefish Reporting Framework

The Council reviewed a draft range of alternatives for the Recreational Tilefish Reporting Framework. This action considers options to streamline and simplify reporting requirements for recreational tilefish anglers, with the goals of improving compliance, reducing the reporting burden, increasing enforceability of regulations, and improving the accuracy and reliability of self-reported data. Currently, anglers fishing for golden and blueline tilefish north of the North Carolina/Virginia border are required to submit electronic vessel trip reports (eVTR) for every trip where tilefish were caught or targeted. These requirements, implemented in 2020, were intended to improve the accuracy and reliability of recreational catch and effort estimates. However, a program evaluation conducted in 2024 highlighted a number of issues that have contributed to persistently low compliance and reporting rates.

The range of alternatives presented to the Council includes options that would (1) eliminate certain reporting fields, (2) eliminate the requirement to report effort-only trips (i.e., trips with no tilefish landings or discards), and (3) revise the trip report submission timeframe. These alternatives were developed based on the outcomes and recommendations of the 2024 program evaluation. The Council provided feedback on the range of alternatives and requested that staff add an alternative that would maintain the requirement to report catch location information (e.g., latitude/longitude or statistical area). The Council also requested that staff evaluate the feasibility and utility of adding a requirement to report tilefish length and weight information.

The modified range of alternatives will be further developed, and a public input meeting will be held in early 2026 to gather stakeholder feedback on the range of alternatives. Final action by the Council is tentatively planned for April 2026. Updates on this action can be found here.

Atlantic Mackerel Rebuilding and Specifications Framework

The Council reviewed a draft range of alternatives for a framework action to modify the Atlantic mackerel rebuilding plan and set 2026-2027 specifications. Directed commercial fishing for Atlantic mackerel has been negligible since October 12, 2023, when very low trip limits and quotas were established to facilitate rebuilding. It appears that improving recruitment in 2022 and 2023 was followed by a large terminal year recruitment event in 2024. However, the preceding three terminal year recruitment estimates (2016, 2019, and 2022) were later revised down, by -30%, -62%, and -23% respectively.

Depending on the Scientific and Statistical Committee's (SSC) advice on potentially adjusting the terminal year recruitment estimate, catch limits for 2026-2027 may increase. The Council instructed staff to refine a range of approaches for 2026-2027 to continue rebuilding based on the SSC's recommendations made during an upcoming October 23, 2025 SSC webinar meeting. The Mackerel, Squid, and Butterfish Committee and River Herring and Shad Committee will meet jointly on November 24 to make recommendations for final action at the Council's December 2025 meeting. Updates on this action can be found here.

Monkfish 2026-2028 Specifications

Mirroring action in New England for this jointly-managed fishery, the Council recommended maintaining current overall catch limits for both the northern and southern monkfish management areas, with no changes to existing days-at-sea or possession limits. The total allowable landings (TAL) for the northern area will decline by about 3% due to updated discard estimates (to 5,174 metric tons); the southern area TAL would be nearly unchanged (3,487 metric tons).

NEFMC Management Flexibility Framework – Monkfish Provisions

The Council endorsed the monkfish provisions of an omnibus amendment developed by the New England Fishery Management Council to improve flexibility and consistency across their fishery management plans. If approved and implemented, this action would: allow specifications to be set for up to five years through a simpler "specs action" without requiring development of a framework adjustment; enable NOAA Fisheries to adjust specifications or measures during the year in consultation with the Council; remove certain annual reporting requirements to reduce administrative workload; and expand the list of measures that can be updated through framework adjustments.

Habitat Update

NOAA Fisheries GARFO Habitat and Ecosystem Services Division (HESD) provided information, presented by Council staff, on habitat activities of interest to the Council. This included several port development, energy, federal navigation, and civil work projects within the Mid-Atlantic. The status of the Environmental Protection Agency's Historic Area Remediation site considerations and U.S. Coast Guard work with HESD on their "Shipping Safety Fairways Along the Atlantic Coast" was noted. HESD highlighted work with the U.S. Army Corps of Engineers on the reissuance of the Nationwide permits and new and upcoming work to facilitate efficient and effective EFH consultations (i.e., training, technical assistance, and a new EFH assessment worksheet). Lastly, it was noted that early discussions are occurring with a proposed mussel aquaculture project (i.e., Newport Mussels) in Southern New England.

Marine Recreational Information Program (MRIP) Update

Council staff provided an overview of ongoing improvements to the survey methods used to create recreational fishing catch estimates. In particular, NOAA Fisheries is preparing to transition to a modified Fishing Effort mail-based Survey (the "FES"). Based on 2024 side-by-side surveys, NOAA Fisheries' analyses suggest the modified survey results in approximately 10%-20% lower effort estimates, which would translate into similar reductions in catch estimates. Catch reductions will vary by species, with relatively bigger reductions for species caught primarily in private boat fishing vs shore fishing, and relatively bigger reductions for species that are caught primarily in off-peak activity months. For most species, it appears the scale of downward changes will be less than the upward changes that occurred with the original FES implementation in 2018.

Older estimates will have to be calibrated (lowered) to match the new methods, and then the new time series can be incorporated into assessments as they occur (and then into management). Lowering the catch history going into an assessment often results in lower projected future yields, so the overall impact on recreational management measures (seasons, size limits, possession limits) is not yet clear. NOAA Fisheries and management partners are developing a transition plan that would provide a framework for considering related issues, including assessment prioritization and the need for potential re-consideration of allocations that were based upon historic estimates.

Staff also provided updates on MRIP's efforts to improve engagement with partners and constituents, from long-term goals to enhanced review of preliminary estimates. Staff also reviewed upcoming research efforts in the Gulf of America focused on cutting-edge recreational data collection methods, including video, satellite, aerial survey, and mobile data.

The best way to stay informed about MRIP activities is to sign up for NOAA Fisheries email updates or email fisheries.mrip@noaa.gov.

Atlantic Coast Regional Offshore Wind Fisheries Compensation Program

The Council received an update on a regional offshore wind fisheries compensation program, which is currently in development and could be used across multiple future offshore wind energy projects. More information is available at https://www.rfainfo.com/.

Executive Committee: 2026 Implementation Plan

The Executive Committee met to review and provide feedback on a draft list of actions and deliverables for the 2026 Implementation Plan. The Council develops Implementation Plans each year to ensure progress toward achieving the goals and objectives of its 5-year strategic plan. During the meeting, the Committee received a progress update on the 2026 Implementation Plan and reviewed a draft list of actions and deliverables for 2026. The Committee recommended several modifications to the list. The full Council will review a draft 2026 Implementation Plan at the December meeting.

Other Business

50th Anniversary: Staff provided an update on planned communications and outreach for the 50th anniversary of the regional fishery management councils in 2026. The strategy focuses on celebrating the Council's history, raising public awareness, and engaging stakeholders. Planned activities and deliverables include a dedicated landing page on the Council website, an interactive timeline of key milestones, and a series of articles featuring management milestones from the Council's history and interviews with Council process participants. Staff also plan to host a photo contest in early 2026, inviting submissions that capture Mid-Atlantic fisheries, coastal communities, habitats, and working waterfronts. Winning photos will be showcased online and in other communications.

Role of Monitoring Committees: The Council reviewed a staff memo summarizing the role of the Monitoring Committees in the specifications setting process. Monitoring Committees review and recommend to the Council many different types of catch and landings limits and other management measures. The Monitoring Committees are specifically tasked with considering management uncertainty when making recommendations for Annual Catch Targets; however, they can also consider scientific uncertainty, optimum yield, and other factors when making all their recommendations. The memo describes several recent examples of Annual Catch Targets set less than the Annual Catch Limits for a variety of reasons. The Council is not bound by the recommendations of the Monitoring Committees and can adopt different specifications (higher or lower) provided they are consistent with the FMPs, the Magnuson Act, and other applicable laws.

Inflation Reduction Act Updates: The Council reviewed newly developed one-page overviews for the Council's eight projects supported by Inflation Reduction Act (IRA) funds intended to help support the development and enhancement of climate-related fisheries management efforts. This new communication tool provides easy-to-read, high level information about each project's purpose, objectives, and general timeline. These one-page project overviews and additional IRA information can be found at: https://www.mafmc.org/ira-projects.

Executive Order 14276, *Restoring American Seafood Competitiveness*: The Council's response to Executive Order 14276 was submitted on September 30, 2025. It included a total of 20 recommended actions to help stabilize markets, improve access, enhance profitability, and prevent fishery closures.

Next Council Meeting

The next Council meeting will be held **December 15-18, 2025,** in Washington, DC. A complete list of upcoming meetings can be found at https://www.mafmc.org/council-events.

South Atlantic Fishery Management Council

News Release

FOR IMMEDIATE RELEASE
September 25, 2025

CONTACT: Kim Iverson
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Council Addresses Broad Range of Federal Fishery Issues During September Meeting

Executive Orders, options for state management of Red Snapper, increases in Blueline Tilefish catch limits, and measures for Black Sea Bass included in week-long meeting

The South Atlantic Fishery Management Council met this past week in North Charleston, South Carolina, to address federal fishery management issues in the South Atlantic region. During the week-long meeting, the Council reviewed public input received relative to Executive Order 14276 *Restoring American Seafood Competitiveness*. The Council began discussion of the Executive Order during its June 2025 meeting and solicited online public comment from July 28 through August 15, 2025, as well as input from its advisory panels via a virtual meeting held on August 11th.

Executive Order 14276

Each of the eight regional fishery management councils must provide a letter to the Secretary of Commerce outlining actions underway or planned, to address the directives of the Executive Order. Council members reviewed a summary of topics provided by the public and its advisory panels and decided to focus initially on actions already underway to help ensure their timely completion as directed in the EO. These include:

- Removing or considering ecosystem component designation for several species in the Snapper Grouper Fishery Management Plan (FMP). There are currently 55 species withing the FMP.
- Addressing commercial federal permit issues and improving commercial trip efficiency through Amendment 60 to the Snapper Grouper FMP.
- Supporting development of Exempted Fishing Permit applications from the four South Atlantic states to explore state management of the recreational Red Snapper fishery.

The response to the Executive Order will also note the Council's work to increase stakeholder engagement, acknowledging that stakeholder input is a fundamental component of the Council process. Recommendations that NOAA Fisheries prioritize items under their purview will also be included in the response. These include continuing data collection (e.g., dockside sampling) and conducting more timely stock assessments in the South Atlantic region and eliminating the prohibition of shark fin sales due to its negative impacts on fishing businesses and potential contribution to depredation.

State Management of Recreational Red Snapper

During the meeting week, the Council held an informational session on joint state-federal management that included presentations on multiple topics. NOAA Fisheries Southeast Regional office and the Gulf Council addressed regulatory procedures and their roles in implementing state-based management of Red Snapper in the Gulf of America. A state perspective was provided by the Florida Fish and Wildlife Conservation Commission, and a broader Atlantic perspective by the Atlantic States Marine Fisheries Commission.

The Council discussed issues to be addressed if joint state-federal management of Red Snapper is considered in the South Atlantic. A list highlighting discussion topics and questions is available from the Full Council 1 Summary Report. The Council agreed to start developing a plan amendment for state management of recreational Red Snapper. Each state will initially develop and submit Exempted Fishing Permit applications to NOAA Fisheries to begin exploring the concept. Presentations on the state's proposals are scheduled for the December 2025 Council meeting, when discussion on next steps will continue.

Increasing Blueline Tilefish Catch Limits

Following the latest stock assessment for Atlantic Blueline Tilefish (SEDAR 92), completed in March 2025, the Council's Scientific and Statistical Committee provided the Council with an updated Acceptable Biological Catch (ABC) level that would allow an increase in harvest. The stock assessment includes Blueline Tilefish found within both the Mid-Atlantic and South Atlantic Fishery Management Councils' jurisdictions.
In order to implement new catch limits for Blueline Tilefish for the 2026 fishing season, the South Atlantic Council is preparing Abbreviated Framework Amendment 5 to adopt the recommended ABC and establish a total annual catch limit. Jurisdictional allocations and other management measures will be addressed in a future amendment. A public hearing will be held during the Council's December 2025 meeting in Kitty Hawk, North Carolina.

Black Sea Bass

The Council continued work on Regulatory Amendment 37 to quickly implement measures to address the continuing decline in the Black Sea Bass stock in the South Atlantic. Additional actions will be considered through Amendment 56 to the Snapper Grouper FMP.

The regulatory amendment proposes changes to minimum size limits, reductions in the recreational bag limit, and a spawning season closure for both commercial and recreational sectors with a minimum closure of two months. Regulatory Amendment 37 would establish recreational and commercial annual catch targets (ACTs) equal to 50% of the average landings from 2019-2023. The Council would reconsider the ACTs and associated measures two years after implementation. Virtual public hearings for Regulatory Amendment 37 will be held prior to the Council's December meeting. Additional details will be provided as they become available.

Additional information about the Council's September 2025 meeting, including individual reports from committee meetings and meetings of the Full Council, are available from the Council's website at: https://safmc.net/events/september-2025-council-meeting/. The next meeting of the South Atlantic Fishery Management Council is scheduled for December 8-12, 2025, in Kitty Hawk, North Carolina.

The South Atlantic Fishery Management Council, one of eight regional councils, conserves and manages fish stocks from three to 200 miles offshore of North Carolina, South Carolina, Georgia and east Florida.

Atlantic States Marine Fisheries Commission

ASMFC 2025 Annual Meeting

Sustainable and Cooperative Management of Atlantic Coastal Fisheries

ASMFC 2025 Annual Meeting
October 27 - 30, 2025

For more information, please contact Toni Kerns, ISFMP, Tina Berger, Communications or the identified individual at 703.842.0740

Meeting Summaries, Press Releases and Motions

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ATLANTIC COASTAL COOPERATIVE STATISTICS PROGRAM COORDINATING COUNCIL (OCTOBER 27, 2025)

Meeting Summary

The ACCSP Coordinating Council met to consider the FY2026 Partner and Administrative proposals. Due to uncertainty about FY2026 funding levels, the Council moved to support the ACCSP administrative grant, up to five (5) maintenance proposals and two to three new proposals as ranked and recommended by the Advisory and Operations Committees. Exact project selection will depend on the total funding ACCSP receives, and the ability of individual projects to adapt to partial funding. The Council noted appreciation to the Operations and Advisors on the work done to rank proposals and provide thoughtful recommendations to utilize available funding.

The Council received updates on ACCSP program activities, including status of funding for prior approved projects, recreational data collection initiatives, software development timelines, biological module data load projects into the ACCSP Data Warehouse, and implementation of limited confidential access approval process.

For more information, please contact Geoff White, ACCSP Director, at Geoff.white@accsp.org.

Motions

Move to approve the funding proposal recommendations by the operations and advisory committee as proposed today.

Motion made by Dr. McNamee and seconded by Mr. Grist. Motion approved by consent.

ATLANTIC COASTAL FISH HABITAT PARTNERSHIP STEEERING COMMITTEE (OCTOBER 27 & 28)

Meeting Summary

The Atlantic Coastal Fish Habitat Partnership (ACFHP) Steering Committee convened its Fall 2025 meeting to discuss ongoing and emerging partnership initiatives, project updates, and future planning efforts. The meeting included updates on National Fish Habitat Partnership (NFHP) activities, review of current and recently completed ACFHP-funded projects, and discussion of strategies to enhance partner engagement and long-term support for restoration, including the development of new outreach materials.

Guest presentations included Leah Morgan of the Partnership for the Delaware Estuary, who discussed the organization's oyster shell recycling program, and Alison Rogerson of the Delaware Department of Natural Resources and Environmental Control (DNREC) Watershed Stewardship Division, who presented on beneficial use dredging projects in the Indian River. The Committee also discussed ongoing efforts to plan the 2026 Submerged Aquatic Vegetation (SAV) Workshop and Guidance Document, updates to the project monitoring survey, and partner outreach priorities for the upcoming year.

A field visit to DNREC's new SAV facility in Lewes, Delaware, provided an opportunity to learn about current and planned restoration efforts and innovative SAV propagation techniques.

Key outcomes:

- Welcoming Tim Ellis (Quantitative Ecologist, Albemarle-Pamlico National Estuary Partnership) as a new Steering Committee member.

- Review and discussion of the updated ACFHP Business Plan.
- Continued planning for the 2026 SAV Workshop, focusing on *Zostera marina* and *Ruppia spp.* restoration, monitoring, and management.
- Identification of opportunities to leverage NFHP's 20th Anniversary for increased partner engagement and communications.
- Discussion of potential new Memorandum of Understanding (MOU) partners, including the South Atlantic Fishery Management Council, Coastal Conservation Association, National Wildlife Federation, and Delaware Center for the Inland Bays.
- Consideration of opportunities to support early-career professionals by sponsoring participation in future ACFHP meetings.
- For more information, please contact Emilie Franke, Fishery Management Plan Coordinator, at efranke@asmfc.org.

For more information, please contact Simen Kaalstad, ACFHP Director, at skaalstad@asmfc.org.

ATLANTIC HERRING MANAGEMENT BOARD (OCTOBER 27, 2025)

Meeting Summary

The Atlantic Herring Management Board met to set quota periods for the 2026 Area 1A fishery; review the draft Fishery Management Plan (FMP) Review for fishing year 2024, state compliance and *de minimis* request; and elect a Vice-Chair.

The Board considered quota periods for the 2026 Area 1A fishery. Per Amendment 3 to the Interstate FMP for Atlantic Herring, quota periods shall be determined annually for Area 1A. The Board can consider distributing the Area 1A sub-ACL using bi-monthly, trimester, or seasonal quota periods. The Board can also decide whether quota from January through May will be allocated later in the fishing season, and underages may be rolled from one period to the next within the same year. For the 2026 Area 1A fishery, the Board adopted a seasonal quota approach with 72.8% available June-September and 27.2% available October-December with underages from June through September rolled into the October through December period, if applicable. These 2026 quota periods are the same as the quota periods implemented for the last six fishing years.

The Board approved the Atlantic Herring FMP Review for the 2024 fishing year, state compliance reports, and *de minimis* request for New York. In 2024, all states implemented management measures consistent with the FMP. The Board also discussed the short-term recommendation from the Plan Review Team that the Board consider long-term funding to support continuation of the Maine Department of Marine Resources portside sampling program, which requires funding for sample collection in states outside of Maine. The portside sampling program is an important data source informing management and the Atlantic herring stock assessment model. A call will be scheduled for the Administrative Commissioners on the Board to discuss potential long-term funding and/or the ability for states to potentially collect their own samples and send them to Maine DMR for processing.

Finally, the Board elected Eric Reid from Rhode Island as the Vice-Chair. For more information, please contact Emilie Franke, Fishery Management Plan Coordinator, at efranke@asmfc.org.

Motions

Move to implement seasonal distribution of quota for the 2026 Area 1A sub-ACL with 72.8% available from June through September and 27.2% allocated from October through December, with no landings

prior to June 1. Underages will be rolled over into the next quota period. The fishery will close when 92% of the seasonal period's quota is projected to be caught.

Motion made by Ms. Ware and seconded by Ms. Zobel. Motion approved by unanimous consent.

Move to approve the Atlantic Herring FMP Review for the 2024 fishing year, state compliance reports, and *de minimis* request for New York.

Motion made by Mr. Kaelin and seconded by Mr. Gates. Motion approved by unanimous consent.

Move to elect Eric Reid as Vice-Chair.

Motion made by Ms. Ware and second by Mr. Kane. Motion approved by unanimous consent.

TAUTOG MANAGEMENT BOARD (OCTOBER 27, 2025)

Press Release

Tautog Regional Assessments Update Shows Varied Stock Status by Region

Dewey Beach, DE – The Commission's Tautog Management Board reviewed the results of 2025 Regional Stock Assessments Update, which found stock status varied by region. Tautog were not overfished in the Massachusetts-Rhode Island (MARI), Long Island Sound (LIS), and New Jersey and New York Bight (NJ/NYB) regions, but were overfished in the Delaware-Maryland-Virginia (DMV) region. Tautog were not experiencing overfishing in the MARI or LIS regions but were experiencing overfishing in the NJ-NYB region and DMV region.

Table 1. Stock status of tautog in the MARI, LIS, NJ-NYB, and DMV regions.

	Spawning Stock Biomass			
Region	**Target**	**Threshold**	**2024**	**Status**
MARI	6,143 mt	4,595 mt	9,572 mt	Not overfished
LIS	9,799 mt	7,349 mt	13,718 mt	Not overfished
NJ-NYB	7,910 mt	5,929 mt	7,900	Not overfished
DMV	4,400 mt	3,236 mt	2,687 mt	Overfished
Retrospective adjustment applied to SSB for all regions				

	Fishing Mortality			
Region	**Target**	**Threshold**	**2024**	**Status**
MARI	0.27	0.46	0.26	Not overfishing
LIS	0.25	0.35	0.25	Not overfishing
NJ-NYB	0.20	0.33	0.44	Overfishing
DMV	0.18	0.29	0.36	Overfishing
Retrospective adjustment applied to F for all regions.				

Stock status did not change for the MARI or LIS regions from the 2021 update but did change for the NJ-NYB and DMV regions. The NJ-NYB region went from being overfished but not experiencing overfishing in the 2021 update to not being overfished but experiencing overfishing in this update. The DMV region was previously not overfished or experiencing overfishing but was considered overfished and experiencing overfishing in the 2025 update.

All regions showed patterns in fishing mortality and spawning stock biomass (SSB), with MARI, LIS, and NJ-NYB assessments overestimating fishing mortality and underestimating SSB, while the pattern was reversed in the DMV region, compared to the 2021 update. Based on the Commission's policy, the Stock Assessment Subcommittee adjusted both fishing mortality and SSB for all regions to account for this pattern, which changed stock status for some regions.

Since the 2021 update, recruitment has increased in the LIS and NJ-NYB regions, and MARI shows a slight increase in SSB. In the DMV, fishing mortality had been low since 2012 before reaching a peak in 2021 followed by a sharp decline thereafter. Total removals have increased in all regions, driven primarily by increases in recreational harvest.

In response to the assessment findings, the Board initiated an addendum to address changes in stock status for NJ/NYB and DMV. The Draft Addendum will also consider allowing for the MARI and LIS regions to modify management for precautionary or alignment purposes.

The 2025 Regional Stock Assessments Update as well as a detailed overview of the update will be available at https://asmfc.org/species/atlantic-menhaden/ under News and Resources. For more information on the update, please contact Katie Drew, Stock Assessment Team Lead, at kdrew@asmfc.org; and for more information on tautog management, please contact James Boyle, FMP Coordinator, at jboyle@asmfc.org.

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PR25-25

Motions

Move to initiate an addendum to respond to the 2025 Stock Assessment Update for two stock regions: NJ/NY Bight and DMV. Additionally, the addendum should also allow for the MARI and LIS regions to modify management for precautionary or alignment purposes.
Motion made by Dr. McNamee and seconded by Mr. Cimino. Motion passes (5 in favor, 3 opposed).

Move to elect Rich Wong as Vice Chair of the Tautog Management Board.
Motion made by Mr. LaFrance and seconded by Dr. McNamee. Motion passes by unanimous consent.

AMERICAN LOBSTER MANAGEMENT BOARD (OCTOBER 27, 2025)

Press Release

American Lobster Benchmark Stock Assessment Finds GOM/GBK Stock Not Depleted but Experiencing Overfishing & SNE Stock Significantly Depleted but Not Experiencing Overfishing

Dewey Beach, DE – The Commission's American Lobster Management Board received the results of the 2025 American Lobster Benchmark Stock Assessment and Peer Review Report, which presents

contrasting results for the two American lobster stocks in US waters. The Gulf of Maine and Georges Bank (GOM/GBK) stock is not depleted but has declined 34% since peak levels in 2018, and overfishing is occurring. The Southern New England (SNE) stock remains significantly depleted with record low abundances for all life stages in recent years.

"The Benchmark Stock Assessment is a considerable advancement in our understanding US American lobster resource. It was fully endorsed by an external panel of fishery scientists as the best scientific information available to manage the lobster resource," stated Board Chair Renee Zobel from New Hampshire. "On behalf of the American Lobster Board, I commend the members of the Technical Committee and Stock Assessment Subcommittee for their outstanding work on the 2025 Benchmark Stock Assessment Report. This assessment reflects the commitment of the Committee and Peer Review Panel to providing the Board with the highest-caliber science to inform management decisions and improve our understanding of the complex and changing relationship between the environment and lobster resource."

There are notable differences between the fisheries operating in the GOM and GBK portions of the GOM/GBK stock. The GOM fishery accounts for the vast majority of US lobster landings, averaging 82% of the annual landings since 1982, and is predominately carried out by small vessels making day trips in nearshore waters. The GBK fishery is considerably smaller, averaging 5% of the landings since 1982, and is predominantly carried out by larger vessels making multi-day trips to offshore waters. Total GOM/GBK annual landings increased from a stable period in the 1980s, averaging approximately 35.4 million pounds, through the 1990s and 2000s, exceeding 100 million pounds for the first time in 2009. Landings from 2012 through 2018 stabilized at record levels, averaging 145.7 million pounds. Landings have declined since the last assessment, averaging 123.6 million pounds from 2019-2023.

Historically, the SNE fishery was predominately an inshore fishery. Landings peaked in 1997 at 21.8 million pounds and accounted for 26% of the total US lobster landings. Following the peak, landings from SNE have continuously declined to the lowest on record in 2023 (1.7 million pounds), now accounting for only 1% of the US landings. The fishery has also shifted to a predominantly offshore fishery as inshore abundance declined at a faster rate.

In the GOM/GBK stock, recruitment and spawning stock biomass estimates have declined in recent years from record highs. Recent exploitation is just above the exploitation threshold, indicating overfishing is occurring. Given the overfishing status and rapid declines in abundance in recent years, the Stock Assessment Subcommittee

encouraged the initiation of a management strategy evaluation to establish clear management objectives for all stakeholders, better understand socioeconomic status and concerns, and identify potential management tools that might be supported by the industry and prevent further declines. Although continued adverse environmental indicators suggest environmental conditions are major contributors to the poor abundance status in SNE, the Stock Assessment Subcommittee believes significant management action would provide the best chance of stabilizing or improving the abundance and reproductive capacity of this stock.

The assessment highlights extensive research on the influence of the environment on American lobster life history and population dynamics. Among the critical environmental variables, temperature stands out as the primary influence. The American lobster's range is experiencing changing environmental conditions at some of the fastest rates in the world, making consideration of environmental factors

essential when assessing the lobster stocks. Therefore, the assessment incorporated environmental data time series including water temperatures at several fixed monitoring stations throughout the lobster's range, average water temperatures over large areas such as those sampled by fishery-independent surveys, oceanographic processes affecting the environment, and other environmental indicators such as

lobster prey abundance. These data time series were analyzed for significant shifts in the lobster environment and population that can affect stock productivity and impact recruitment levels and the ability to support different levels of fishing pressure.

Stock abundance is characterized using reference points for abundance and exploitation. Based on these reference points, the GOMGBK stock is not depleted and overfishing is occurring. The average abundance from 2021-2023 was 202 million lobsters, which remains above the abundance limit reference point, but below the fishery/industry target, indicating the stock's ability to replenish itself is not jeopardized, but economic conditions for the lobster fishery may be degrading. The average exploitation from 2021-2023 was just above the exploitation threshold, indicating overfishing is occurring.

The SNE stock is significantly depleted and the stock's ability to replenish itself is diminished. The average abundance from 2021-2023 was 6 million lobster, well below the abundance threshold (18 million lobster) and the lowest on record. The average exploitation from 2021-2023 was between the exploitation threshold and target, indicating overfishing is not occurring.

Stock indicators, which are based strictly on observed data and are free from inherent assumptions in the stock assessment models, were also used as an independent, model-free assessment of the lobster stocks to corroborate the assessment model results. Indicators of adult lobster abundance generally showed similar results to the assessment model for the GOM/GBK stock, with abundance declines from peaks since 2018. GOM/GBK young-of-year (YOY) indicators have shown increases from lows in the 2010s, but remain below higher levels observed in the 2000s. Inshore surveys exhibit stronger abundance declines than offshore surveys, and indicators show higher exploitation rates inshore. New to the 2025 assessment, recruit-dependency indicators show inshore harvest is highly dependent on incoming recruitment (lobsters that enter the fishery due to catchable size). Landings and revenue indicators show declining trends but remain at positive levels. Indicators related to environmental conditions, particularly bottom water temperatures, remain positive in GOM/GBK and shell disease prevalence, although increasing in some areas, remains low realtive to SNE.

SNE abundance indicators agree with model results and indicate declines to record low abundances for all life stages in recent years. The contraction of the SNE stock has continued and is now evident offshore as well as inshore. Given data and survey challenges leading to increased instability in the SNE model, consistent poor stock status estimates, and the lack of evidence suggesting environmental and stock conditions will improve in SNE, the Stock Assessment Subcommittee recommended future assessments evaluate the condition of the SNE stock using model-free indicators and prioritize modelling efforts on the GOM/GBK stock.

The Peer Review Panel found the 2025 assessment meets and exceeds the standard for best scientific information available and provides a suitable foundation for management. The Panel commended the addition of socioeconomic data that provide insight into changes in the fishery and the considerable efforts to evaluate environmental impacts on the stock. However, the Panel cautioned against placing

too much emphasis on environmental effects and discounting the effects of fishing on the lobster populations.

The Board accepted the Benchmark Stock Assessment and Peer Review Report for management use. A more detailed overview of the stock assessment, as well as the Benchmark Stock Assessment and Peer Review Report will be available on the Commission website https://asmfc.org/species/american-lobster/ under News and Resources. For more information, please contact Caitlin Starks, Senior Fishery Management Coordinator, at cstarks@asmfc.org or 703.842.0740.

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PR25-27

Meeting Summary

In addition to approving the 2025 American Lobster Benchmark Stock Assessment and Peer Review Report for management use, the American Lobster Board discussed follow-up tasks for the Technical Committee (TC) in response to the assessment recommendations, and received updates on the Joint New England and Mid-Atlantic Fishery Management Council Alternative Gear Marking Framework, and from Maine, New Hampshire, and Massachusetts on recent surveys on management perspectives of the Gulf of Maine lobster industry. The Board also considered the annual Fishery Management Plan (FMP) Review and elected a Vice Chair.

Considering the findings of the assessment and Stock Assessment Subcommittee (SAS) recommendations, the Board tasked the TC with several items to inform potential management responses. First, the Board tasked the TC with creating a combined index for tracking recruit abundance in GOM/GBK as part of future data updates to the Board. It also directed the TC to estimate the benefits to the GOM/GBK fishery that would have resulted from implementing the minimum gauge size increases under Addendum XXVII that were ultimately repealed. The TC will report to the Board on these analyses and review the process for conducting an MSE for the GOM/GBK stock at the Winter Meeting.

The Board received an update on recent actions of the New England and Mid-Atlantic Councils regarding the development of the Joint Alternative Gear Marking Framework Adjustment. The purpose of the Framework is to consider changes to surface-marking requirements that would allow the use of fixed gear without a persistent buoy line, such as on-demand trap gear, as a possible approach for reducing entanglement risk for large whales. At their recent meetings, the Councils postponed final action on the Framework until additional information on ropeless gear and visualization technology is available to better inform stakeholder input and Council decision-making. NOAA Fisheries intends to gather information through a Request for Information in 2026 to address this need.

Maine, New Hampshire, and Maine reported out on recent stakeholder surveys conducted to better understand to better understand fishermen's and dealers' perceptions of the fishery and identify potential management approaches for the Gulf of Maine. The survey results show similar views across states within each of the Lobster Conservation and Management Areas (LCMAs), generally positive perceptions of the status of the fishery and resource, and concerns about fishing input costs and possible future restrictions related to the Atlantic Large Whale Take Reduction Plan. The GOM states plan to review their survey results with industry members and will provide additional updates to the Board at the next meeting.

The Board also approved the American Lobster and Jonah Crab FMP Reviews for the 2024 fishing year, state compliance reports, and the *de minimis* status for Delaware, Maryland, and Virginia. Based on the Plan Review Team recommendations, the Board tasked the Technical Committee with providing guidance on commercial sampling needs by stock area to support the stock assessment.

For more information, please contact Caitlin Starks, Senior Fishery Management Plan Coordinator, at cstarks@asmfc.org.

Motions

Move to accept the 2025 American lobster benchmark stock assessment and peer review report for management use.
Motion made by Mr. Grout and seconded by Mr. Reid. Motion passes by unanimous consent.

Move to task the Technical Committee to include a recruit index for GOM/GBK, similar to what was used in Addendum XXVII (combined recruit survey index), as a part of future data updates to the Board at the annual meetings.
Motion by Dr. Wilson and seconded by Mr. Borden. Motion passed by unanimous consent.

Move to task the Technical Committee to project the benefits to the GOM/GBK fishery if the gauge increases from Addendum XXVII were put into place as originally scheduled.
Motion made by Mr. Kaelin and seconded by Mr. Hyatt. Motion carries (10 in favor, 1 opposed).

Move to approve the American Lobster and Jonah Crab FMP Reviews for the 2024 fishing year, state compliance reports, and *de minimis* status for DE, MD, and VA, and to task the TC with providing recommendations on commercial sampling needs by stock or management area.
Motion made by Mr. Cimino and seconded by Mr. Train. Motion passed by unanimous consent.

Move to elect John Maniscalco as Vice Chair to the American Lobster Board.
Motion made by Mr. Reid and second by Mr. McKiernan. Motion passed by unanimous consent.

HORSESHOE CRAB MANAGEMENT BOARD (OCTOBER 28, 2025)

Press Release

Horseshoe Crab Board Sets Male-Only Bait Harvest Specifications for Horseshoe Crabs of Delaware Bay-Origin for 2026 and 2027

Dewey Beach, DE – The Commission's Horseshoe Crab Management Board approved bait harvest specifications for horseshoe crabs of Delaware Bay-origin. Taking into consideration the output of the Adaptative Resource Management (ARM) Framework, the Board set an annual harvest limit of 500,000 male horseshoe crabs and zero female Delaware Bay-origin horseshoe crabs for 2026 and 2027. Addendum IX was approved in May 2025 and allows the Board to set multi-year specifications for male-only harvest.

While the ARM Framework output allowed for a small amount of female harvest, the Board elected to maintain zero female horseshoe crab harvest for the next two fishing years as a conservative measure while it conducts a stakeholder engagement process to evaluate several aspects of the ARM Framework and considers changes to better align the model with stakeholder values. To make up for the lost harvest

of larger female crabs, the Board agreed to increase Maryland and Virginia's male harvest quotas with an offset ratio of 2:1 males to females. Using the allocation methodology established in Addendum VIII, the following quotas were set for New Jersey, Delaware, Maryland, and Virginia:

	Delaware Bay Origin Horseshoe Crab Quota (no. of crabs)	Total Quota*
State	**Male Only**	**Male Only**
Delaware	173,014	173,014
New Jersey	173,014	173,014
Maryland	132,865	255,980
Virginia**	21,107	81,331

*Total harvest quotas for Maryland and Virginia include crabs which are not of Delaware Bay origin.
**Virginia harvest refers to harvest east of the COLREGS line only

Under Addendum IX, the Board can maintain the harvest limit of 500,000 male horseshoe crabs through 2028 based on the 2025 ARM Framework output with no annual action required. The Board will continue to review survey data for red knots and horseshoe crabs each year and can modify the specifications before 2028 if desired.

The Board also reviewed and approved changes to the Advisory Panel membership based on recommendations from the Board Work Group tasked with providing input on the appropriate distribution of advisors by region and user group, including non-traditional stakeholders. For more information, please contact Caitlin Starks, Senior Fishery Management Coordinator, at cstarks@asmfc.org or 703.842.0740.

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PR25-26

Meeting Summary

In addition to setting Delaware Bay bait harvest specifications for the 2026 and 2027 fishing years, the Board also received planning updates on the ongoing stakeholder engagement process to inform possible changes to the ARM Framework, considered the annual Fishery Management Plan (FMP) Review, and approved changes to the advisory panel (AP) membership.

The Board received an update on a process initiated earlier this year to review and revise the Utility, Reward, and Harvest (U/R/H) functions of the ARM Framework with input from stakeholders, based on a key recommendation from the July 2024 workshop on Delaware Bay horseshoe crab management objectives. The U/R/H functions are mathematical functions within the ARM model that reflect stakeholder priorities. The Commission has contracted with a third-party facilitator, Compass Resource Management, to design and conduct a stakeholder engagement process to elicit stakeholder values and perspectives to develop clear, actionable recommendations for revising the U/R/H functions, ensuring these functions transparently reflect the importance of horseshoe crabs to commercial harvesters, human health, and the ecosystem. The process will convene participants from bait fisheries, biomedical groups, dealers, ecosystem, shorebird, and horseshoe crab conservation groups, and state and federal resource managers for a series of educational meetings and an in-person workshop, which will be scheduled over the next several months. The input gathered through this process will inform recommendations on changes to the U/R/H functions to be considered by the Board.

At the Spring 2025 meeting, the Board agreed to solicit nominations for non-traditional stakeholder seats and formed a Work Group to review the AP membership and develop recommendations for Board consideration, addressing a consensus recommendation from the July 2024 stakeholder workshop to determine if the Horseshoe Crab AP has adequate representation across stakeholder groups. The Work Group recommended changes to the AP membership to balance the relative interests of each region. Considering these recommendations the Board approved the addition of seven non-traditional stakeholder seats representing horseshoe crab and shorebird conservation interests, and three commercial harvesters to the AP.

The Board also approved the horseshoe crab FMP Review for the 2024 fishing year, state compliance reports, and *de minimis* status for South Carolina, Georgia, and Florida. For more information, please contact Caitlin Starks, Senior Fishery Management Plan Coordinator, at cstarks@asmfc.org.

For more information, please contact Caitlin Starks, Senior Fishery Management Coordinator, at cstarks@asmfc.org.

Motions
Main Motion
Move to establish male-only harvest specifications for 2026 and 2027 based on the ARM Framework with 500,000 males and no female harvest of Delaware Bay-origin crabs. In addition, the 2:1 offset will be added to MD's and VA's allocations due to no female harvest.
Motion made by Mr. Clark and seconded by Mr. Borden.

Motion to Amend
Move to amend to add 2028.
Motion made by Mr. Gates and seconded by Mr. McKiernan. Motion fails (4 in favor, 10 opposed).

Move to establish male-only harvest specifications for 2026 and 2027 based on the ARM Framework with 500,000 males and no female harvest of Delaware Bay-origin crabs. In addition, the 2:1 offset will be added to MD's and VA's allocations due to no female harvest.
Motion passed by unanimous consent.

Move to approve the FMP Review and state compliance reports for the 2024 fishing year, and *de minimis* status for SC, GA, and FL.
Motion made by Mr. Hasbrouck and seconded by Mr. Grist. Motion approved by unanimous consent.

Move to approve the changes to the Advisory Panel membership as recommended in the Work Group memo dated October 10, 2025.
Motion made by Ms. Kennedy and seconded by Ms. Costa. Motion approved by unanimous consent.

AMERICAN EEL MANAGEMENT BOARD (OCTOBER 28, 2025)

Meeting Summary
The American Eel Management Board approved the annual Fishery Management Plan (FMP) Review and considered a proposal from Florida to discontinue the young of year (YOY) survey.

The Board approved the American Eel FMP Review for the 2024 fishing year, state compliance reports, and the *de minimis* status for Massachusetts, New Hampshire, Pennsylvania, District of Columbia, and Georgia for yellow eel. Preliminary landings for yellow eel in 2024 decreased from 2023 and are at the second lowest level in the time series. The Plan Review Team noted no concerns about state implementation of the FMP and recommended the Commission work with the US Fish and Wildlife service to compare landings and export data for American eel.

Florida presented a proposal to discontinue the annual YOY survey on the Guana River. Funding for continuing this sampling is limited, there have been extremely low catches in recent years at the current sampling site, and there are no viable alternative sampling sites. FWC is proposing to use the limited available funding for other research and monitoring activities that would better support American eel management and conservation. The Board tasked the TC to evaluate the utility of continuing the Florida glass eel survey for use in management and assessment of the American eel stock. The TC will report its findings at the next Board meeting so it can consider exempting Florida from the glass eel survey compliance requirement.

For more information, please contact Caitlin Starks, Senior Fishery Management Plan Coordinator, at cstarks@asmfc.org.

Motions

Move to approve American Eel FMP Review for the 2024 fishing year, state compliance reports, and *de minimis* status for Massachusetts, New Hampshire, Pennsylvania, District of Columbia, and Georgia for yellow eel.
Motion made by Ms. Corbett and seconded by Mr. Train. Motion approved by unanimous consent.

Move to direct the American Eel Technical Committee to evaluate the utility of continuing the Florida glass eel survey and its contribution to the Commission's management and assessment of the American eel stock, and report back to the Commission at the next American Eel Management Board meeting so the Board can consider exempting Florida from the glass eel survey compliance requirement.
Motion made by Ms. Burgess and seconded by Mr. Haymans. Motion approved by unanimous consent.

COMMISSION BUSINESS SESSION (OCTOBER 28, 2025)

Press Release

Daniel McKiernan Elected ASMFC Chair

Dewey Beach, DE – Today, member states of the Atlantic States Marine Fisheries Commission (Commission) thanked Joseph Cimino of New Jersey for a successful two-year term as Chair and elected Daniel McKiernan of Massachusetts to succeed him.

"I'm honored to be chosen by my fellow Commissioners to lead our efforts for the next two years. One of my priorities will be to work with my colleagues in the states and federal agencies to seek resources to fund fundamental fisheries data collection and science activities to support our management programs. Other key topics over the next two years will be our ability to adapt to changes in species distribution and availability and how best to respond to the recalibration of recreational fishing effort and

harvest data from the Marine Recreational Information Program Fishing Effort Survey," said Mr. McKiernan. Mr. McKiernan continued, "I want to thank outgoing Chair, Joe Cimino for his leadership in tackling some challenging management issues for species such as American lobster, American eel, Atlantic striped bass, Atlantic menhaden, horseshoe crab, and red drum. He helped support the advancement of fisheries science through the completion of an impressive number of benchmark stock assessments and assessment updates for river herring, red drum, American lobster, horseshoe crab, tautog, Atlantic sturgeon, and Atlantic menhaden (single species assessment update and ecological reference points benchmark assessment). Further, under his leadership, the Commission also strengthened stakeholder engagement in horseshoe crab management by bringing together diverse stakeholders for a Delaware Bay management objectives workshop to provide recommendations for possible revisions to the management process, and by increasing nontraditional stakeholder representation on the Horseshoe Crab Advisory Panel to more equitably balance user group perspectives. Lastly, Mr. Cimino initiated the process to consider possible changes to voting practices and declared interests on species management boards."

Additionally, advances in habitat conservation were made by the Atlantic Coastal Fish Habitat Partnership (ACFHP) through its funding of five on-the-ground projects, which will open over seven river miles and restore over 110 acres of habitat. These include dam removal projects in New Jersey and Massachusetts, as well as saltmarsh and oyster restoration projects in Maryland and Florida. ACFHP will also be hosting a Submerged Aquatic Vegetation Workshop in 2026 focused on developing a Seed Transfer Best Management Practices Guidance Document.

From a data collection and management perspective, the Atlantic Coastal Cooperative Statistics Program (ACCSP) also made progress under Mr. Cimino's leadership. ACCSP supported 20 partner agency data collection projects and expanded the scope and security of the ACCSP Data Warehouse. ACCSP held a data accountability workshop and extended data validation tools within electronic reporting systems; extended implementation of harvester One Stop Reporting; and made progress on a methodology to more fully use for-hire logbooks in Marine Recreational Information Program's catch statistics.

Mr. McKiernan has directed the Massachusetts Division of Division of Marine Fisheries (MA DMF) since late 2019, where he develops agency policies, represents the Commonwealth in interstate and federal fishery management forums and administers nearly all aspects of the DMF's in-state management and regulations for fisheries management. He began his professional career as a field biologist for DMF in 1985 and worked closely with the lobster fishery as a sea sampler and an assistant marine biologist. He brought his field experience to DMF's headquarters and has worked on fisheries management and policy for almost four decades. He has worked diligently to achieve co-existence between endangered right whales and the maritime and fishing industries in Massachusetts. In 2023, Massachusetts was recognized with the NOAA Fisheries "Partner in the Spotlight" award for exceptional efforts to the conservation and recovery of Northern Right Whales.

Mr. McKiernan is practiced in the arenas of federal and interstate fisheries management. As a long-standing representative to the Commission, he has chaired numerous species management boards and was recognized for his management efforts with the Commission's Award of Excellence in 2018. He is a strong promoter of conservation and accountable fisheries management for commercial fisheries, recreational fisheries, and the seafood industry at large. Mr. McKiernan is a graduate of UMASS-Dartmouth and earned an MS in Fisheries Biology from Auburn University. He received the Massachusetts Pride in Performance Award, as well as the Massachusetts Lobsterman's Association "Ralph W. Maling" Award of Excellence for dedicated service on behalf of the Commonwealth's lobster industry.

The Commission also elected Doug Haymans, Director of the Georgia Coastal Resources Division as its new Vice-Chair. PR25-24

Meeting Summary

The Commission held its Business Session to review and consider approval of the 2026 Action Plan and elect a new Commission Chair and Vice-Chair. The Commission approved the 2026 Action Plan, which guides the Commission's activities over the next year as they pertain to management, science, data collection, law enforcement, habitat conservation, outreach, and finance and administration.

The Commission unanimously appointed Dan McKiernan (Massachusetts Division of Marine Fisheries) as Chair and Doug Haymans (Georgia Coastal Resources Division) as Vice-Chair (see above press release). For more information, please contact Robert Beal, Executive Director, at rbeal@asmfc.org.

Motions

Move to approve the ASMFC 2026 Action Plan as modified today.
Motion made by Mr. Grist and seconded by Mr. Rhodes. Motion approved by unanimous consent.

On behalf on the Nominating Committee, move to elect Dan McKiernan as ASMFC Chair.
Motion made by Mr. Borden. Motion approved by unanimous consent.

On behalf on the nominating committee, move to elect Doug Haymans as ASMFC Vice Chair
Motion made by Mr. Borden. Motion approved by unanimous consent.

LAW ENFORCEMENT COMMITTEE (OCTOBER 28 & 29, 2025)

Meeting Summary

The Law Enforcement Committee (LEC) conducted a hybrid meeting during the 83rd Annual Meeting of the Atlantic States Marine Fisheries Commission in Dewey Beach, DE. The Committee discussed the following topics.

Species Discussion

Atlantic Striped Bass – The LEC convened on October 10, 2025, to consider the Striped Bass Management Board's request regarding the Plan Review Teams (PRT) report on the Atlantic Striped Bass Commercial Tagging Ten-Year Review. The committee focused on evaluating the report and discussing additional LEC recommendations pertaining to tagging procedures and potential enhancements to state tagging programs. A summary of the meeting was presented by an LEC member to the Striped Bass Management Board during Annual Meeting Week.

Staff presented an update regarding the draft Addendum III of the Striped Bass Fishery Management Plan. A review was conducted of the LEC recommendations on Addendum III as documented in the LEC meeting summary dated March 27, 2025. The LEC did not offer any additional comments.

Red Drum – Staff presented the LEC with an update regarding the progress of draft Addendum II to the Red Drum Fishery Management Plan. There were no LEC concerns on the proposed addendum.

Other Business

NOAA JEA Funding Update – The Chair provided an update to the committee regarding ASMFC support considering the absence of JEA program funding in the Fiscal Year 2026 Presidential budget. He reported receiving favorable feedback during congressional meetings and noted that NOAA OLE responded positively to our inquiry concerning this matter. The states remain committed to the JEA program and hope to see this funding restored.

Sector Separation – Staff consulted with the LEC regarding Sector Separation. The LEC received an update on recent discussions between the Mid-Atlantic Fishery Management Council (MAFMC) and the Atlantic States Marine Fisheries Commission (ASMFC). Representatives from the MAFMC Fishery Management Action Team (FMAT) and ASMFC Plan Development Team (PDT) held an initial meeting with the LEC to address key issues identified during early discussions. During this session, FMAT and PDT members solicited input from the LEC members concerning the enforceability and anticipated compliance outcomes for the draft alternatives under review. LEC members actively participated, providing feedback on specific inquiries related to proposed management measures shared with the committee. LEC will continue to monitor these proposals as they progress, offering further insight as appropriate.

NACLEC Training Opportunities – The staff shared the upcoming training schedule for the National Association of Conservation Law Enforcement Chiefs academies covering calendar years 2025 to 2027. Both the Leadership Academy and the Introduction to Conservation Leadership Academy have grown in popularity within the conservation law enforcement community.

USCG NRFTC Training Opportunity - Members of the United States Coast Guard highlighted training opportunity for partnered agencies at the Northeast Regional Fisheries Training Center. The 2026 calendar year class schedule was shared by a USCG representative with members of the LEC.

A closed session was convened during our meeting to facilitate open discussion regarding new and emerging issues in law enforcement. Each agency was given an opportunity to highlight its work and share updates on ongoing enforcement initiatives. For more information, please contact Kurt Blanchard, Law Enforcement Coordinator, at kurt.blanchard@verizon.net.

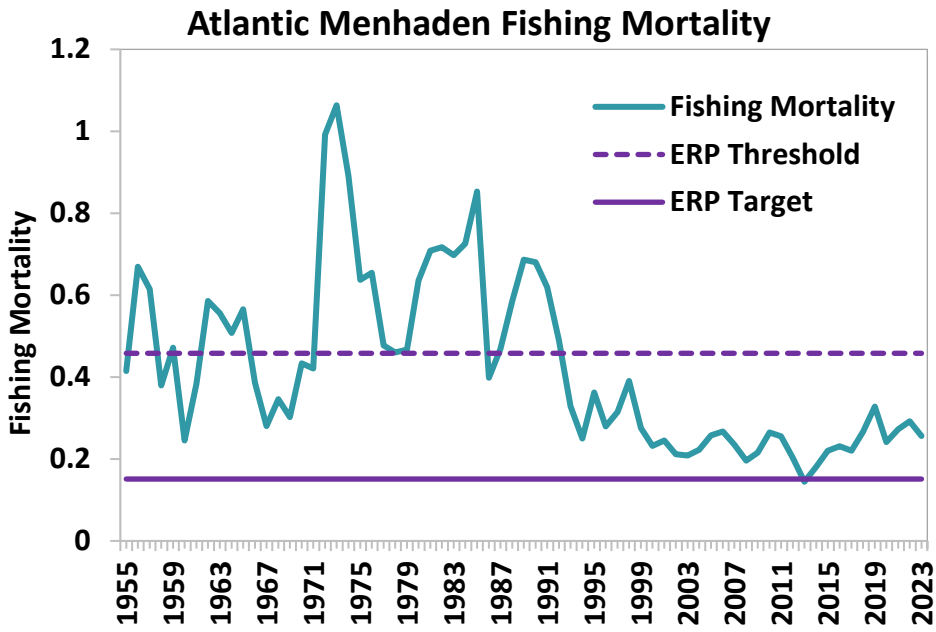
Motions

No motions made.

Press Release

ASMFC Atlantic Menhaden Board Reduces 2026 TAC by 20% and Initiates Addendum for Chesapeake Bay Cap

Dewey Beach, DE – The Commission's Atlantic Menhaden Management Board received the results of the single-species assessment update and the 2025 Ecological Reference Points (ERPs) Assessment and Peer Review Reports and accepted the ERPs Assessment and Peer Review Report for management use. The goal of the ERPs is to maximize Atlantic menhaden fishing mortality while also accounting for the forage demands of Atlantic striped bass. Atlantic striped bass was the focal species for the reference points because it was the most sensitive predator fish species to Atlantic menhaden harvest in the NWACS-MICE model, so an ERP target and threshold that would provide adequate forage for striped bass would likely not cause declines for other predators in the model. The single-species assessment indicates the stock is not overfished nor experiencing overfishing relative to the ERPs developed through the benchmark assessment.

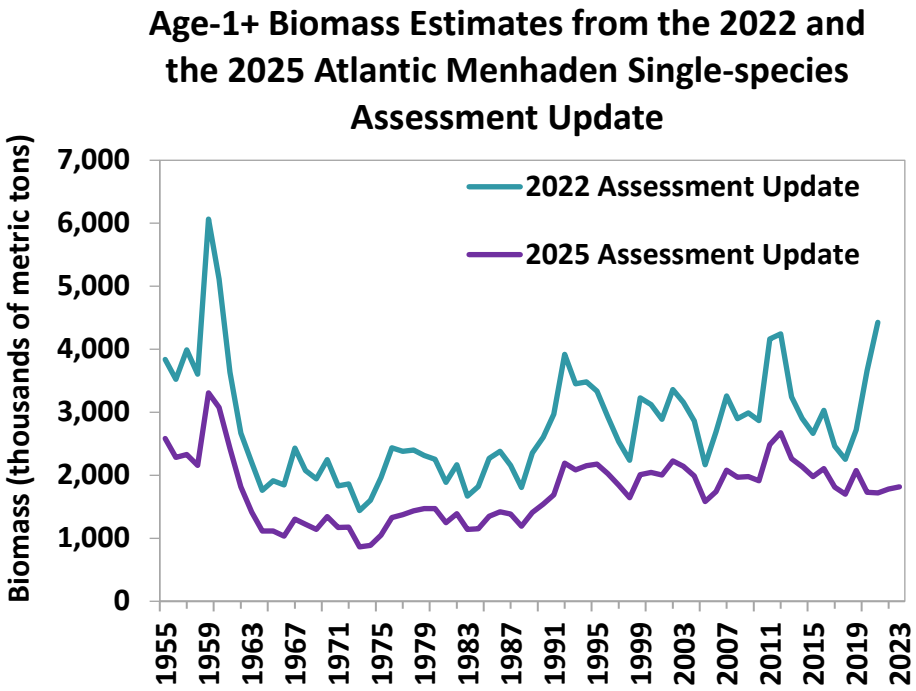


However, fishing mortality (*F*) was above the ERP *F* target and fecundity (a measure of the number of eggs the stock can produce in a year) was below the ERP fecundity target. Therefore, the Board set the 2026 total allowable catch (TAC) at 186,840 mt, a 20% decrease from the 2023-2025 TAC of 233,550 mt. Projections indicated this TAC would have a 0% chance of overfishing in 2026 but would still result in a 100% probability of fishing mortality being above the ERP *F* target. To have a lower probability of being at or above the ERP *F* target, a 50% or more reduction in the TAC would be required. The Board expressed concerns about the socioeconomic impact of implementing such a significant cut in a single year and chose to take a more moderate cut for 2026 only. This change will provide the Board time to conduct outreach on the results of this new assessment and receive more input from stakeholders before considering a TAC for 2027, 2028 and potentially 2029 at the 2026 Annual Meeting.

The need for reduction to achieve the ERP *F* target is due primarily to the change in the estimate of natural mortality used in the single-species stock assessment update, and secondarily to the lower values for the ERPs as a result of the updated and refined ERP model from the benchmark. The 2025 single-species assessment used a revised value of natural mortality that was lower than the value used in the 2020 benchmark and 2022 update. Natural mortality is the rate at which fish die from causes other than fishing; for menhaden, this includes things like predation, disease, and die-offs caused by low oxygen and warm

water. This change was reviewed as part of the 2025 ERP Benchmark Assessment, and the Peer Review Panel agreed it represented the best available scientific information on natural mortality for Atlantic menhaden. Using a lower value of natural mortality in the stock assessment results in a lower overall estimate of population size. When a high estimate of natural mortality is used, the model estimates the population needs to be very large to produce the catches and the trends in observed indices. But, if natural mortality is lower, it means fewer fish are dying due to natural causes, meaning the stock does not need to be as large to produce the observed data.

This lower overall estimate of menhaden abundance was also used in the ecosystem models to establish the ERPs. This change, combined with updating estimates of predator (striped bass, bluefish, weakfish, and spiny dogfish) population sizes and diet data as well as refining the ecosystem model structure resulted in lower estimates of the ERP *F* target and threshold. The ERP assessment, which was endorsed by an independent panel of fisheries scientists, used the Northwest Atlantic Coastal Shelf Model of Intermediate Complexity for Ecosystems (NWACS-MICE) to develop Atlantic menhaden ERPs. The model was chosen because of its ability to explore both the impacts of predators on menhaden biomass and the effects of menhaden harvest on predator populations.



The Board also initiated an addendum to Amendment 3 to consider options to reduce the Chesapeake Bay Reduction Fishery Cap by up to 50% and distribute the cap more evenly throughout the fishing season. The options will aim to alleviate a concentration of effort that may be affecting other fisheries within the Bay and other potential ecological impacts. The Board discussed concerns regarding decreasing pound net harvests and catch per unit effort within the Bay as the timing of reduction fishing effort has changed the last few years. Amendment 3 currently caps reduction harvest within the Bay at 51,000 mt per year. The Board will review the Draft Addendum in February to consider the draft for public comment or provide additional guidance to the Plan Development Team for further development.

The Assessment Update, the Benchmark ERP Stock Assessment, Peer Review Report, and an overview of will be available on the Atlantic Menhaden webpage at https://asmfc.org/species/atlantic-menhaden/ under News and Resources. For more information, please contact James Boyle, Fishery Management Plan Coordinator, at jboyle@asmfc.org or 703.842.0740.

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PR25-28

Meeting Summary

In addition to reviewing the 2025 single-species and ERP stock assessments, setting the specifications for the 2026 fishing year, and considering the PDT direction regarding Chesapeake Bay, the Atlantic Menhaden Management Board met to consider approval of the Fishery Management Plan Review and state compliance reports for the 2024 fishing year, commercial quota reallocation, and providing direction to the TC to evaluate changing coastwide environmental conditions. Although, due to time constraints, the Board decided to consider approval of the FMP Review via email.

According to Amendment 3, commercial quota allocations will be revisited at least every three years, where the Board can opt to maintain the current allocations or initiate management action, and the current allocations were approved in October 2022. The Board elected to maintain the current allocations but to revisit the discussion at the 2026 Annual Meeting.

Finally, the Board provided two tasks to the Technical Committee to evaluate the effects of changing environmental conditions on the Atlantic menhaden stock:

1. Relative to Research Recommendation 1, task the TC to evaluate information available from NOAA's Ecosystem Dynamics and Assessment Branch and Chesapeake Bay Office, and the Woods Hole Oceanographic Institution, to evaluate the possible effect of cold water on the Continental Shelf on menhaden migration and migratory patterns, particularly in relation to the timing of osprey arrival, nesting, and breeding.
2. Task the TC to consider what role water temperature, dissolved oxygen levels, shoreline hardening, and other environmental factors play in the local abundance of menhaden and other forage species in the Chesapeake Bay.

For more information, please contact James Boyle, Fishery Management Plan Coordinator at jboyle@asmfc.org.

Motions

Move to accept the 2025 Ecological Reference Points Benchmark Stock Assessment and peer review reports for management use.
Motion made by Mr. Grout and seconded by Mr. Kane. Motion approved by unanimous consent.

Main Motion
Move to set the TAC for 2026 through 2028 at 108,450mt to maintain a 50 percent probability of not exceeding the ERP F Target.
Motion made by Mr. Gates and seconded by Mr. Kane. Motion substituted.

Motion to Substitute
Move to substitute to set the annual Atlantic Menhaden coastwide TAC for 2026-2028 at 186,840 mt per year (representing a 20% reduction relative to the 2023-2025 TAC).
Motion made by Mr. Grist and seconded by Mr. Reid. Motion passes (12 in favor, 6 opposed).

Main Motion as Substituted
Move to set the annual Atlantic Menhaden coastwide TAC for 2026-2028 at 186,840 mt per year (representing a 20% reduction relative to the 2023-2025 TAC).

Motion to Substitute
Move to substitute to set three-year specifications for Atlantic menhaden with the following TACs: 2026 = 186,840 MT; 2027 = 152,700 MT; and 2028 = 124,800 MT.
Motion made by Ms. Meserve and seconded by Ms. Costa. Motion fails (7 in favor, 11 opposed).

Main Motion as Substituted
Move to set the annual Atlantic Menhaden coastwide TAC for 2026-2028 at 186,840 mt per year (representing a 20% reduction relative to the 2023-2025 TAC).

Motion to Substitute
Move to substitute to set the TAC for 2026 at 186,840 mt (20% reduction from status quo), and re-visit the 2027 TAC and 2028 TAC at the 2026 Annual Meeting
Motion made by Ms. Costa and seconded by Ms. Peake. Motion passes (16 in favor, 2 opposed)

Main Motion as Substituted
Move to set the TAC for 2026 at 186,840 mt (20% reduction from status quo), and re-visit the 2027 TAC and 2028 TAC at the 2026 Annual Meeting.
Motion passes (16 in favor, 2 opposed).

Main Motion
Move to initiate Addendum II to the Atlantic menhaden FMP to address Chesapeake Bay Management concerns. The addendum shall develop periods for the Chesapeake Bay Cap that distributes fishing effort more evenly throughout the season and a range of options to reduce the Bay Cap from status quo up to 50%.
Motion made by Ms. Fegley and seconded by Mr. LaFrance.

Move to amend to add after 50% "and set the bay cap as a percentage of the TAC or allow the bay cap to be set by specification"
Motion made by Ms. Meserve and seconded by Mr. Borden**.** Motion passes (13 in favor, 2 opposed, 2 abstentions, 1 null).

EXECUTIVE COMMITTEE (OCTOBER 29, 2025)

Meeting Summary
The Executive Committee met to discuss several issues, including the FY25 Audit, the Discussion Paper on Declared Interests and Voting Privileges, "Notifying" Actions on Agendas, a Legislative update, and a future annual meeting locations update. The following action items resulted from the Committee's discussions:

- The Executive Committee reviewed and accepted the FY25 financial audit of the Commission, noting it was a clean audit and no negative findings were reported.

- Mr. Beal reported a *Declared Interests and Voting Privileges* work group was formed to flesh out the discussion paper presented in August, to further frame the Executive committee discussion. The committee will report back to the Executive Committee in February.

- Mr. Beal discussed the issue of "notifying actions" on meeting agendas. After a thorough discussion staff was tasked with developing language for agendas (and possibly the ISFMP Charter), detailing the process and noting when public input was available.

- Mr. Law presented an update on the status of FY26 federal funding, the government shutdown, and the status of two recently introduced bills; the Fisheries Data Modernization Act, and the QUAHOGS Act.

- Mrs. Leach provided an update on future Annual Meeting locations. In 2026 Rhode Island will host the annual meeting; 2027 South Carolina; 2028 Massachusetts; 2029 Pennsylvania, 2030 Georgia and 2031 Connecticut.

For more information, please contact Laura Leach, Director of Finance and Administration, at lleach@asmfc.org

Motions
Move to accept the FY25 Audit as presented.
Motion made by Dr. McNamee and seconded by Mr. Clark. Motion passed unanimously.

HABITAT COMMITTEE (OCTOBER 29, 2025)

Meeting Summary
The ASMFC Habitat Committee met to review ongoing projects, discuss emerging habitat issues, and provide state updates on recent and planned habitat restoration, protection, and management activities. The Committee received updates on the Habitat Management Series, including progress toward finalizing the Atlantic States Shell Recycling Report, which compiles data and best practices from existing shell recycling programs along the Atlantic coast. Members also discussed the next installment of the Habitat Hotline Atlantic (2025 issue), which will continue to feature state and regional habitat highlights. The Committee considered future development of a centralized ArcGIS-based mapping tool to support updates to Fish Habitats of Concern (FHOC).

Committee members further discussed the development of a long-term work plan to identify and prioritize key Atlantic coastal habitat issues, synthesize shared state-level priorities, and communicate findings and recommendations to the ISFMP Policy Board for future direction.

Highlights from roundtable state updates included:
- **Connecticut:** Establishment of a new National Estuarine Research Reserve with a focus on SAV conservation and monitoring.
- **New Hampshire:** Expansion of rotational oyster reef closures with strong community support.
- **Delaware:** Completion of a major Brandywine Creek dam removal project improving shad passage.
- **Massachusetts:** Continued investment in eelgrass restoration, shellfish reef enhancement, and coastal biodiversity research.
- **New Jersey:** Expansion of oyster shell recycling partnerships with regional distributors and restaurants.

- **North Carolina:** Progress on the next phase of the Coastal Habitat Protection Plan emphasizing SAV and wetland restoration.
- **Maine:** Ongoing fish passage restoration projects projected to reopen over 800 miles of riverine habitat.
- **Florida:** Indian River Lagoon National Estuary Program funding to restore more than 200 acres of fish habitat across seven habitat types.

Next steps:
The Committee will finalize the Atlantic States Shell Recycling Report, determine the focus of the next Habitat Management Series publication, and continue discussions on regional habitat mapping and data integration to support ASMFC management priorities.

For more information, please contact Simen Kaalstad, Habitat Committee Coordinator, at skaalstad@asmfc.org.

ATLANTIC STRIPED BASS MANAGEMENT BOARD (OCTOBER 29, 2025)

Press Release

ASMFC Atlantic Striped Bass Board Approves Addendum III Without Reductions in Fishery Removals

New Work Group Planned to Address Long-Term Management and Stock Concerns

Dewey Beach, DE – The Commission's Atlantic Striped Bass Management Board approved Addendum III to Amendment 7 to the Interstate Fishery Management Plan (FMP) for Atlantic Striped Bass. The Addendum modifies requirements for commercial tagging programs, implements a standard method of measuring total length for size limit regulations, and allows Maryland to change its Chesapeake Bay recreational season baseline if the state so chooses.

The Board decided not to move forward with the proposed 12% reduction in fishery removals after lengthy deliberation. The Board reviewed the preliminary estimates of 2025 recreational catch through June, which were lower than anticipated and suggested that the projections may have underestimated the probability of rebuilding by 2029 and overestimated the reductions necessary to rebuild. The Board noted that the over 4,000 public comments they received on the draft addendum were sharply divided on the issue, as was the Board itself. Ultimately, the Board maintained current recreational measures and commercial quotas, noting the severe economic consequences of the proposed reduction, the low fishing mortality rate in 2024, and preliminary indications of lower catch in 2025. However, the Board continued to express concern about the seven consecutive years of low recruitment in Chesapeake Bay and the impact on the stock as those weak year-classes become the majority of the spawning stock biomass after 2029. To address this, the Board approved the establishment of a Work Group to consider these upcoming stock and management challenges beyond 2029. The Board will further discuss the specific tasks and timing of this Work Group at subsequent Board meetings.

For commercial tagging, the Addendum requires states to tag commercially harvested fish by the first point of landing. Previously, states could choose the point of tagging, including tagging at the point of sale. This change to when tagging occurs addresses concerns that waiting to tag fish until the point of

sale could increase the risk of illegal harvest. The three states that will need to switch their tagging program from point of sale to point of landing have until the end of 2028 to make that change due to the extensive administrative and programmatic transition needed.

For measuring total length, the Addendum specifies that when measuring total length of a striped bass it must be a straight-line measurement with upper and lower fork of the tail squeezed together. This

definition applies to both sectors. This new definition addresses concerns that the previous lack of a standard definition was potentially undermining the intended conservation, consistency, and enforceability of the coastwide size limits, especially for narrow slot limits. States that do not have the new definition in place already have until January 1, 2027 to make changes to their state regulations.

For Maryland's Chesapeake Bay recreational fishery, the Board approved Maryland's ability to change its recreational season baseline (i.e., the timing, type, and duration of striped bass closures throughout the year) if the state so chooses. Maryland is considering changing its season baseline to simplify its Chesapeake Bay regulations as well as re-align access based on stakeholder input and release mortality rates. The new baseline is estimated to be net neutral calculated to maintain the same level of removals as compared to 2024. Maryland will notify the Board of its decision by December 31, 2025 in its state implementation plan.

Addendum III will be available in November on the Commission website at https://asmfc.org/species/atlantic-striped-bass/ under News and Resources. For more information, please contact Emilie Franke, Fishery Management Plan Coordinator, at efranke@asmfc.org or 703.842.0740.

###

PR25-30

Meeting Summary

In addition to selecting measures for and approving Addendum III, the Atlantic Striped Bass Management Board received a report from the Law Enforcement Committee (LEC) on commercial tagging.

The LEC was tasked with reviewing the Plan Review Team's Commercial Tagging Ten-Year Review Report and discussing any further LEC recommendations on point of tagging and potential improvements to state tagging programs. The LEC discussed that the current state programs are effective and each in their own way offer a level of protection to the resource and meet the spirit of the FMP. On point of tagging, the LEC noted that management measures in the ocean fishery creating different size and possession limits between sectors gives law enforcement the ability to clearly define a commercial take from a recreational take, which reduces the enforcement concern in a point-of-sale program. Point of sale or point of landing tagging is less desirable for enforcement in states that are managed through individual quotas, and/or that allow for multiple commercial limits on board a vessel, or that have overlapping size limits between the commercial and recreational fishery. In these instances, states should strongly consider point of harvest tagging. If a point of landing provision were to be considered more widely, law enforcement would recommend that a clear and consistent definition of landing be used. On tag distribution, the LEC does not have any major concerns with how states are managing their respective tag distribution. On tag accountability, the LEC noted all jurisdictions have a process in place to account for the lost, damaged, or delinquent tags. For potential improvements to state tagging programs, the LEC noted the importance of being able to trace a tag back to the harvester.

For more information contact Emilie Franke, Fishery Management Plan Coordinator, at efranke@asmfc.org.

Motions

Main Motion

Move to approve in Section 3.4 Option A Status Quo

Motion made by Mr. Nowalsky and seconded by Mr. Clark.

Motion to Amend

Move to amend to add "and establish a Work Group to develop a white paper that could inform a future management document. The Work Group should include representation from all sectors in addition to scientists and managers. The goal of this Work Group is to consider how to update the FMP's goals, objectives, and management of striped bass beyond 2029, in consideration of severely reduced reproductive success in the Chesapeake Bay. The Work Group should utilize public comment, including that received during the Addendum III process to inform its research and management recommendations and work with the Benchmark SAS to incorporate ideas and deliver necessary data products. Work Group discussions should include the following topics:

- **Review BRPs and consider recruitment-sensitive, model-based approaches.**
- **Formally review hatchery stocking as both a research tool and a management tool for striped bass w/ cost analysis.**
- **Evaluate the potential for other river systems to contribute to the coastal stock.**
- **Explore drivers of recruitment success/failure in Chesapeake Bay, Delaware, and the Hudson in light of changing climatic and environmental conditions, including potential impacts from invasive species.**
- **Explore the reproductive contribution of large and small female fish and the implications of various size-based management tools.**
- **Methods to address the discard mortality in the catch and release fishery."**

Motion made by Mr. Gary and seconded by Mr. Reid. Motion passes (14 in favor, 2 opposed).

Main Motion as Amended

Move to approve in Section 3.4 Option A Status Quo and establish a Work Group to develop a white paper that could inform a future management document. The Work Group should include representation from all sectors in addition to scientists and managers. The goal of this Work Group is to consider how to update the FMP's goals, objectives, and management of striped bass beyond 2029, in consideration of severely reduced reproductive success in the Chesapeake Bay. The Work Group should utilize public comment, including that received during the Addendum III process to inform its research and management recommendations and work with the Benchmark SAS to incorporate ideas and deliver necessary data products. Work Group discussions should include the following topics:

- **Review BRPs and consider recruitment-sensitive, model-based approaches.**
- **Formally review hatchery stocking as both a research tool and a management tool for striped bass w/ cost analysis.**
- **Evaluate the potential for other river systems to contribute to the coastal stock.**
- **Explore drivers of recruitment success/failure in Chesapeake Bay, Delaware, and the Hudson in light of changing climatic and environmental conditions, including potential impacts from invasive species.**

- **Explore the reproductive contribution of large and small female fish and the implications of various size-based management tools.**
- **Methods to address the discard mortality in the catch and release fishery."**

Motion to Amend
Move to amend to replace "Option A Status Quo" with "Option B (equal 12% reduction by sector)"
Motion made by Ms. Meserve and seconded by Dr. McNamee. Motion fails (5 in favor, 11 opposed).

Main Motion as Amended
Move to approve in Section 3.4 Option A Status Quo and establish a Work Group to develop a white paper that could inform a future management document. The Work Group should include representation from all sectors in addition to scientists and managers. The goal of this Work Group is to consider how to update the FMP's goals, objectives, and management of striped bass beyond 2029, in consideration of severely reduced reproductive success in the Chesapeake Bay. The Work Group should utilize public comment, including that received during the Addendum III process to inform its research and management recommendations and work with the Benchmark SAS to incorporate ideas and deliver necessary data products. Work Group discussions should include the following topics:

- **Review BRPs and consider recruitment-sensitive, model-based approaches.**
- **Formally review hatchery stocking as both a research tool and a management tool for striped bass w/ cost analysis.**
- **Evaluate the potential for other river systems to contribute to the coastal stock.**
- **Explore drivers of recruitment success/failure in Chesapeake Bay, Delaware, and the Hudson in light of changing climatic and environmental conditions, including potential impacts from invasive species.**
- **Explore the reproductive contribution of large and small female fish and the implications of various size-based management tools.**
- **Methods to address the discard mortality in the catch and release fishery.**

Motion passes (13 in favor, 3 opposed).

Move to add a task to explore the socioeconomic impacts on the striped bass commercial fishing sector, including the party/charter sector, from potential quota reductions not consistent with actual striped bass mortality effects from that sector.
Motion made by Mr. Kaelin and seconded by Mr. Reid. Motion fails (1 in favor, 13 opposed, 2 abstentions).

Main Motion
Move to approve in Section 3.3 Maryland's ability to choose Option A, status quo, or Option B, a new Maryland baseline season. Maryland would notify the Board of the option chosen through its implementation plan.
Motion made by Mr. Luisi and seconded by Mr. Clark.

Motion to Amend
Move to amend to replace Option B (a new Maryland baseline season) with Option C (new baseline season with 10% buffer)
Motion made by Mr. Grout and seconded by Dr. McNamee. Motion fails (6 in favor, 8 opposed, 2 abstentions).

Move to approve in Section 3.3 Maryland's ability to choose Option A, status quo, or Option B, a new Maryland baseline season. Maryland would notify the Board of the option chosen through its implementation plan.
Motion made by Mr. Luisi and seconded by Mr. Clark. Motion passes (7 in favor, 6 opposed, 2 abstentions, 1 null).

Main Motion
Move to approve in Section 3.2 Option A. Status Quo States Choose Point of Harvest or Point of Sale Tagging.
Motion made by Dr. McNamee and seconded by Mr. Batsavage.

Motion to Substitute for Option C: Commercial Tagging by the First Point of Landing with a three-year transition period.
Motion made by Mr. Clark and seconded by Mr. Kane. Motion passes (8 in favor, 4 opposed, 4 abstentions).

Main Motion as Substituted
Move to approve in Section 3.2 Option C: Commercial Tagging by the First Point of Landing with a three-year transition period.
Motion passes (10 in favor, 3 opposed, 3 abstentions).

Move to adopt in Section 3.1 Option B, Mandatory Elements for Total Length Definition with the following requirements: squeezing the tail and a straight-line measurement. This definition applies to both the recreational and commercial sectors.
Motion made by Mr. Batsavage and seconded by Mr. Gary. Motion passes by unanimous consent.

Move to approve the following compliance schedule for the Maryland recreational season baseline and total length definition:

- **States must submit implementation plans by December 31, 2025.**
- **States must implement regulations for the total length definition by January 1, 2027.**

Motion made by Mr. Luisi and seconded by Mr. Clark. Motion passes by unanimous consent.

Move to approve the following compliance schedule for commercial tagging:

- **States must submit implementation plans January 1, 2028.**
- **States must implement regulations by December 31, 2028.**

Motion made by Mr. Luisi and seconded by Mr. Clark. Motion passes by consent with one objection by Rhode Island.

Move to approve Addendum III to Amendment 7 to the Atlantic Striped Bass FMP, as amended today.
Motion made by Mr. Grist and seconded by Mr. Gary. Motion passes (13 in favor, 1 opposed, 1 null).

SCIAENIDS MANAGEMENT BOARD (AUGUST 6, 2025)

Press Release

ASMFC Scianeids Management Board Approves Red Drum Addendum II

Dewey Beach, DE – The Commission's Sciaenids Management Board approved Addendum II to Amendment 2 to the Interstate Fishery Management Plan (FMP) for Red Drum. The Addendum updates red drum management, with the goal of improving efficiency, flexibility, and timeliness in implementation of new regulations and providing assessment advice. In addition, the Addendum modifies the fishing mortality for the southern stock (South Carolina, Georgia, and Florida) to end

overfishing and aligns red drum recreational regulations in Virginia, Maryland, and the Potomac River Fisheries Commission (PRFC) given their shared water bodies.

The Addendum establishes a process whereby states can propose management measures in response to new assessment advice, including assessment analyses outside of the Commission's stock assessment process. It also allows the Board to approve new methods to estimate the impact of different management options on fishing mortality.

In addition, the Addendum modifies the fishing mortality (30% spawning potential ratio or $F_{30\%}$) for the southern stock will aim to meet with implemented management measures. At a minimum, states will reduce fishing effort to $F_{30\%}$ to end overfishing with the unchanged long-term goal of reducing effort to achieve the fishing mortality associated with 40% spawning potential ratio. South Carolina and Georgia will submit proposals by April 1, 2026 with regulatory options that, at minimum, achieve the 14.4% reduction associated with $F_{30\%}$. Florida implemented more restrictive red drum regulations in September 2022; these measures are estimated to have achieved the minimum reduction. The Board will review South Carolina and Georgia's proposals at its May 2026 meeting.

Northern stock states (New Jersey through North Carolina) are not able to estimate fishing mortality at this time. The states of New Jersey, Delaware, Virgina, and North Carolina will maintain their current fishing regulations. For Virginia, Maryland and the PRFC, the Board agreed to the following recreational measures: 3 fish bag limit and 18"-26" inch total length slot. These measures, which are currently in place for Virginia, are meant to simplify management and enforcement in the shared waterbodies of the three jurisdictions. Although these measures will raise Maryland's current red drum bag limit from 1 fish to 3 fish, the Board noted that these new regulations will lower the 5-fish bag limit for red drum in the Potomac River to 3 fish, providing some additional protection to red drum within the 18"-26" total length slot.

The implementation date for all new measures is September 1, 2026.

Lastly, the Addendum updates *de minimis* provisions. A state may be granted *de minimis* status if the Board determines that action by the state would contribute insignificantly to the overall management program for a specific species. The Addendum updates the definition so that a state may be considered *de minimis* if the average total landings for the last three years is less than 1% of total landings from its respective stock. In addition, the Addendum implements a process for

establishing a set of measures for *de minimis* states which will provide a minimum level of protection and prevent regulatory loopholes.

Addendum II will be available in November on the Commission website at https://asmfc.org/species/red-drum/ under News and Resources. For more information, please contact Tracey Bauer, Fishery Management Plan Coordinator, at tbauer@asmfc.org or 703.842.0723.

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PR25-29

Motions

Move to adopt Option B Establish Process to Adjust Management Measures for Section 3.1.
Motion made by Mr. Dyar and seconded by Mr. Woodward. Motion carries without objection.

Move to adopt Option B Establish Process to Adjust State Management Measures, Allowing for Alternative Methods to Estimate Fishing Mortality for Section 3.2.
Motion made by Mr. Woodward and seconded by Mr. Sikorski. Motion passes (6 in favor, 2 opposed, 1 abstention).

Move to separate Issue 3.3 in Addendum II for the northern region stock and the southern region stock so that the decision is independent for each stock's preferred management program.
Motion made by Mr. Dyar and seconded by Mr. Woodward. Motion passes with one objection from NC.

Move to adopt Option B for the Southern Stock for Section 3.3.
Motion made by Ms. Burgess and seconded by Mr. Woodward. Motion passes (4 in favor, 2 opposed, 3 abstentions).

Motion to adopt Option B, of Section 3.4 of the Red Drum Draft Addendum II, setting the Virginia, Maryland, and PRFC recreational measures for red drum as a 18"-26" slot with a 3 fish per person possession limit.
Motion made by Mr. Sikorski and seconded by Mr. Owens. Motion passes (3 in favor, 1 opposed, 5 abstentions).

Move to adopt Option B Update *De Minimis* Provisions for Section 3.5.
Motion by Mr. Woodward, second by Mr. Bell. Motion passes by unanimous consent.

Move to set the following implementation schedule for Section 3.3 and 3.4:

- **States to submit proposals by April 1, 2026.**
- **The Board will review and consider approval of proposals at the Spring 2026 Commission meeting.**
- **States to implement regulations by September 1, 2026.**

Motion made by Mr. Dyar and seconded by Mr. Sikorski. Motion passes by consent.

Move to approve Addendum II as modified today.
Motion made by Mr. Grist and seconded by Mr. Sikorski. Motion passed with one objection from NC.

INTERSTATE FISHERY MANAGEMENT PROGRAM POLICY BOARD (OCTOBER 30, 2025)

Meeting Summary

The ISFMP Policy Board met to review reports from the Executive Committee, the Assessment Science Committee (ASC), the Law Enforcement Committee (LEC), the Habitat Committee, and the Atlantic Coastal Fish Habitat Partnership (ACFHP) (see relevant committee reports earlier in this document); consider 2026 coastal shark specifications; receive and update on the status of the Pamlico Sound trawl survey, and receive updates on the Atlantic migratory group cobia and Atlantic sturgeon stock assessments.

Gary Jennings, the Legislative Commissioner from Florida and on behalf of the Resolutions Committee, read the resolution thanking the Delaware Commissioners and staff for hosting a wonderful annual meeting.

The ASC presented an updated version of the Commission's stock assessment schedule, with the following changes:

- The 2025 Atlantic croaker benchmark was moved to 2026
- The 2026 Atlantic migratory cobia benchmark was moved to 2027 and changed to an update
- The 2026 striped bass update was moved to 2027 and changed to a benchmark
- The 2026 spiny dogfish update was moved to 2027
- The 2026 winter flounder benchmark is tentatively scheduled for 2027 and changed to a benchmark
- The 2026 spot benchmark was moved to 2027
- The 2027 black drum benchmark was changed to an update

Assessments for Spanish mackerel (2027) and weakfish (2028) have been added. In 2029, the following species will have potential updates: black sea bass, bluefish, river herring, scup, and summer flounder. Horseshoe crab and tautog will also have benchmarks in 2029. In 2030, American shad and American lobster will undergo a benchmark and sea herring will undergo an update.

The Policy Board discussed the need for more information on the socioeconomic impacts for actions being considered by species management boards. It was noted that the lack of underlying data needed to do socioeconomic analysis is often insufficient or does not exist. The Board tasked the Committee on Economics and Social Science to prioritize the data needs to provide some basic information to the species management boards that the states could collect.

Effective January 1, 2024, NOAA Fisheries changed the federal regulations for Atlantic shark fisheries to automatically open the commercial fishing year on January 1 of each year under the base quotas and default retention limits. The Commission sets coastal shark specifications based on federal regulations for Atlantic coastal shark fisheries. The Policy Board approved opening the season on January 1, 2026, with a commercial possession limit of 55 large coastal sharks (LCS) per vessel per trip (i.e., aggregated LCS and hammerhead shark management groups) and 8 blacknose sharks per vessel trip (excluding sandbar sharks). The commercial possession limit is subject to change based on landings. The states will follow NOAA Fisheries for in-season changes to the commercial possession limit.

Chris Batsavage from North Carolina Division of Marine Fisheries reported that the R/V Carolina Coast, which is used to conduct the Pamlico Sound Trawl Survey, is no longer structurally sound. The survey, which began in 1987, is conducted each June and September in Pamlico Sound and its tributaries. Data from this survey are used in the summer flounder and weakfish stock assessments, the spot and croaker traffic light analyses, and ongoing stock assessments. Another survey vessel is unavailable, so the survey will not be conducted this year, and it is uncertain whether or when it will resume. If the survey resumes in the future, then it will likely be a new time series due to the lack of vessel calibration with the Carolina coast.

A stock assessment for Atlantic cobia began in March 2024 through the SouthEast Data, Assessment and Review (SEDAR) process but a staffing change paused the assessment until a new lead analyst could begin work. The Commission will lead the assessment process and SEDAR will coordinate a Peer Review Workshop (SEDAR 95). Staff are currently working to re-start the assessment and transition to the Commission assessment process. With the lead analyst starting in early 2026, the expected completion date for the assessment is 2027. One factor affecting the expected completion date is the terminal year of the assessment. If the terminal year is 2024 and uses the current MRIP Fishing Effort Survey (FES) estimates, the assessment could possibly be completed by early-mid 2027. If the terminal year is 2025 and incorporates the recalibrated MRIP FES data, which are expected to be available mid-2026, the assessment could potentially be completed by mid-late 2027. Other factors affecting the timeline include any challenges with potential modeling approaches, as cobia is a relatively data-limited species requiring development of a new index of abundance, if possible.

Work on the 2028 Atlantic sturgeon benchmark will begin this fall with a call for nominations to the Stock Assessment Subcommittee and development of terms of reference.

For more information, please contact Toni Kerns, Fisheries Policy Director, at tkerns@asmfc.org or 703.842.0740.

Motions

Move to approve the Commission's stock assessment schedule as presented today

Motion made by Mr. Grout and seconded by Mr. Clark. Motion passed by consent.

Move to adopt the 2026 coastal shark specifications matching the default season start date and retention limits as specified by the National Marine Fisheries Service final rule published on November 8, 2023 (88 FR 77039). The fishing season will open on January 1, 2026 with a commercial possession limit of 55 large coastal sharks (LCS) other than sandbar sharks per vessel per trip (i.e., aggregated LCS and hammerhead shark management groups) and 8 blacknose sharks per vessel trip. The commercial possession limit is subject to change; states will follow NMFS for in-season changes to the commercial possession limit.

Motion made by Ms. Burgess and seconded by Mr. Haymans. Motion passes by consent with one abstention by NH.

NC Marine Fisheries Commission

Fishery Management Plans

November 2025 Quarterly Business Meeting

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DECISION DOCUMENT

Blue Crab Fishery Management Plan

Amendment 3 Adaptive Management

This document was developed to help the MFC track previous activity and prepare for upcoming actions for Blue Crab FMP Amendment 3 Adaptive Management.

November 2025

Summary

Amendment 3 to the N.C. Blue Crab Fishery Management Plan (FMP) was adopted in February 2020 and is nearly halfway through the legislatively mandated 10-year stock rebuilding period with little evidence suggesting management measures have been successful in ending overfishing or achieving sustainable harvest. The intent of the Amendment 3 adaptive management framework is to allow for management changes if measures are not meeting objectives. Because stock indicator trends continue to show long-term decline in all blue crab life stages and both sexes, the adaptive management framework will be used to implement management measures projected to reduce fishing mortality (*F*) closer to the *F* target and rebuild the spawning stock closer to the spawner abundance target with greater than 50% probability of success.

Amendment 3 Background

As part of Amendment 3 to the North Carolina Blue Crab FMP, a benchmark stock assessment was conducted using data from 1995–2016. Based on assessment results, the N.C. blue crab stock was overfished and overfishing was occurring in 2016.

The North Carolina Fishery Reform Act of 1997 requires the State specify a time period not to exceed two years to end overfishing and achieve sustainable harvest within 10 years of the date of adoption of the plan. To meet this requirement, a minimum harvest reduction of 0.4% (in numbers of crabs) was projected to end overfishing and a harvest reduction of 2.2% was projected to achieve sustainable harvest and rebuild the blue crab spawning stock within 10 years with a 50% probability of success (Table 1).

Table 1. Catch reduction projections for varying levels of fishing mortality (*F*) and the probability of achieving sustainable harvest within the 10-year rebuilding period defined in statute. Bolded row is minimum required harvest reduction.

F (yr-1)	Catch Reduction (%)	Probability of achieving sustainable harvest within 10 years (%)	Comments
1.48	0.0	31	2016 average *F* from stock assessment
1.46	0.4	45	Catch reduction to meet *F* threshold and end overfishing
1.40	1.7	46	Catch reduction to meet spawner abundance threshold and end overfished status
1.38	**2.2**	**50**	**Catch reduction to meet minimum statutory requirement for achieving sustainable harvest**
1.30	3.8	67	
1.22	5.9	90	Catch reduction to meet *F* target
1.10	9.3	96	
1.00	12.3	100	
0.90	15.7	100	
0.80	19.8	100	Catch reduction to meet spawner abundance target
0.70	24.3	100	

At their February 2020 business meeting the MFC adopted Amendment 3 to the FMP with the following management strategies to end overfishing and achieve sustainable harvest in the blue crab fishery:

- North of the Highway 58 Bridge: January 1 through January 31 blue crab harvest closure.
- South of the Highway 58 Bridge: March 1 through March 15 blue crab harvest closure.
- A 5-inch minimum size limit for mature female crabs statewide.
- Align the pot closure period with the regional season closures and remain closed in entirety (cannot be reopened early).
- Maintain the prohibition on harvest of immature female hard crabs statewide established in the 2016 Revision to Amendment 2.
- Maintain the 5% cull tolerance established in the 2016 Revision to Amendment 2.
- Adopt proposed adaptive management framework and allow measures to be relaxed if the assessment update indicated the stock was not overfished and overfishing was not occurring and recommend updating the stock assessment once 2019 data are available.

The adopted management provided an estimated 2.4% harvest reduction with a 50% probability of achieving sustainable harvest. This reduction was slightly over the statutorily required minimum (2.2% reduction), but below the harvest reduction level needed to reduce *F* to the target (5.9% reduction) and the reduction needed to increase spawner abundance to the target (19.8% reduction; Table 1).

Amendment 3 management strategies have been fully in place since January 2021. Amendment 3 also maintained all measures implemented with the May 2016 Revision to the Blue Crab FMP. A summary of all management measures in place through Amendment 3 can be found in Amendment 3, the annual FMP Update or in the Amendment 3 flyer.

Amendment 3 Adaptive Management

In addition to management strategies to reduce harvest, Amendment 3 also includes the following adaptive management framework

1. Update the stock assessment at least once in between full reviews of the FMP, timing at the discretion of the division
    a. If the stock is overfished and/or overfishing is occurring or it is not projected to meet the sustainability requirements, then management measures shall be adjusted using the director's proclamation authority
    b. If the stock is not overfished and overfishing is not occurring, then management measures may be relaxed provided it will not jeopardize the sustainability of the blue crab stock
2. Any quantifiable management measure, including those not explored in this paper, with the ability to achieve sustainable harvest (as defined in the stock assessment), either on its own or in combination, may be considered
3. Use of the director's proclamation authority for adaptive management is contingent on:
    a. Consultation with the Northern, Southern, and Shellfish/Crustacean advisory committees
    b. Approval by the Marine Fisheries Commission

Upon evaluation by the division, if a management measure adopted to achieve sustainable harvest (either through Amendment 3 or a subsequent Revision) is not working as intended, then

it may be revisited and either: 1) revised or 2) removed and replaced as needed provided it conforms to steps 2 and 3 above.

Post Amendment 3 Stock Assessment Update

Following full implementation of Amendment 3 management measures in 2021, DMF monitoring programs continued to observe historically low commercial landings, coupled with continued low abundance of all blue crab life stages (e.g., male and female juveniles, male and female adults, mature females). In response to stock concerns expressed by commercial crabbers and continued poor trends in abundance since adoption of Amendment 3, the DMF began updating the stock assessment with data through 2022. Results of the model update indicate the magnitude and trends for estimated recruitment, female spawner abundance, and fishing mortality were similar to the benchmark assessment (Figure 1); however, the Maximum Sustainable Yield (MSY) based reference points used to determine stock status for both female spawner abundance and fishing mortality changed drastically (Figures 2-3).

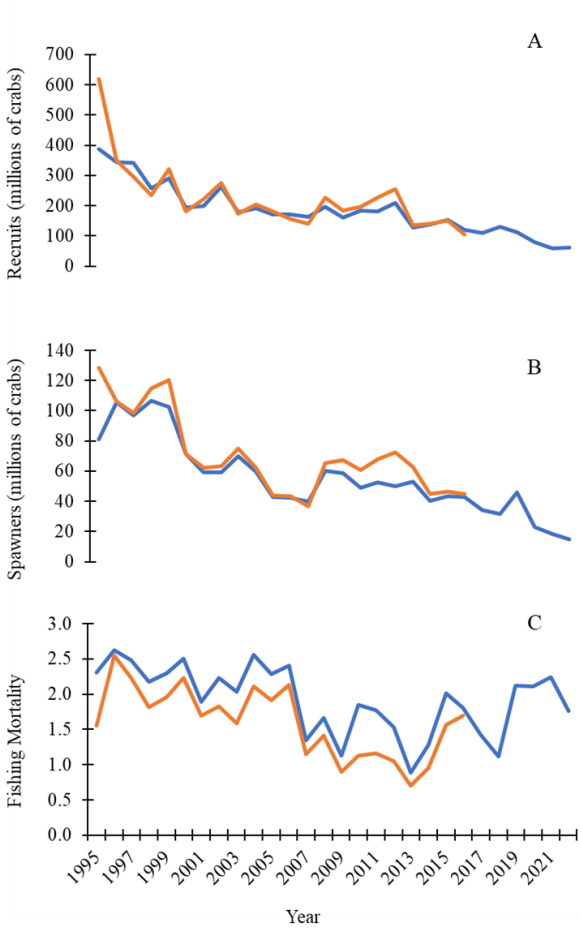

Figure 1. Comparison of estimates of (A) total recruitment, (B) female spawner abundance, and (C) fishing mortality between the 2023 stock assessment update (blue line) and the 2018 benchmark stock assessment (orange line).

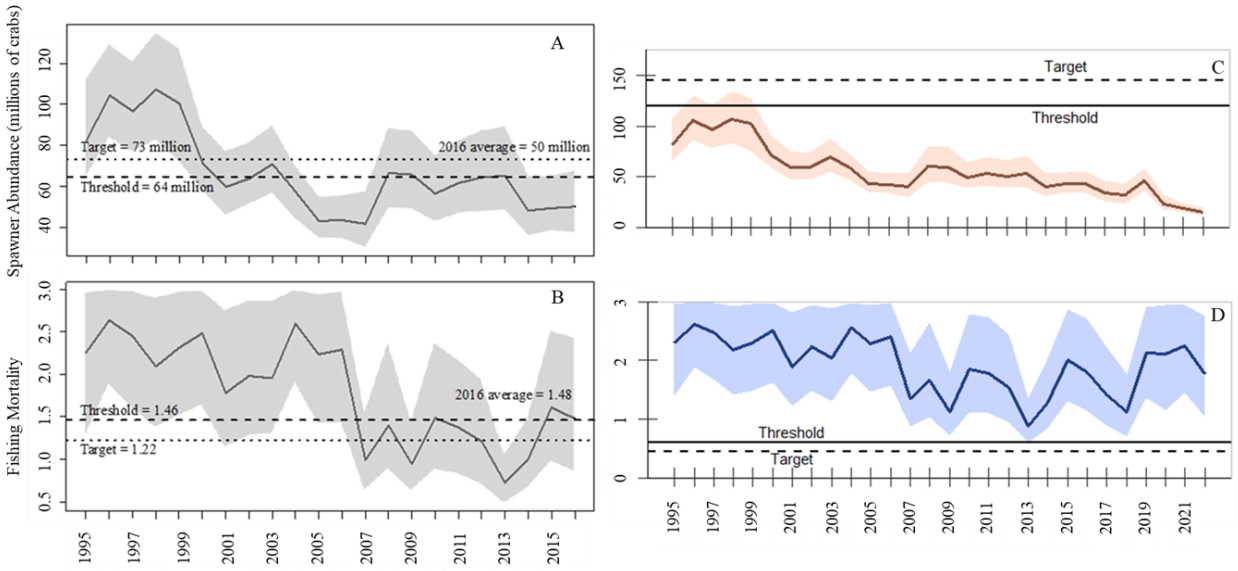

Figure 2. Annual estimates of (A) mature female spawner abundance and (B) fishing mortality relative to associated reference points from the 2018 benchmark stock assessment. Annual estimates of (C) mature female spawner abundance and (D) fishing mortality relative to associated reference points from the 2023 stock assessment update.

Due to the magnitude of the change in reference points, the DMF requested an external review of the assessment update, which was completed in late December 2023. Reviewers identified concerns with model specifications and results and strongly recommended resolving these issues before basing any management decisions solely on the assessment update. Suggestions provided by reviewers can only be incorporated with a new benchmark stock assessment. Given concerns with the assessment update identified by the DMF and external peer reviewers, the DMF does not recommend using results of the 2023 stock assessment update to inform management. The model specification issues in the update do not invalidate the benchmark stock assessment or the data sources used in the benchmark or the updated model.

Declines in the North Carolina blue crab stock are not unique, as blue crab stocks in other Atlantic coast states have declined similarly. In January 2023 the South Carolina Department of Natural Resources released a status report for the South Carolina blue crab fishery. The report concluded the South Carolina blue crab stock has been in decline for nearly two decades and provided recommendations to prevent overharvesting, gradually reduce fishing pressure, prevent overexploitation, and strengthen enforcement capabilities. Concerns for the Chesapeake Bay blue crab stock have also persisted. While the Chesapeake Bay blue crab stock is not depleted and overfishing is not occurring, juvenile abundance remains low. Precautionary management, focusing on protecting mature females and juveniles, has been recommended for the Chesapeake Bay stock and a benchmark stock assessment has been started to better understand the population. In addition, because the conservation trigger for male harvest has been exceeded several times, consideration of management to protect male crabs has been recommended.

Management Strategies and Recommendations

The Division explored several quantifiable management strategies that could be considered for implementation based on specifications of the Amendment 3 Adaptive Management Framework.

Size limits are used to protect a portion of the stock. Currently, male and mature female hard crabs are subject to a 5-inch minimum carapace width (CW) statewide (harvest of immature females is prohibited).

Because a minimum size limit is already in place for blue crabs, and because achieving necessary harvest reductions through size limit changes alone is unlikely, management options for increasing the minimum size limit or establishing a maximum size limit were not developed.

Prohibiting Crab Trawling prevents harvest from a gear that primarily harvests female crabs prior to the spawning season. Most crab trawl harvest occurs from December through April and is highly variable from year to year. Due to location and time of year crab trawls operate, most crabs harvested by crab trawls are females of lower market value. In 2024, crab trawls accounted for 2.0% of all blue crab landings, but on average account for 0.7% of blue crab landings (2019–2024). There is often conflict between the crab trawl and crab pot fisheries. While the crab trawl fishery does not currently have a lot of participants, because this fishery primarily harvests female crabs, further growth may be detrimental to the crab stock.

Seasonal Closures can be used to reduce overall harvest by restricting harvest during specific times of year. Amendment 3 implemented a January 1–31 closure in areas north of the Highway 58 bridge to Emerald Isle and a March 1–15 closure in areas south of the Highway 58 bridge to Emerald Isle.

Life Stage Closures and Limits are used to limit harvest of specific life stages (e.g., immature females, sponge crabs, etc.). Amendment 3 maintained the prohibition on harvest of immature female hard blue crabs and harvest of dark sponge crabs from April 1–30. The intent of prohibiting harvest of immature female blue crabs is to allow immature females the opportunity to mature and spawn before being subject to harvest. Prioritizing the reproductive potential of female crabs through life-stage closures serves as a proactive investment to the sustainability of the blue crab population. This strategy not only fosters increased abundance within the crab population but likely contributes to higher recruitment. It also continues to allow harvest opportunities on male crabs.

Trip or Bushel Limits limit catch while continuing to allow harvest opportunities. Maryland and Virginia each manage blue crab harvest with some form of a trip limit in combination with other measures.

Management Options

Current management of the N.C. blue crab fishery recognizes the conservation value of protecting mature female crabs by prohibiting harvest of dark sponge crabs from April 1–30 and by establishing crab spawning sanctuaries (CSS) at all coastal inlets. The purpose of the CSS is to protect mature females in these areas prior to and during the spawning season, though sanctuary size and other factors limit their effectiveness. Season closures and life stage harvest limits can be used to enhance the effectiveness of the existing CSS by providing broader protections.

Management options provided below focus on limiting harvest of blue crabs during biologically important times of year (e.g., mating and spawning seasons) and specifically limiting harvest of mature females.

Option 1 – **Prohibit Crab Trawling** (year-round, statewide; estimated 0.7% harvest reduction relative to 2019–2024 landings).

Option 2 – **Prohibit Sponge Crab Harvest** (year-round, statewide; estimated 1.4% harvest reduction relative to 2019–2024 landings).

Options 3 and 4 – propose various **trip limits** (see Table 2a for statewide option details and estimated harvest reduction and Table 3 for regional option details and estimated harvest reduction)

Option 5 and 6 – propose various combinations of **trip limits and season closures** (see Table 2a for statewide option details and estimated harvest reduction and Table 3 for regional option details and estimated harvest reduction)

Options 7, 8, 9, 10, and 11 – propose various **life stage specific trip limits, and season closures** (see Table 2b for option details and estimated harvest reduction)

Initial DMF Recommendation Presented to Advisory Committees in March 2025

In consideration of blue crab life history and blue crab fishery characteristics, the preliminary DMF recommendation presented to the Northern, Southern, and Shellfish/Crustacean Advisory Committees in March 2025 was Option 11.a (was labeled as Option 8.a when it was presented to the ACs in March 2025), 10-bushel limit for mature female blue crabs from June–December and no harvest of mature female blue crabs from January–May (Table 2b). The DMF also preliminarily recommended maintaining existing season closures and all other blue crab management measures currently in place. In combination, these management measures would effectively reduce harvest by an estimated 22.5 percent compared to landings from 2019–2024 (21.7 percent compared to landings from 2019–2023), increase the spawning stock biomass, and promote increased recruitment.

Table 2a. Estimated percent harvest reductions from season closure and trip limit management options compared to annual commercial hard blue crab landings, 2019-2024. Unless stated otherwise all options are in addition to existing management including season closures and apply statewide. One bushel is estimated to be 40 pounds.

Option #	Measures	2019-2024
3	a. 10-bushel hard crab trip limit year-round	47.6
	b. 15-bushel hard crab trip limit year-round	34.1
	c. 20-bushel hard crab trip limit year-round	24.6
	d. 25-bushel hard crab trip limit year-round	18.0
	e. 30-bushel hard crab trip limit year-round	13.2
	f. 35-bushel hard crab trip limit year-round	9.7
	g. 40-bushel hard crab trip limit year-round	7.1
	h. 45-bushel hard crab trip limit year-round	5.2
	i. 50-bushel hard crab trip limit year-round	3.9
4	a. 10-bushel hard crab trip limit Sept–Dec	22.2
	b. 15-bushel hard crab trip limit Sept–Dec	17.1
	c. 20-bushel hard crab trip limit Sept–Dec	13.1
	d. 25-bushel hard crab trip limit Sept–Dec	10.1
	e. 30-bushel hard crab trip limit Sept–Dec	7.7
	f. 35-bushel hard crab trip limit Sept–Dec	5.9
	g. 40-bushel hard crab trip limit Sept–Dec	4.5
	h. 45-bushel hard crab trip limit Sept–Dec	3.4
	i. 50-bushel hard crab trip limit Sept–Dec	2.5
5	a. 10-bushel hard crab trip limit Sept–Nov, closed Dec–Mar	28.0
	b. 15-bushel hard crab trip limit Sept–Nov, closed Dec–Mar	22.9
	c. 20-bushel hard crab trip limit Sept–Nov, closed Dec–Mar	18.9
	d. 25-bushel hard crab trip limit Sept–Nov, closed Dec–Mar	15.4
	e. 30-bushel hard crab trip limit Sept–Nov, closed Dec–Mar	12.6
	f. 35-bushel hard crab trip limit Sept–Nov, closed Dec–Mar	10.4
	g. 40-bushel hard crab trip limit Sept–Nov, closed Dec–Mar	8.6
	h. 45-bushel hard crab trip limit Sept–Nov, closed Dec–Mar	6.1
	i. 50-bushel hard crab trip limit Sept–Nov, closed Dec–Mar	4.3
6	a. 10-bushel hard crab trip limit Sept–Nov, closed Dec–Jan	24.4
	b. 15-bushel hard crab trip limit Sept–Nov, closed Dec–Jan	19.5
	c. 20-bushel hard crab trip limit Sept–Nov, closed Dec–Jan	15.7
	d. 25-bushel hard crab trip limit Sept–Nov, closed Dec–Jan	12.5
	e. 30-bushel hard crab trip limit Sept–Nov, closed Dec–Jan	10.1
	f. 35-bushel hard crab trip limit Sept–Nov, closed Dec–Jan	8.1
	g. 40-bushel hard crab trip limit Sept–Nov, closed Dec–Jan	6.6
	h. 45-bushel hard crab trip limit Sept–Nov, closed Dec–Jan	4.8
	i. 50-bushel hard crab trip limit Sept–Nov, closed Dec–Jan	3.5

Table 2b. Estimated percent harvest reductions from mature female season closure and trip limit management options compared to annual commercial hard blue crab landings, 2019-2024. Unless stated otherwise all options are in addition to existing management including season closures and apply statewide. One bushel is estimated to be 40 pounds. *Initial DMF recommendation presented to Northern, Southern, and Shellfish/Crustacean Advisory Committees in March 2025.

Option #	Measures	2019-2024
7	a. 10-bushel mature females Sept-Oct, 5-bushel mature females Nov-Dec, no mature females Jan-Mar	14.9
	b. 15-bushel mature females Sept-Oct, 5-bushel mature females Nov-Dec, no mature females Jan-Mar	12.8
	c. 20-bushel mature females Sept-Oct, 5-bushel mature females Nov-Dec, no mature females Jan-Mar	11.3
8	a. 10-bushel mature females Sept-Oct, 5-bushel mature females Nov-Dec, no mature females Jan-May	19.2
	b. 15-bushel mature females Sept-Oct, 5-bushel mature females Nov-Dec, no mature females Jan-May	17.1
	c. 20-bushel mature females Sept-Oct, 5-bushel mature females Nov-Dec, no mature females Jan-May	15.5
9	a. 10-bushel all hard crabs limit Sept-Nov, complete closure Dec-Jan, no mature females Feb-May	30.7
	b. 15-bushel all hard crabs limit Sept-Nov, complete closure Dec-Jan, no mature females Feb-May	26.0
	c. 20-bushel all hard crabs limit Sept-Nov, complete closure Dec-Jan, no mature females Feb-May	22.3
10	a. 10-bushel mature females Sept-Dec, no mature females Jan-May	17.7
	b. 15-bushel mature females Sept-Dec, no mature females Jan-May	14.5
	c. 20-bushel mature females Sept-Dec, no mature females Jan-May	12.2
11	a. 10-bushel mature females June-Dec, no mature females Jan-May*	22.5
	b. 15-bushel mature females June-Dec, no mature females Jan-May	17.3
	c. 20-bushel mature females June-Dec, no mature females Jan-May	13.9

Table 3. Region-specific estimated percent harvest reductions from season closure and trip limit management options 3-6 (see Table 7a) compared to annual commercial hard blue crab landings, 2019-2024. The Highway 58 Bridge to Emerald Isle separates the northern and southern regions. For each option and region, estimated percent reductions were calculated relative to landings within the given region and relative to statewide landings. Unless stated otherwise all options are in addition to existing management including season closures. One bushel is estimated to be 40 pounds. NOTE: Ocean landings and some landings from 2023 and 2024 were excluded from regional calculations because they cannot be assigned as north or south of the Highway 58 Bridge; therefore, reductions will not be equal to reductions in Table 2a. #DMF recommendation for south of the Highway 58 Bridge and *DMF Recommendation for north of the Highway 58 Bridge presented to MFC in November 2025.

		Northern Landings		Southern Landings	
Option #	Measures	Region	Statewide	Region	Statewide
3	a. 10-bushel hard crab trip limit year-round	49.4	45.4	26.4	2.2
	b. 15-bushel hard crab trip limit year-round	35.8	32.9	14.6	1.2
	c. 20-bushel hard crab trip limit year-round	26.1	24.0	8.4	0.7
	d. 25-bushel hard crab trip limit year-round	19.1	17.6	5.3	0.4
	e. 30-bushel hard crab trip limit year-round	14.0	12.9	3.6	0.3
	f. 35-bushel hard crab trip limit year-round	10.3	9.5	2.6	0.2
	g. 40-bushel hard crab trip limit year-round	7.6	6.9	2.0	0.2
	h. 45-bushel hard crab trip limit year-round	5.6	5.1	1.5	0.1
	i. 50-bushel hard crab trip limit year-round	4.1	3.8	1.2	0.1
4	a. 10-bushel hard crab trip limit Sept–Dec	23.3	21.4	9.5	0.8
	b. 15-bushel hard crab trip limit Sept–Dec#	18.2	16.7	**5.4**	**0.4**
	c. 20-bushel hard crab trip limit Sept–Dec	14.1	12.9	3.0	0.2
	d. 25-bushel hard crab trip limit Sept–Dec	10.8	9.9	1.7	0.1
	e. 30-bushel hard crab trip limit Sept–Dec*	**8.3**	**7.6**	1.1	0.1
	f. 35-bushel hard crab trip limit Sept–Dec	6.4	5.8	0.7	0.1
	g. 40-bushel hard crab trip limit Sept–Dec	4.8	4.4	0.6	<0.1
	h. 45-bushel hard crab trip limit Sept–Dec	3.6	3.3	0.5	<0.1
	i. 50-bushel hard crab trip limit Sept–Dec	2.7	2.5	0.4	<0.1

Table 3 continued.

Option #	Measures	Northern landings		Southern landings	
		Region	Statewide	Region	Statewide
5	a. 10-bushel hard crab trip limit Sept–Nov, closed Dec–Mar	28.4	26.1	23.0	1.9
	b. 15-bushel hard crab trip limit Sept–Nov, closed Dec–Mar	23.6	21.6	19.9	1.6
	c. 20-bushel hard crab trip limit Sept–Nov, closed Dec–Mar	19.7	18.1	18.0	1.5
	d. 25-bushel hard crab trip limit Sept–Nov, closed Dec–Mar	16.7	15.3	17.1	1.4
	e. 30-bushel hard crab trip limit Sept–Nov, closed Dec–Mar	14.3	13.1	16.7	1.4
	f. 35-bushel hard crab trip limit Sept–Nov, closed Dec–Mar	12.4	11.4	16.5	1.4
	g. 40-bushel hard crab trip limit Sept–Nov, closed Dec–Mar	11.0	10.1	16.4	1.3
	h. 45-bushel hard crab trip limit Sept–Nov, closed Dec–Mar	9.8	9.0	16.3	1.3
	i. 50-bushel hard crab trip limit Sept–Nov, closed Dec–Mar	8.9	8.2	16.3	1.3
6	a. 10-bushel hard crab trip limit Sept–Nov, closed Dec–Jan	24.9	22.9	17.7	1.5
	b. 15-bushel hard crab trip limit Sept–Nov, closed Dec–Jan	20.1	18.5	14.5	1.2
	c. 20-bushel hard crab trip limit Sept–Nov, closed Dec–Jan	16.3	14.9	12.7	1.0
	d. 25-bushel hard crab trip limit Sept–Nov, closed Dec–Jan	13.2	12.1	11.8	1.0
	e. 30-bushel hard crab trip limit Sept–Nov, closed Dec–Jan	10.8	10.0	11.4	0.9
	f. 35-bushel hard crab trip limit Sept–Nov, closed Dec–Jan	9.0	8.2	11.2	0.9
	g. 40-bushel hard crab trip limit Sept–Nov, closed Dec–Jan	7.5	6.9	11.1	0.9
	h. 45-bushel hard crab trip limit Sept–Nov, closed Dec–Jan	6.4	5.8	11.0	0.9
	i. 50-bushel hard crab trip limit Sept–Nov, closed Dec–Jan	5.5	5.0	10.9	0.9

Advisory Committee Review

The Amendment 3 adaptive management framework requires "consultation" with the Northern, Southern, and Shellfish/Crustacean advisory committees before management changes can be approved by the MFC. To fulfill this requirement, the advisory committees met the week of March 18–20, 2025 to discuss adaptive management and provide recommendations. DMF staff provided background information and the preliminary DMF recommendation. In addition, DMF staff were available prior to each meeting to answer questions and discuss blue crab science and management with the public.

Key takeaways from all meetings included:

- Concern about the economic impact of the preliminary DMF recommendation
- Concern about how the preliminary recommendation would disproportionately impact certain fishery segments and areas and the need for fair management between regions
- Distrust of stock assessment results and data
- Concern that landings declines are the result of market conditions and participation declines, not a declining blue crab stockConcern about the effects of water quality and predation on the blue crab stock
- Questions about authority to make management changes without an updated stock assessment
- The need for cooperation with industry for data collection and formulating management
- Some acknowledgement the stock has declined since the 1990s even if it is not because of fishing
- Some concern about long-term declining trends

Advisory Committee Recommendations

Northern

Motion for the Marine Fisheries Commission to not take final action on Blue Crab Amendment 3 Adaptive Management until August 2025, instead of May 2025 (motion passes 10-0)

Motion for the Marine Fisheries Commission to remain status quo regarding the Blue Crab FMP Amendment 3 Adaptive Management (motion passes 7-2, with 1 abstention)

Southern

Motion to recommend the Marine Fisheries Commission to remain status quo regarding Blue Crab FMP Amendment 3 Adaptive Management and to move the Marine Fisheries Commission action on Blue Crab to the August 2025 meeting (motion passes 6-1, with 1 abstention)

Shellfish/Crustacean

Motion for the Marine Fisheries Commission to not take final action on Blue Crab Amendment 3 Adaptive Management until August 2025, instead of May 2025 (motion passes, 5-0, with 2 abstentions)

Motion to recommend to the Marine Fisheries Commission to remain status quo regarding Blue Crab FMP Amendment 3 (motion passes 4-0, with 3 abstentions)

DMF Amendment 3 Adaptive Management Recommendations

Following the March Advisory Committee meetings, the DMF further evaluated potential management options and stock indicators updated with data from 2024. The stock indicator trends continue to show long-term decline in all blue crab life stages and both sexes. Even without an updated stock assessment, there is little evidence overfishing has ended, or sustainability objectives of Amendment 3 will be met with the current management strategy. Therefore, the DMF recommends that some action be taken immediately to begin in 2026 through Amendment 3 Adaptive Management to address continued declines in the stock. In consideration of Advisory Committee recommendations and public comment, the DMF revised the recommendations to reduce harvest to a level that approximates the reduction needed to meet the *F* target (5.9%) and increases the probability of meeting the spawner threshold from 50% (current strategy) to 90% (see Table 1). The final DMF recommendations are as follows:

- Maintain all blue crab management measures including existing season closures.
- **Option 1**, effective January 1, 2026, prohibit crab trawling statewide year-round (estimated 0.7% harvest reduction relative to 2019–2024 landings)
- **Option 4e** (North of the Highway 58 Bridge), 30-bushel hard crab trip limit from September–December (estimated 8.3% harvest reduction relative to 2019–2024 northern landings and 7.6% harvest reduction from statewide landings)
- **Option 4b** (South of the Highway 58 Bridge), 15-bushel hard crab trip limit from September – December (estimated 5.4% harvest reduction relative to 2019–2024 southern landings and 0.4% harvest reduction from statewide landings)

These recommendations should be viewed as a first step rather than a comprehensive solution. Recommendations are based on a stock assessment that indicated the stock was overfished and overfishing was occurring but has a terminal year of 2016. Fishery-independent stock indicators suggest stock status has not improved since then. The DMF has begun the process of developing a new benchmark stock assessment which should provide an updated stock status. If the assessment indicates additional management is necessary, it will be important to implement additional measures through adaptive management to ensure stock sustainability. Review of the Blue Crab FMP is scheduled to begin in 2026, at which time comprehensive management will be explored. Until then, Amendment 3 management, including adaptive management and changes made through adaptive management will remain in place.

See the updated timeline for revision development below:

May 2024	DMF presents results of stock assessment update and adaptive management plan to MFC
May–August 2024	Outreach and analysis
September 2024	DMF updates Northern, Southern, and Shellfish/Crustacean advisory committees
September–December 2024	Additional outreach and analysis. DMF drafts Revision to Amendment 3
March 2025	MFC AC (Northern, Southern, Shellfish/Crustacean) review draft
May 2025	DMF updates MFC on advisory committee recommendations and next steps
August 2025	DMF provides update to MFC
November 2025	MFC vote to select management options for Revision to Amendment 3

*Gray indicates a step is complete.

North Carolina Blue Crab Fishery Management Plan Amendment 3 Adaptive Management Options

ISSUE

Implement management measures through the Blue Crab Fishery Management Plan (FMP) Amendment 3 adaptive management framework to end overfishing and achieve sustainable harvest in the North Carolina blue crab fishery.

ORIGINATION

Amendment 3 to the North Carolina Blue Crab Fishery Management Plan.

BACKGROUND

As part of Amendment 3 to the North Carolina Blue Crab FMP (NCDMF 2020), a benchmark stock assessment (NCDMF 2018) was conducted using data from 1995–2016. Assessment results indicated the blue crab stock was overfished and overfishing was occurring in 2016. North Carolina General Statute 113–182.1 states that fishery management plans shall: 1) specify a time period not to exceed two years from the date of adoption of the plan to end overfishing, 2) specify a time period not to exceed 10 years from the date of adoption of the plan for achieving sustainable harvest, and 3) must also include a standard of at least 50% probability of achieving sustainable harvest for the fishery. Sustainable harvest is defined in North Carolina General Statute 113–129 as "the amount of fish that can be taken from a fishery on a continuing basis without reducing the stock biomass of the fishery or causing the fishery to become overfished". A minimum commercial harvest reduction of 0.4% (in numbers of crabs) was projected to end overfishing and a minimum commercial harvest reduction of 2.2% was projected to achieve sustainable harvest and rebuild the blue crab spawning stock within 10 years with a 50% probability of success (Table 1).

The North Carolina Marine Fisheries Commission (MFC) adopted Amendment 3 to the Blue Crab FMP in February 2020 to rebuild the blue crab stock, and all Amendment 3 management measures have been in place since January 2021. Prior to adoption, the Division of Marine Fisheries (DMF) recommended that, at a minimum, the MFC should adopt a commercial harvest reduction of 2.2% (50% probability of success) but encouraged the MFC to consider a further reduction to at least 5.9% (90% probability of success). Further, the DMF encouraged the MFC to adopt a management strategy that included a prohibition on immature female hard crab harvest (established in 2016 Revision; NCDMF 2016), a 5-inch minimum size limit for mature females, and a continuous closure period resulting in a reduction of at least 4.6% to make up the remainder of the preferred reduction. A comprehensive list of Amendment 3 sustainable harvest options can be found in Table 4.1.12 and Table 4.1.14 of Amendment 3.

Table 1. Catch reduction projections for varying levels of fishing mortality (*F*), based on 2016 stock assessment data, and the probability of achieving sustainable harvest within the 10-year rebuilding period defined in statute. Bolded row indicates minimum requirement defined in statute.

F (yr-1)	Catch Reduction (%)	Probability of achieving sustainable harvest within 10 years (%)	Comments
1.48	0.0	31	2016 average *F* from stock assessment
1.46	0.4	45	Catch reduction to meet *F* threshold and end overfishing
1.40	1.7	46	Catch reduction to meet spawner abundance threshold and end overfished status
1.38	**2.2**	**50**	**Catch reduction to meet minimum statutory requirement for achieving sustainable harvest**
1.30	3.8	67	
1.22	5.9	90	Catch reduction to meet *F* target
1.10	9.3	96	
1.00	12.3	100	
0.90	15.7	100	
0.80	19.8	100	Catch reduction to meet spawner abundance target
0.70	24.3	100	

The MFC adopted Amendment 3 with the following management strategies to end overfishing and achieve sustainable harvest in the blue crab fishery:

- North of the Highway 58 Bridge: January 1 through January 31 blue crab harvest closure.
- South of the Highway 58 Bridge: March 1 through March 15 blue crab harvest closure.
- A 5-inch minimum size limit for mature female crabs statewide.
- Align the pot closure period with the regional season closures and remain closed in entirety (cannot be reopened early).
- Maintain the prohibition on harvest of immature female hard crabs statewide established in the 2016 Revision to Amendment 2.
- Maintain the 5% cull tolerance established in the 2016 Revision to Amendment 2.
- Adopt an adaptive management framework that allows measures to be relaxed if the assessment update indicated the stock was not overfished and overfishing was not occurring and recommends updating the stock assessment once 2019 data are available.

The adopted management provided an estimated 2.4% harvest reduction with a 50% probability of achieving sustainable harvest. This reduction was slightly over the statutorily required minimum (2.2% reduction), but below the harvest reduction level needed to reduce *F* to the target (5.9% reduction) and the reduction needed to increase spawner abundance to the target (19.8% reduction).

Amendment 3 also maintained all measures implemented by the May 2016 Revision to the Blue Crab FMP (NCDMF 2016). A summary of all management measures in place through Amendment 3 can be found in Amendment 3, the annual FMP Update or in the Amendment 3 flyer.

Amendment 3 Adaptive Management

In addition to management strategies to reduce harvest, Amendment 3 also includes the following adaptive management framework:

1. Update the stock assessment at least once in between full reviews of the FMP, timing at the discretion of the division
    a. If the stock is overfished and/or overfishing is occurring or it is not projected to meet the sustainability requirements, then management measures shall be adjusted using the director's proclamation authority
    b. If the stock is not overfished and overfishing is not occurring, then management measures may be relaxed provided it will not jeopardize the sustainability of the blue crab stock
2. Any quantifiable management measure, including those not explored in this paper, with the ability to achieve sustainable harvest (as defined in the stock assessment), either on its own or in combination, may be considered
3. Use of the director's proclamation authority for adaptive management is contingent on:
    a. Consultation with the Northern, Southern, and Shellfish/Crustacean advisory committees
    b. Approval by the Marine Fisheries Commission

Upon evaluation by the division, if a management measure adopted to achieve sustainable harvest (either through Amendment 3 or a subsequent Revision) is not working as intended, then it may be revisited and either: 1) revised or 2) removed and replaced as needed provided it conforms to steps 2 and 3 above.

Post Amendment 3 Stock Assessment Update

Following full implementation of Amendment 3 management measures in 2021, DMF monitoring programs continued to observe historically low commercial landings (Figure 1), coupled with continued low abundance of all blue crab life stages (Figures 2 and 3) based on fishery-independent sampling (e.g., male and female juveniles, male and female adults, mature females) through 2024.

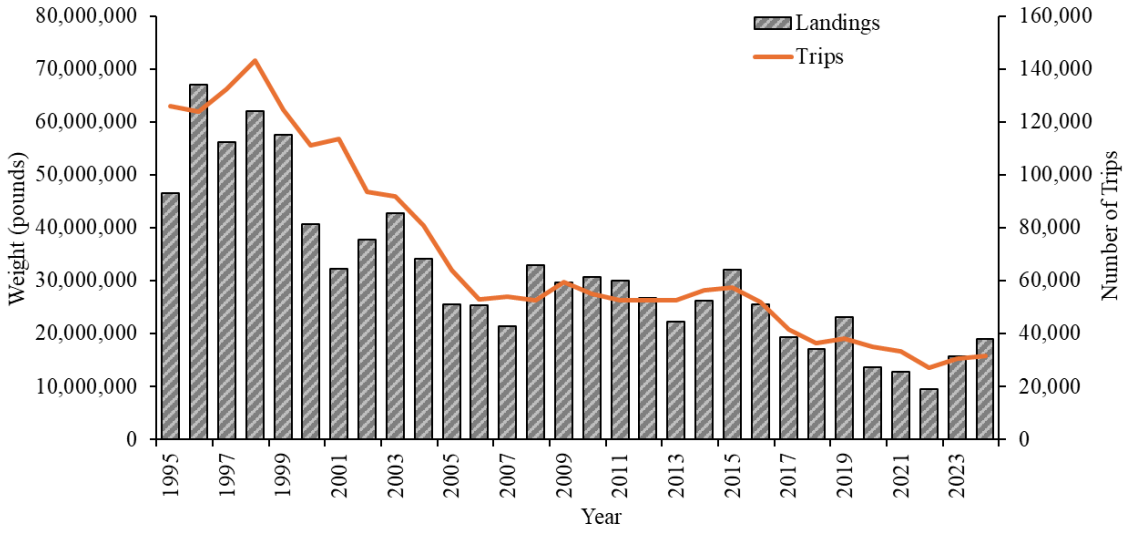

Figure 1. Annual blue crab commercial landings compared to number of trips recorded, 1995–2024. Landings include hard, soft, and peeler crabs. (Data sourced from the DMF Trip Ticket Program)

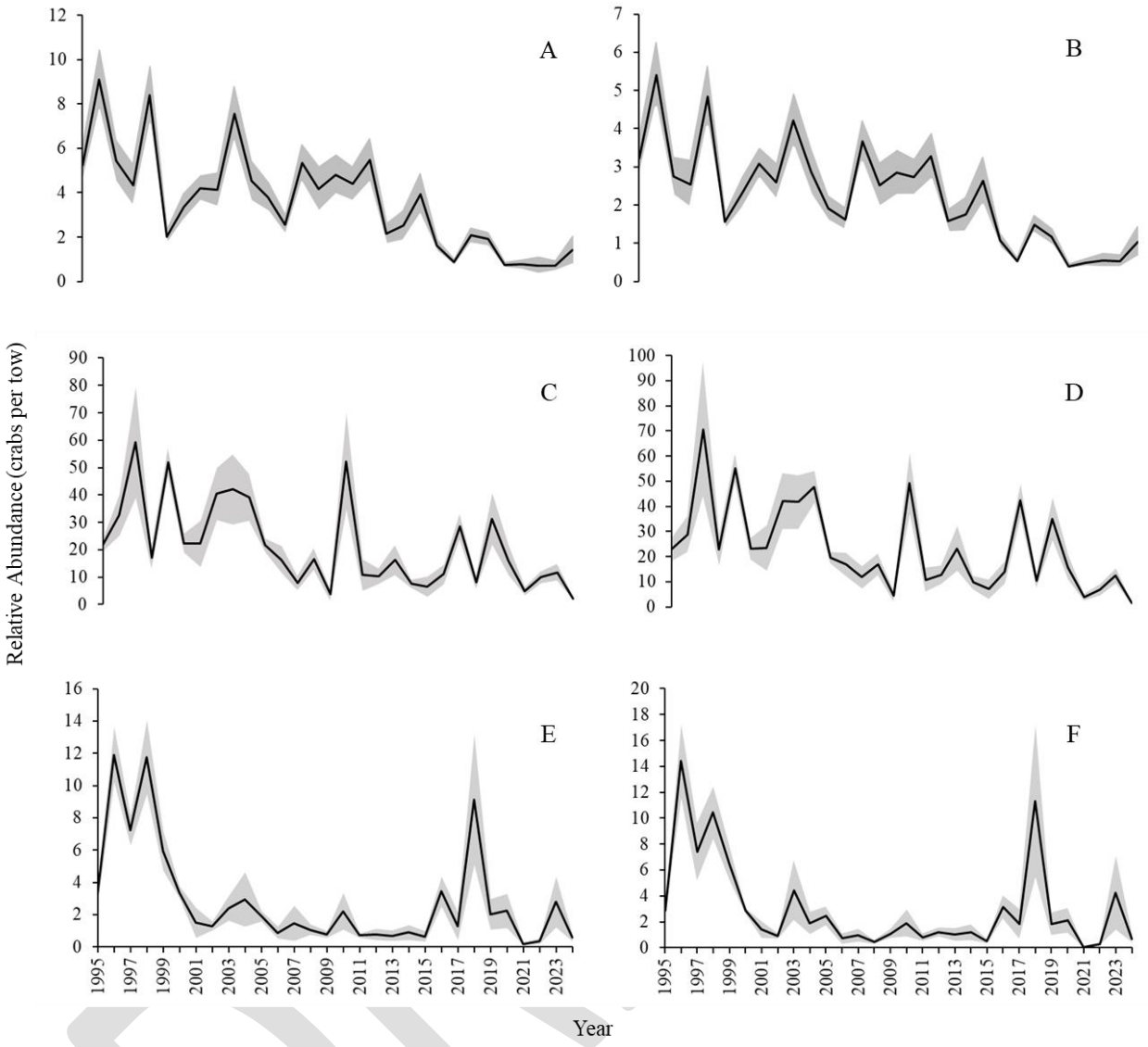

Figure 2. Relative abundance of recruit crabs (<127 mm, 5 inches Carapace Width, CW) from DMF independent sampling programs, Program 120 and Program 195, 1995–2024. (A) is Program 120 males, (B) is Program 120 females, (C) is June Program 195 males, (D) is June Program 195 females, (E) is September Program 195 males, (F) is September Program 195 females. Note differences in Y-axis scales.

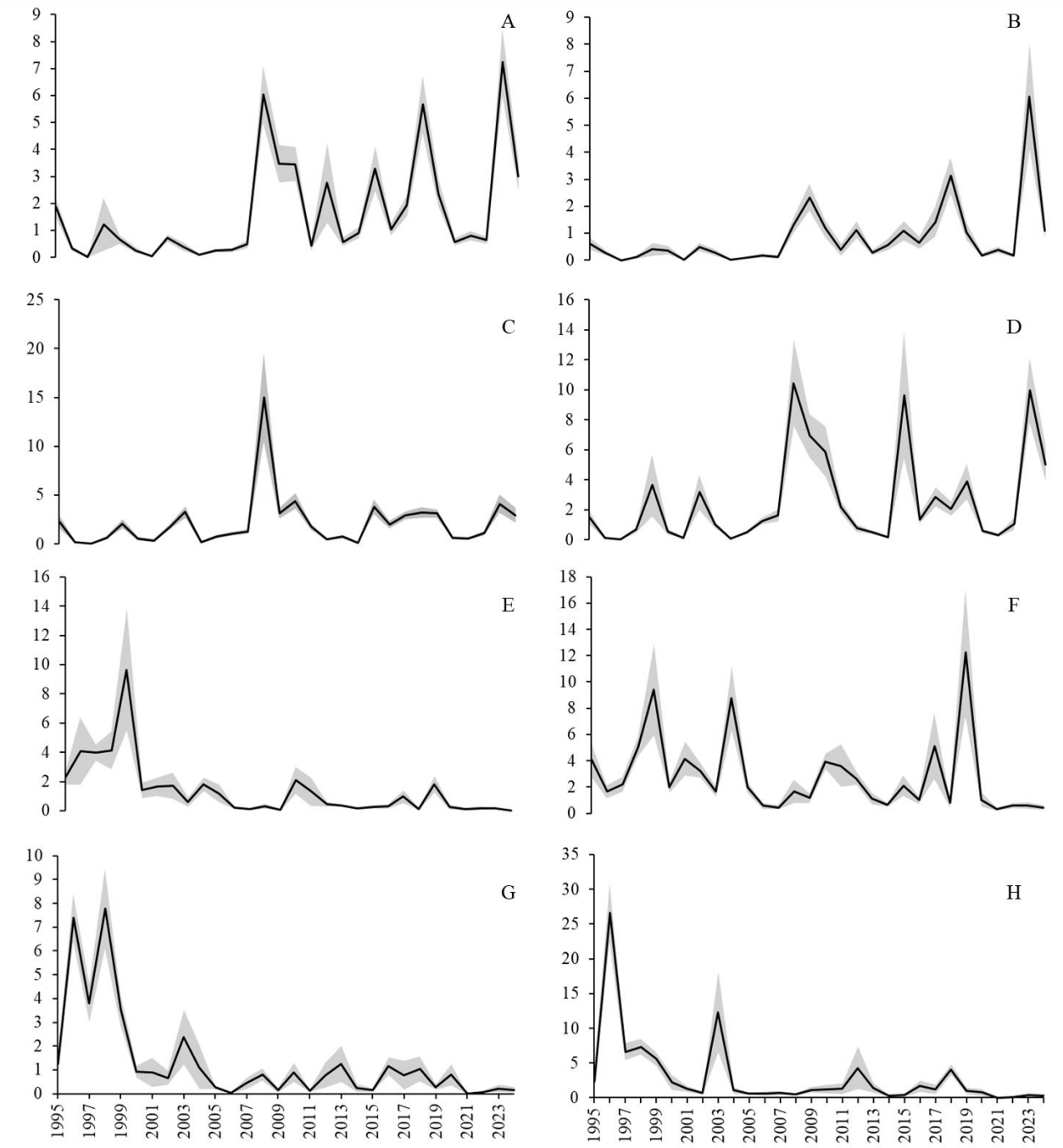

Figure 3 Relative abundance of fully recruited crabs (≥127 mm, 5 inches, Carapace Width, CW) from DMF independent sampling programs, Program 100 and Program 195, 1995–2024. (A) is Program 100 summer males, (B) is Program 100 summer females, (C) is Program 100 fall males, (D) is Program 100 fall females, (E) is Program 195 June males, (F) is Program 195 June females, (G) is Program 195 September males, and (H) is Program 195 September females. Note differences in Y-axis scales.

In response to stock concerns expressed by commercial crabbers and continued poor trends in abundance since adoption of Amendment 3, the DMF updated the stock assessment with data through 2022, adding six years of data to the benchmark assessment. As an assessment update, there were no changes to model parameters. Results of the update indicated the magnitude and trends for estimated recruitment, female spawner abundance, and fishing mortality were similar to the benchmark assessment (Figure 4); however, the

Maximum Sustainable Yield (MSY) based reference points used to determine stock status for both female spawner abundance and fishing mortality both drastically changed (Figure 5).

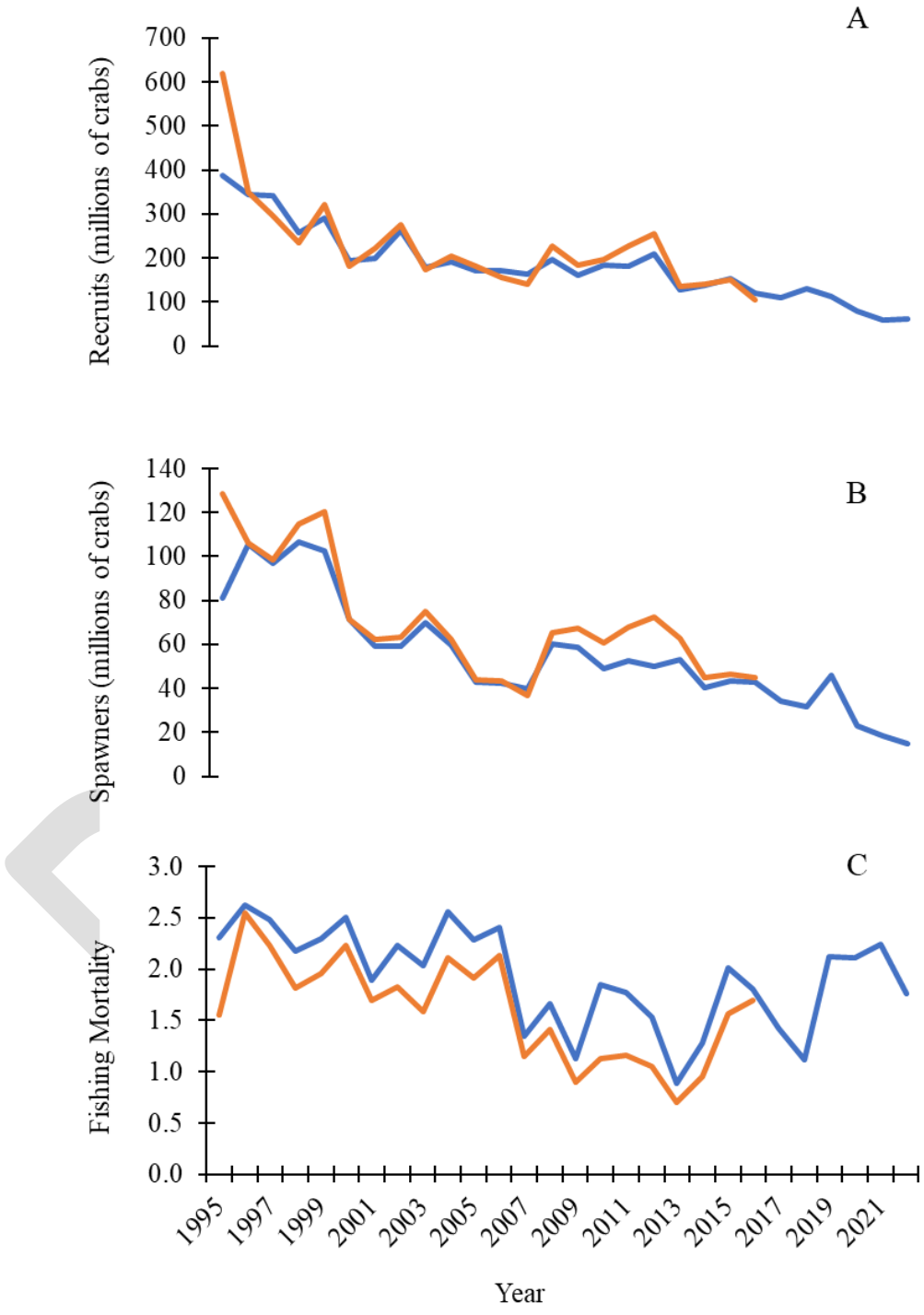

Figure 4. Comparison of estimates of (A) total recruitment, (B) female spawner abundance, and (C) fishing mortality between the 2023 stock assessment update (blue line) and the 2018 benchmark stock assessment (orange line).

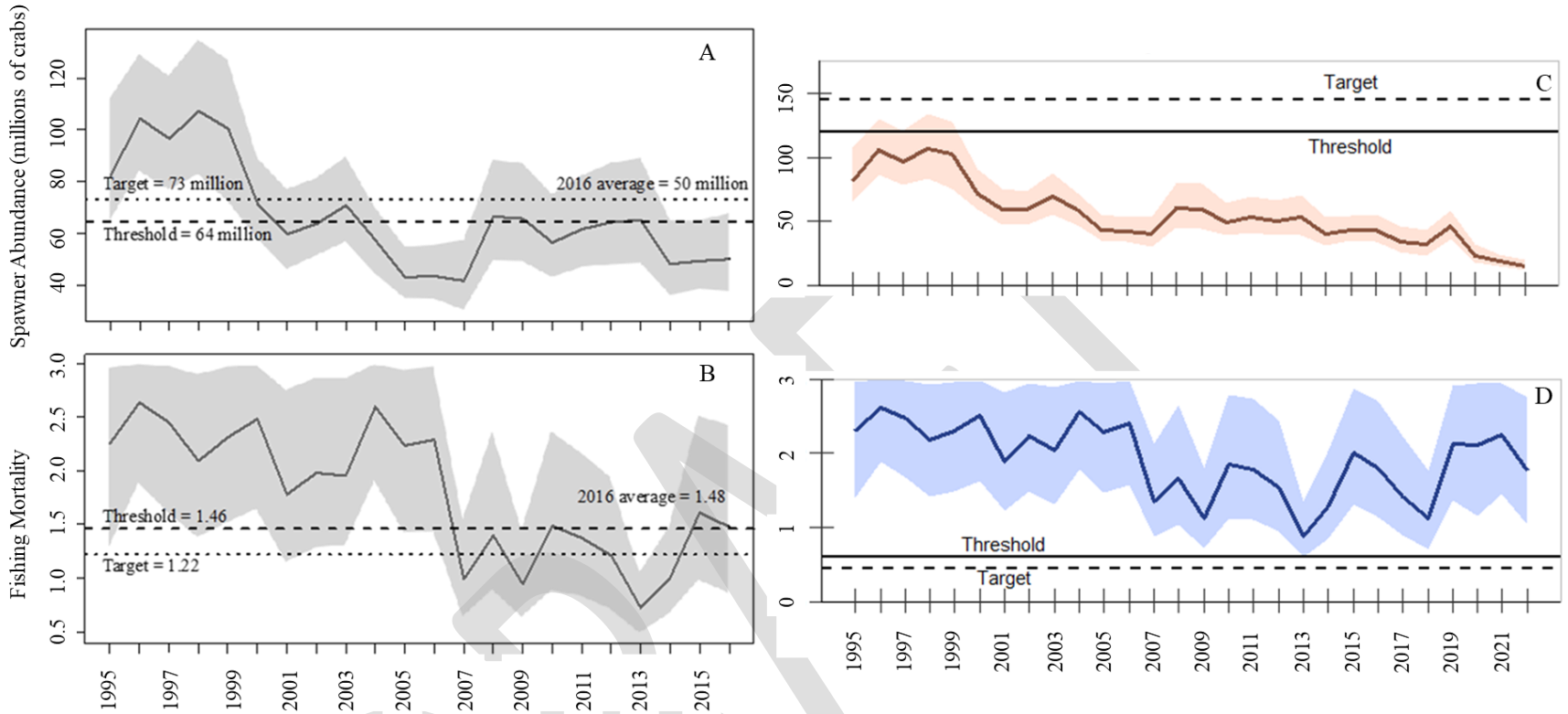

Figure 5. Annual estimates of (A) mature female spawner abundance and (B) fishing mortality relative to associated reference points from the 2018 benchmark stock assessment. Annual estimates of (C) mature female spawner abundance and (D) fishing mortality relative to associated reference points from the 2023 stock assessment update.

Due to the magnitude of the change in reference points, the DMF requested an external review of the assessment update, which was completed in late December 2023 (Appendix 1). Reviewers identified concerns with model specifications and results and strongly recommended resolving these issues before basing any management decisions solely on the assessment update. Suggestions provided by reviewers can only be incorporated with a new benchmark stock assessment. Given concerns with the assessment update identified by the DMF and external peer reviewers, the DMF recommended against using results of the 2023 stock assessment update to inform management. Model specification issues in the update do not invalidate the benchmark stock assessment or the data sources used in the benchmark or the updated model.

Declines in the North Carolina blue crab stock are not unique, as blue crab stocks in other Atlantic coast states have declined similarly. In January 2023 the South Carolina Department of Natural Resources released a status report for the South Carolina blue crab fishery (SCDNR 2023). The report concluded the South Carolina blue crab stock has been in decline for nearly two decades and provided recommendations to prevent overharvesting, gradually reduce fishing pressure, prevent overexploitation, and strengthen enforcement capabilities. Beginning July 2025, South Carolina began requiring a limited commercial blue crab license to commercially harvest blue crabs in addition to a commercial saltwater license and a blue crab trap license. South Carolina also capped the number of traps an individual can use based on the number of traps an individual was licensed in previous years (Appendix 2). Concerns for the Chesapeake Bay blue crab stock have also persisted (Garvey 2025). While the Chesapeake Bay blue crab stock is not depleted and overfishing is not occurring, juvenile abundance remains low. Precautionary management, focusing on protecting mature females and juveniles, has been recommended for the Chesapeake Bay stock and a benchmark stock assessment has been started to better understand the population. In addition, because the conservation trigger for male harvest has been exceeded several times, consideration of management to protect male crabs has been recommended.

Adaptive Management

While an updated stock assessment is not currently available to inform stock status, there is little evidence overfishing has ended or sustainability objectives of Amendment 3 will be met. Because Amendment 3 is nearly halfway through the required rebuilding timeline, management measures projected to rebuild spawner abundance to a level above the spawner abundance threshold with a much higher probability of success must be implemented (Table 1). The Amendment 3 adaptive management framework will be used to immediately address the overall declining trends in the blue crab stock. This action is appropriate given the Amendment 3 adaptive management framework states: "*upon evaluation by the division, if a management measure adopted to achieve sustainable harvest is not working as intended, then it may be revisited and either 1) revised or 2) removed and replaced as needed…*".

The Amendment 3 adaptive management framework allows any quantifiable management measure, including those not discussed in Amendment 3, with the ability to achieve sustainable harvest either on its own or in combination to be considered.

AUTHORITY

North Carolina General Statutes
G.S. 113–134 RULES
G.S. 113–182 REGULATIONS OF FISHING AND FISHERIES
G.S. 113–182.1 FISHERY MANAGEMENT PLANS
G.S. 113–221.1 PROCLAMATIONS; EMERGENCY REVIEW
G.S. 143B–289.52 MARINE FISHERIES COMMISSION - POWERS AND DUTIES

North Carolina Marine Fisheries Commission Rules
15A NCAC 03L .0201 CRAB HARVEST RESTRICTIONS
15A NCAC 03H .0103 PROCLAMATIONS, GENERAL

DISCUSSION

Even without an updated stock assessment there is little evidence overfishing has ended, or sustainability objectives of Amendment 3 will be met with the current management strategy as stock indicator data show long-term decline in all blue crab life stages and both sexes. In consideration of blue crab life history, blue crab fishery characteristics, and concerning trends in stock indicator data from fisheries-independent sampling management changes must be considered. While observed declines may not be entirely the result of fishing (Voigt et al. 2025), maintaining the spawning stock through management changes may be important to prevent further stock decline.

Management measures specific to recreational harvest and commercial peeler and soft blue crab harvest are not included in this discussion because the needed harvest reductions relate specifically to the hard blue crab fishery. The discussion includes quantifiable management measures projected to meet the necessary harvest reductions to end overfishing within two years and achieve sustainable harvest within 10 years with at least a 50% probability of success based on the terminal year of the stock assessment (2016). Amendment 3 is statutorily required to end overfishing of the blue crab stock by May 2022 and achieve sustainable harvest by May 2030. Because Amendment 3 is nearly halfway through the required rebuilding timeline, management measures projected to rebuild spawner abundance to a higher level with a much higher probability of success must be considered. This revision includes management options projected to reduce *F* closer to the *F* target and rebuild the spawning stock closer to the spawner abundance target with greater than 50% probability of success (Table 1).

Several management tools are immediately available to increase the probability of achieving sustainable harvest by promoting increased recruitment and adult abundance. These include size limit changes, season and life stage closures, trip/bushel limits, or some combination of these measures.

The Amendment 3 adaptive management framework states "any quantifiable management measure…with the ability to achieve sustainable harvest (as defined in the stock assessment), either on its own or in combination, may be considered". Therefore, management measures where harvest reductions cannot be quantified such as gear modifications, and area closures are not discussed.

Unless otherwise specified all Amendment 3 management strategies will remain in place. These management strategies include but are not limited to the following:

Commercial

- 5-inch minimum size limit on male and mature female crabs
- No size limit on peeler crabs
- No possession of immature crabs
- No possession of dark sponge crabs April 1–30
- 5% cull tolerance
- Season closures (pot closure periods)
    - January 1–31 north of the Highway 58 bridge to Emerald Isle
    - March 1–15 south of the Highway 58 bridge to Emerald Isle
- Possession of blue crabs prohibited during season closures

Recreational

- Equivalent to commercial regulations
- Bag limit 50 crabs/day not to exceed 100 crabs/vessel/day

Economic Impact

Data from the NC TTP was used to determine the economic value and contribution of the commercial blue crab fishery. Economic contribution estimates represent the fishing activity of blue crab harvesters, dealers, and processors and are calculated using the DMF commercial fishing economic impact model (NCDMF 2024). These estimates are produced by market grade, which consists of hard crab, peeler crab, and soft crab. Estimates span the years 2014–2024.

Economic contribution estimates are calculated using ex-vessel value and participation counts. Ex-vessel value is the estimated dollar value of commercial harvest during the original transfer of a seafood product from the harvester to the dealer (NCDMF 2024). Some participants in the blue crab fishery may participate in other fisheries either independently or during the same trip. Output measures are not additive and may be over-estimating total contributions while still capturing the relative socioeconomic importance of the blue crab fisheries by market grade to North Carolina's economy.
The economic contribution of the commercial blue crab fishery is the highest of any commercial fishery in the state. The hard crab fishery has the highest contribution at over sixty million dollars in sales impact in 2024 (Table 2). In 2024 the blue crab fishery was the highest ranked fishery by ex-vessel value boasting 34% of total ex-vessel value, which is the highest percent of total ex-vessel value in the reported time frame (Figure 6).

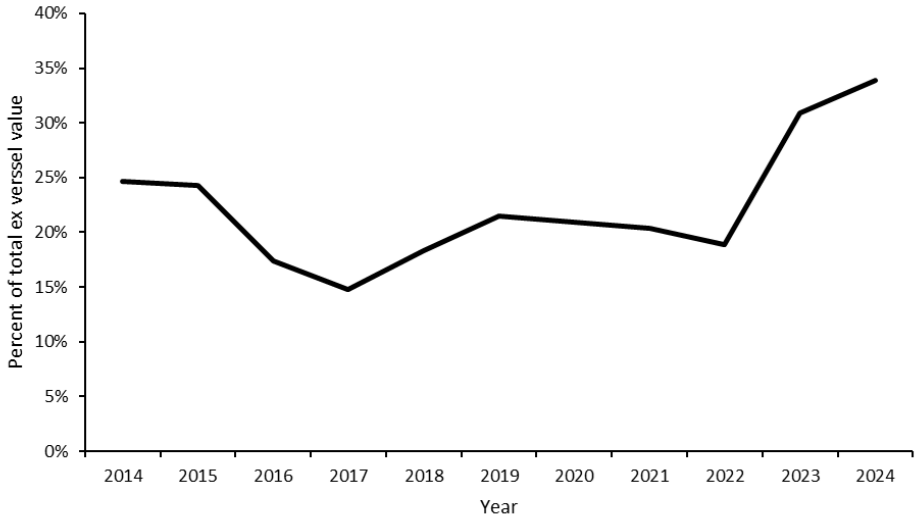

Figure 6. Commercial blue crab fishery value as a percentage of total ex-vessel value, 2014–2024. All data provided by the DMF Trip Ticket Program.

Table 2. Economic contribution of the hard crab fishery, peeler crab fishery, and soft crab fishery in 2023 dollars, 2014–2024.

Year	Pounds landed	Ex-vessel value ($)	Job impacts	Income impacts ($)	Value Added impacts ($)	Sales impacts ($)
			Hard blue crab			
2024	18,713,280	26,048,087	1,314	$28,245,903	$58,877,293	$61,633,254
2023	15,307,436	18,185,103	1,196	$23,131,071	$45,969,039	$50,867,437
2022	9,088,826	13,476,343	1,153	20,751,181	39,220,013	45,994,603
2021	12,052,138	20,553,734	1,398	31,036,700	55,161,991	70,315,728
2020	13,109,488	19,093,928	1,342	28,973,393	55,982,186	62,824,715
2019	22,377,971	22,221,353	1,705	38,130,806	60,813,677	89,355,961
2018	16,412,897	17,298,274	1,390	27,117,159	51,512,951	60,024,348
2017	18,059,855	17,767,075	1,514	30,668,395	50,993,565	70,099,109
2016	24,732,243	20,738,636	1,790	35,058,368	62,547,925	78,578,971
2015	31,019,406	29,607,419	2,170	49,541,126	89,166,922	110,372,047
2014	25,242,795	29,954,723	2,312	52,327,474	87,470,082	119,842,262
			Peeler blue crab			
2024	283,951	1,292,255	300	1,798,211	3,435,371	3,982,917
2023	313,905	1,038,757	298	1,555,246	2,929,303	3,451,522
2022	289,075	956,518	298	1,472,868	2,783,741	3,264,585
2021	531,179	1,644,073	367	2,482,595	4,412,354	5,624,486
2020	314,723	807,743	345	1,225,681	2,368,252	2,657,716
2019	465,091	1,247,065	406	2,128,129	3,395,389	4,992,667
2018	368,259	857,909	411	1,344,878	2,554,789	2,976,912
2017	776,161	1,649,472	460	2,847,214	4,734,176	6,507,909
2016	445,932	1,315,141	536	2,223,228	3,966,479	4,983,088
2015	704,354	2,099,220	625	3,512,556	6,322,097	7,825,580
2014	621,040	1,935,462	626	3,584,983	6,044,800	8,234,000
			Soft blue crab			
2024	83,633	938,568	219	2,239,625	3,675,947	4,646,463
2023	71,648	765,540	207	1,630,534	2,786,546	3,6722,642
2022	131,341	1,210,514	207	1,863,978	3,522,943	4,131,471
2021	236,523	1,753,965	218	2,648,535	4,707,281	6,000,434
2020	124,170	765,587	181	1,165,078	2,250,770	2,530,023
2019	183,946	1,199,842	217	2,058,874	3,283,636	4,824,776
2018	234,503	1,501,315	233	2,353,495	4,470,803	5,209,506
2017	427,742	2,791,960	330	4,819,305	8,013,250	11,015,540
2016	284,768	2,062,996	329	3,487,466	6,222,016	7,816,720
2015	375,874	2,221,331	338	3,716,881	6,689,852	8,280,791
2014	367,277	2,137,335	361	3,733,680	6,241,182	8,551,008

As is the case in many commercial fisheries in North Carolina, there has been a general decline in participants, ex-vessel value, trips, and landings in the last thirty years (NCDMF 2024). In the blue crab fishery, there has been an increase in ex-vessel value per participant over the same period. These trends could indicate there is

a quicker decline in participants than value, there is consolidation of fishing effort, and/or improved technology has allowed for more efficient fishing practices. Across the blue crab fisheries, the largest increase in value per participant from 2014–2024 was for hard blue crabs.

Value of the blue crab fishery varies throughout the year (Figure 7).

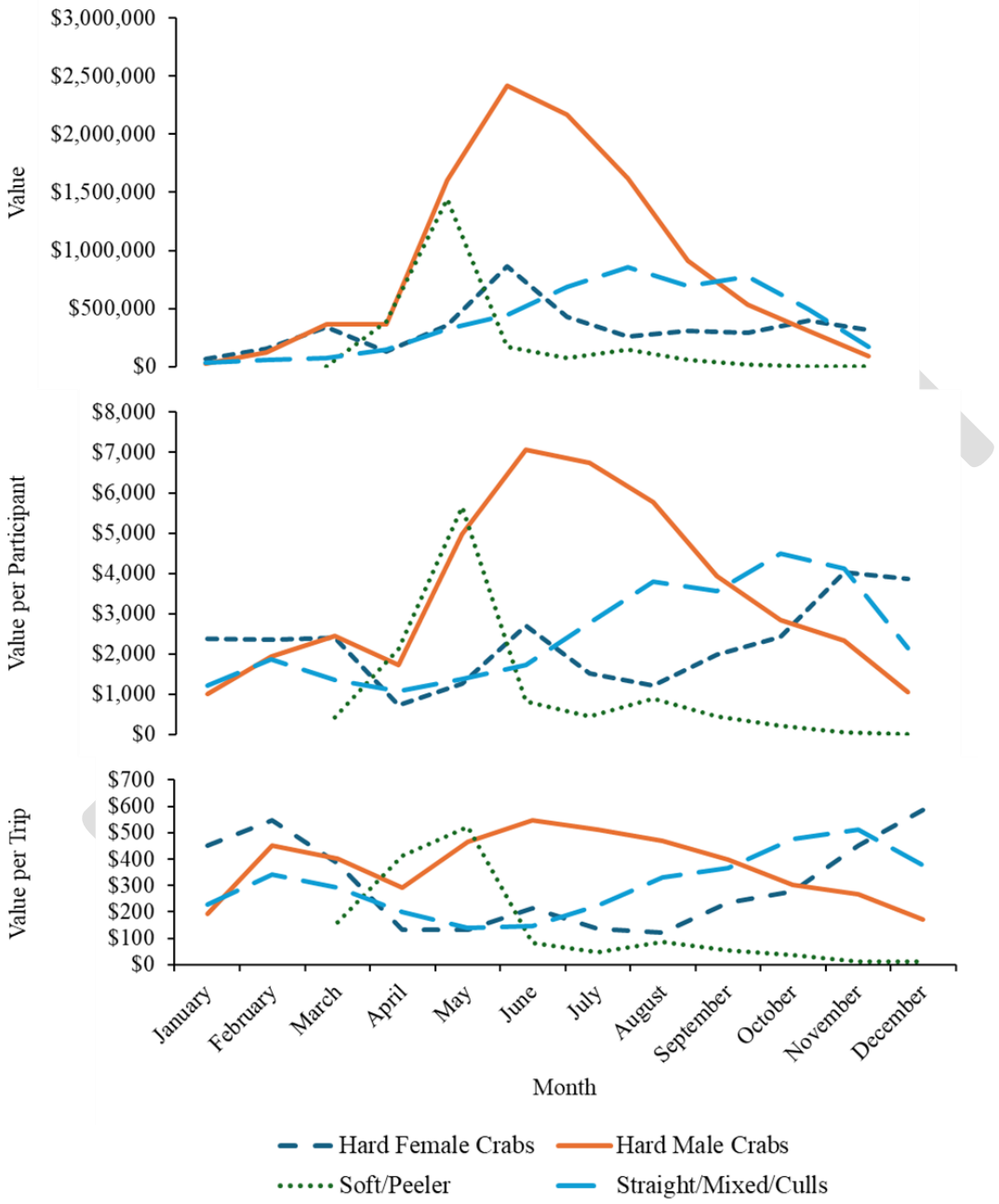

Figure 7. Ex-vessel value per participant by month (A), ex-vessel value per trip by month (B), Ex-vessel value by month (C), averaged from 2014–2024. Note differences in Y-axis.

May has the highest ex-vessel value, and value per participant for the soft and peeler crab fisheries. The highest ex-vessel value, and value per participant for the hard blue crab fishery occurs in June, July and August. Management changes that limit blue crab harvest may decrease ex-vessel value. However, effort and supply are not easily projected and, therefore, the response of blue crab prices to management are unknown.

MANAGEMENT STRATEGIES

Size Limits

Size limits are used to rebuild or protect a portion of the stock. Currently, male and mature female hard crabs are subject to a 5-inch minimum carapace width (CW) statewide (harvest of immature females is prohibited; maturity stage of male blue crabs cannot be differentiated visually).

Because a minimum size limit is already in place for blue crabs, and because achieving necessary harvest reductions through size limit changes alone is unlikely, management options for increasing the minimum size limit or establishing a maximum size limit were not developed. Advantages and disadvantages of increasing minimum size limits or establishing maximum size limits are briefly discussed below.

Increase Minimum Size Limit

Minimum size limits are implemented so some portion of the stock can spawn at least once before being harvested; they are uncomplicated and easily enforced. In addition, increasing minimum size limits ensures smaller, less valuable crabs are left to grow and contribute to the population, potentially leading to higher overall yield and economic value. Increasing minimum size limits may help reduce the number of "lay days," where commercial crabbers stop fishing due to an oversupply of low-value crabs in the market, promoting a more stable and predictable fishery. Changes to minimum size limits can be applied evenly statewide or tailored to specific regions, providing flexibility to adapt to region specific fishery and stock characteristics.

Increasing minimum size limits for blue crabs also presents challenges. Crabbers will face increased culling effort, requiring more time and resources to sort crabs leading to added labor costs or costs to install larger cull rings. Updated measuring tools will be needed by law enforcement and the time it takes for their construction, verification and distribution can be prohibitive if management is enacted quickly. In addition, the intended harvest reduction may not be met if harvest is delayed, as undersize crabs quickly reach legal size and become susceptible to harvest. Finally, region specific stock characteristics will create uneven reductions across different areas that will create inequity and impact market prices leading to economic uncertainty for crabbers.

Establish a Maximum Size Limit

Maximum size limits allow for flexibility to adapt to region specific fishery and stock characteristics; they are uncomplicated and easily enforced. Protecting the largest crabs preserves the portion of the spawning stock that survives past the legal maximum size, potentially providing greater reproductive potential to the stock, which is crucial for long-term sustainability. Unlike minimum size limits, maximum size limits do not have the same concerns of delayed harvest not resulting in actual harvest reductions.

While seemingly straightforward, there are drawbacks to implementing maximum size limits for blue crab. Because cull ring changes are unlikely to exclude larger crabs, maximum size limits are likely to increase the time and effort required for crabbers to cull their catch, as oversized crabs will need to be identified and released. This strategy will be particularly burdensome during periods of high catch volume if the catch includes crabs from many size classes. Enforcement may also be complicated by the time it takes to manufacture, validate, and distribute new measuring devices to law enforcement officers. It is important to note that increasing maximum size limits alone will have minimal impact on overall harvest reductions. To achieve significant conservation benefits, this strategy would likely need to be combined with other

management measures, such as minimum size limits (creating a slot limit), gear restrictions, and/or seasonal closures to prevent overharvest of crabs under the maximum size limit. Maximum size limits are likely to be unpopular with crabbers because larger crabs are often the most valuable.

Seasonal female maximum size limits have been implemented for the N.C. blue crab fishery in the past through adaptive management action. However, compliance was marginal and largely ineffective at protecting large mature females. Even when the size limit was complied with, released females may have been captured multiple times and injured, or ultimately harvested after the seasonal maximum size limit was removed.

Prohibit Crab Trawling

Crab trawling in North Carolina primarily occurs in the late winter and early spring with catches composed primarily of female crabs prior to the spawning season (~80% based on fishery-dependent sampling). For example, of 382,495 pounds of blue crab harvested by trawls in 2024, an estimated 305,996 pounds were female crabs (Table 3). Prohibiting crab trawling would protect female crabs during a critical time of year, increasing the spawning stock biomass to promote increased recruitment.

Although crab trawling makes up a small portion of the total harvest (2.0% in 2024; 0.7% from 2019–2024), recent growth could become a threat to the crab stock over time (Table 3). Prohibiting crab trawling is simple to enforce and would eliminate conflicts between fishermen using crab trawls and those using crab pots.

Table 3. Total blue crab landings (pounds; hard, soft, peeler crabs), blue crab landings from crab trawls, estimated landings of female crabs from trawls, and percent of total landings from crab trawls, 2019–2024.

Year	Total landings	Crab trawl landings	Female crab landings from trawls	% Trawl landings
2019	23,027,008	76,759	61,407	0.3%
2020	13,548,381	82,505	66,004	0.6%
2021	12,819,840	23,617	18,894	0.2%
2022	9,509,242	21,447	17,158	0.2%
2023	15,738,994	87,488	69,990	0.6%
2024	18,943,488	382,495	305,996	2.0%
Total	93,724,448	674,311	539,449	0.7%

Because crab trawls accounts for a small part of the total catch, a crab trawl prohibition on its own is unlikely to increase recruitment and the overall crab population but could be effective as part of a more comprehensive management strategy. A year-round, statewide prohibition on crab trawling is Option 1.

Life Stage and Seasonal Closures or Limits

In N.C., blue crab mating peaks in April–June and August–September and occurs in brackish areas of the estuary and lower portions of rivers (Darnell et al. 2009). After mating, females migrate throughout the spawning season to high salinity waters (>10 ppt) near ocean inlets to spawn from early summer to fall (Forward et al. 2003; Hench et al. 2004; Forward et al. 2005; Whitaker 2006; Darnell et al. 2009). Females that mate late in the summer begin migrating toward the closest inlet in late September–October and spawning

occurs the following spring (Medici et al. 2006). These female crabs overwinter in the mud along their migration route or near the inlets. Females that mate in early spring, migrate sooner, rather than waiting for fall (Darnell et al. 2009). Commercial crab sampling indicates sponge crabs (egg bearing females) are most abundant from March through May but are typically present from March through August. Males prefer lower salinity water (3 to 15 ppt) and do not migrate regularly as adults (NCDMF 2008).

Current management of the N.C. blue crab fishery recognizes the conservation value of protecting mature female crabs by establishing crab spawning sanctuaries (CSS) at all coastal inlets (NCDMF 2020). The purpose of the CSS is to protect mature females in these areas prior to and during the spawning season allowing them access to ocean waters to release their fertilized eggs. The CSS are closed to the use of pots, and mechanical methods for oysters or clams and to the taking of blue crabs with any commercial fishing equipment from March 1 through August 31 in areas from Barden Inlet north and from March 1 through October 31 in areas from Beaufort Inlet west and south (NCMFC Rule 15A NCAC 03L .0205). The CSS are also permanently closed to trawling (NCDMF 2022).

Migration distance, tidal regime, harvest effort along the migration route, and the proportion of post-mating mature female crabs protected in the sanctuaries influence the overall success of the sanctuaries. The CSS protect a portion of egg bearing females, but designation of migration corridors or expanded sanctuary boundaries could protect more of the spawning stock (Ballance and Ballance 2004; Ballance 2008; Ballance 2009; Eggleston et al. 2009). Life stage limits or season closures can be used to enhance the efficacy of the existing CSS by providing broader protection for the blue crab stock.

In consideration of Amendment 3 adaptive management framework requirements, existing management, and effectiveness, options for season closures, life-stage closures, bushel/trip limits, and sex-specific bushel/trip limits or combinations of management measures were developed (Tables 7a and 7b). After reviewing all potential strategies, these were identified as the most likely to meet sustainability objectives of Amendment 3 within the legislatively mandated 10-year rebuilding period.

Commercial catch of hard blue crabs begins increasing in May, as crabs become more active and market value increases. Landings peak in August remaining relatively high through November (Figure 8). Early in the year (February–May), catch is low but value is high, largely due to blue crab harvest restrictions during this time of year in other blue crab producing states (see Appendix 2). During the summer (June–August), catch and value is high. Later in the year (primarily after Labor Day), catch is high but value is low as the availability of female crabs increases but markets begin to decline. Limiting harvest early in the year is unlikely to result in large harvest reductions but would offer protection to the blue crab stock during the mating season and prior to spawning. Limiting harvest late in the season would result in higher harvest reductions and provides protection to the stock during part of the mating and spawning seasons.

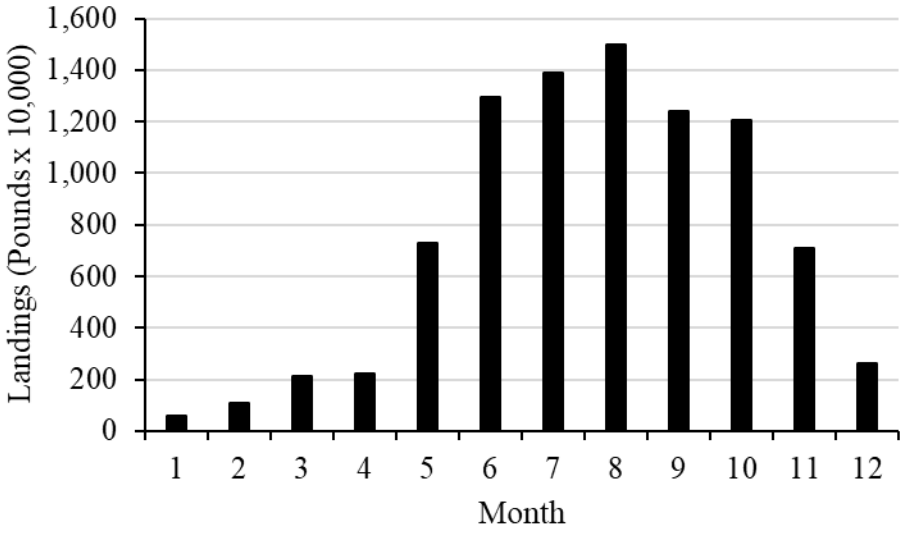

Figure 8. Commercial landings (pounds) of all hard blue crabs by month, 2019–2024.

Prohibit Sponge Crab Harvest

Amendment 3 maintained the prohibition on harvest of dark (brown and black) sponge crabs from April 1–30. Sponge crabs are present year-round; however, they begin to appear in significant numbers in March, peaking in April or May, and persisting at lower levels through the summer as observed in fishery-dependent blue crab harvest sampling programs (Figure 9).

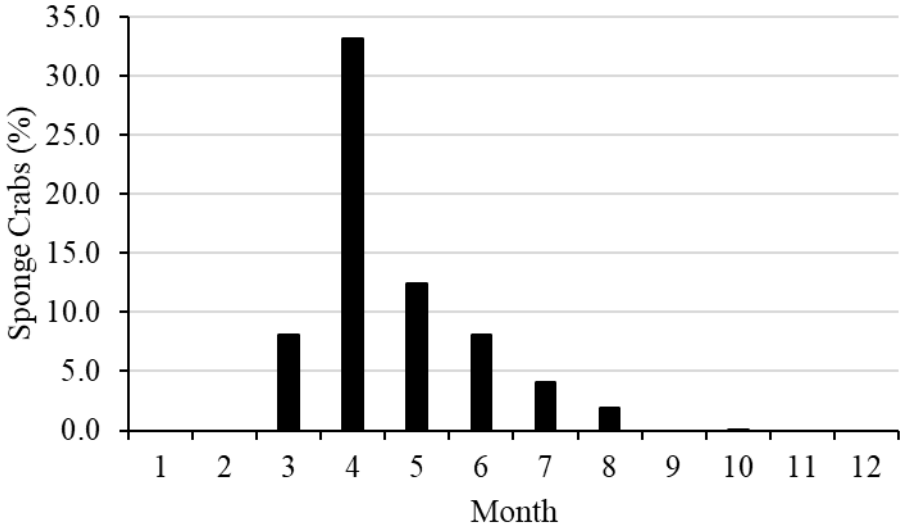

Figure 9. Percentage of commercial female crab samples (Program 436) recorded as sponge crabs by month, 2019–2024 (n = 55,082 total samples; 18,979 recorded as female).

Prohibiting sponge crab harvest year-round would give mature females the opportunity to spawn and possibly spawn more than once prior to being harvested. All east and Gulf coast states have some protections for sponge crabs, including year-round prohibitions on sponge crab harvest in most states (Appendix 2). A sponge crab harvest closure in North Carolina would mostly restrict harvest during the spring and early summer months, would minimally reduce removals from the stock, and potentially increase recruitment.

Fishing gear interactions may negatively affect the spawning potential of female blue crabs even if they are released. Dickinson et al. (2010) reported most sponge crabs caught in pots in the Newport and North rivers of North Carolina had damage to 30-50% of the egg mass. Damage may have been from the gear, capture stress, or interactions with other crabs while in pots. Survival of sponge crabs after pot interactions was not affected by sponge damage; however, the likelihood of crabs producing a second clutch was significantly less if previous sponge damage had occurred (Darnell et al. 2010).

Because sponge presence was not recorded on trip tickets, fishery-dependent data were used to estimate reductions if sponge crab harvest were prohibited. Estimates were developed by applying the percentage of sponge crabs sampled to the landings by month, area, and market grade. However, these data have notable limitations. First trip ticket and fishery-dependent data were not collected at a fine enough scale to estimate sponge crab harvest separately in eastern Pamlico Sound where more female crabs occur and western Pamlico Sound. In addition, blue crab harvest from the ocean was generally low and few fishery-dependent samples were collected from this area making estimating ocean sponge crab harvest difficult.

Based on fishery-dependent sampling, sponge crab harvest occurred from March through August and peaked in April (Table 4). Most sponge crab harvest was from the Pamlico Sound and to a lesser degree southern (south of Core Sound) regions. A year-round, statewide prohibition on sponge crab harvest is estimated to reduce harvest by 1.4% when compared to landings from 2019–2024 (this is Option 2). Based on available data, these reductions would come exclusively from the Pamlico Sound and southern regions of the state.

Table 4. Estimated harvest reduction if sponge crab harvest were prohibited by month and region, 2019–2024. Regions include Albemarle (the sound and its tributaries), Pamlico (the sound and its tributaries), South (areas south of Core Sound), and Ocean waters.

		Estimated harvest reduction				
Month	Estimated sponge landings (pounds)	Albemarle	Pamlico	South	Ocean	Total
January	0	0.0	0.0	0.0	0.0	0.0
February	0	0.0	0.0	0.0	0.0	0.0
March	85,982	0.0	0.1	0.0	0.0	0.1
April	354,420	0.0	0.3	0.1	0.0	0.4
May	281,795	0.0	0.2	0.1	0.0	0.3
June	334,914	0.0	0.3	0.1	0.0	0.4
July	122,926	0.0	0.1	0.0	0.0	0.1
August	45,106	0.0	0.1	0.0	0.0	0.1
September	0	0.0	0.0	0.0	0.0	0.0
October	0	0.0	0.0	0.0	0.0	0.0
November	0	0.0	0.0	0.0	0.0	0.0
December	0	0.0	0.0	0.0	0.0	0.0
Annual	1,225,145	0.0	1.0	0.4	0.0	1.4

Season Closures

A season closure can be used to reduce overall harvest by restricting harvest during specific times of the year. Amendment 3 implemented a January 1–31 closure in areas north of the Highway 58 bridge to Emerald Isle and a March 1–15 closure in areas south of the Highway 58 bridge to Emerald Isle. During these times, all pots must be removed from the water.

Because effort can be increased during open periods to offset losses during the closed season, it is best to have seasonal closures lasting a minimum of two weeks. Late season closures tend to be more effective in achieving harvest reductions because there is less opportunity for recoupment. Season closures implemented prior to or during the spawning season may be effective in protecting the spawning stock and promoting recruitment. However, a possible result of season closures is increased discards, particularly in fisheries that land, but do not target blue crabs. Discards may be less of a concern in the blue crab fishery because most blue crab landings occur in the pot fishery, which targets blue crabs.

Unless otherwise stated all options discussed in this paper maintain the current Amendment 3 season closures. Options 5, 6, and 9 (Tables 7a and 7b) replace the existing season closures with a December–March season closure (Option 5) or a December-January closure (Option 6 and 9) in combination with trip/bushel limits during other times of the year.

Life Stage Closures

Amendment 3 maintained the prohibition on harvest of immature female hard blue crabs. The intent of prohibiting harvest of immature female blue crabs is to allow immature females the opportunity to mature and spawn before being subject to harvest. Prioritizing the reproductive potential of female crabs through life-stage closures serves as a proactive investment to the sustainability of the blue crab population. This strategy not only fosters increased abundance within the crab population but likely contributes to higher recruitment.

While intended to promote long-term sustainability, life-stage closures can present challenges. Crabbers may experience immediate economic hardship due to reduced fishing opportunities. In addition, life-stage closures will lead to increased culling time on the water. Furthermore, life stage closures specific to females pose the risk of shifting fishing pressure towards male crabs disrupting the population's current sex ratio and are likely disproportionately effect segments of the blue crab fishery that occur in higher salinity area, where female crabs are more common.

Harvest of mature female hard blue crabs begins increasing in May and remains relatively stable throughout the summer before peaking in October (Figure 10). During most of the year (March through August), harvest of mature female hard blue crabs makes up less than 50% of the commercial catch in each month (Figure 11). Beginning in September, harvest of mature female crabs makes up an increasing proportion of the catch peaking in December at over 70% and continuing into January. Options 7, 8, 9, 10 and 11 (Table 7b) prohibit harvest of mature female crabs during specific times of year in combination with harvest limits during other times of the year. Option 7 prohibits harvest of mature females from January–March, Options 8, 10 and 11 prohibit harvest of mature females from January–May, Option 9 prohibits harvest of mature females from February–May.

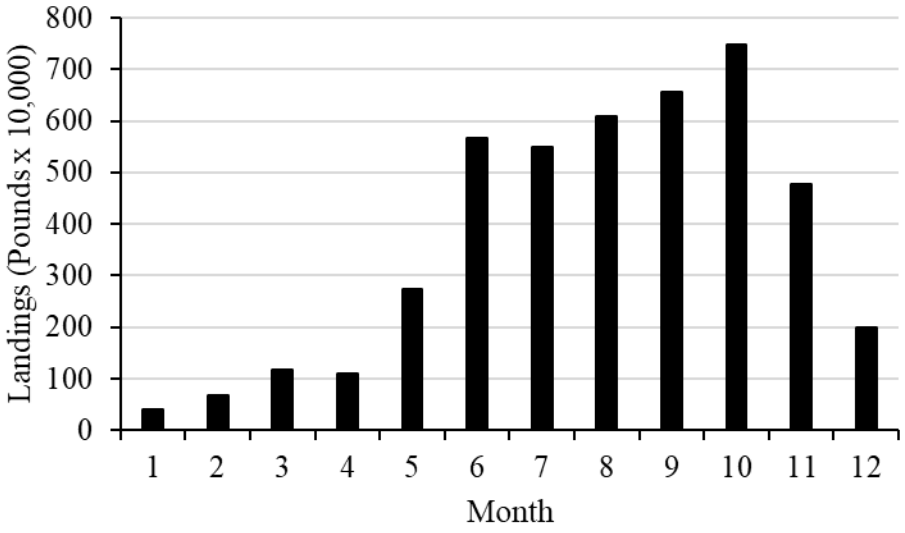

Figure 10. Commercial landings of mature female hard blue crabs by month, 2019–2024.

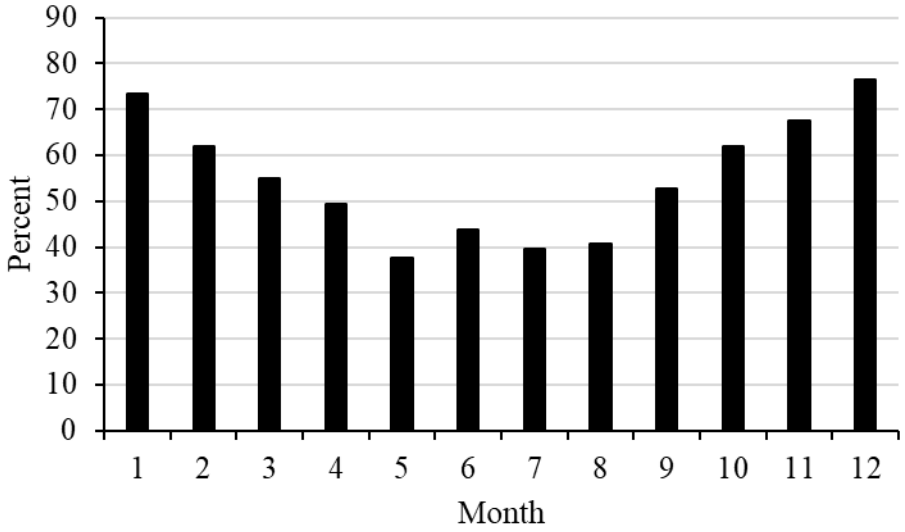

Figure 11. Percent of hard blue crab commercial landings that are mature females in each month, 2019–2024.

Trip/Bushel Limit

Trip or bushel limits for harvesting blue crabs offer several advantages. Trip or bushel limits allow opportunities for crabbers to continue fishing unlike complete season closures. Bushel limits are adaptable; can be implemented seasonally or incrementally accounting for market conditions and stock characteristics to evenly distribute harvest reductions across the fishery. Maryland and Virginia manage blue crab harvest with some form of a trip limit in combination with other measures (e.g., seasons, size limits, gear limits, closed areas; Appendix 2). While the blue crab stock in Chesapeake Bay has declined, the stock is no longer depleted, and overfishing is not occurring like it was throughout most of the 2000's (Garvey 2025). Current management practices, implemented in 2008, aimed at increasing stock size have allowed the Chesapeake Bay blue crab

fishery to consistently land in the range of 40 million pounds, or greater, of blue crab every year since 1990 even as the stock has declined recently.

While bushel limits offer a straightforward approach to managing blue crab harvest, there are drawbacks. One concern is crabbers, driven by high demand and prices, may increase fishing effort (e.g., set more pots, fish more often) beyond pre-regulation levels to meet demand, despite the bushel limit. This could lead to steady or increased pressure on the crab population, even if the daily bushel limits are adhered to. Furthermore, crabbers may fish pots less frequently, holding catch in unfished pots to avoid exceeding the daily bushel limit. Bushel limits will also increase time to sort and cull the catch and lead to discarding of smaller (legal size) and lower value (likely female) crabs, as crabbers prioritize keeping the largest, crabs to maximize the value of their catch within the limit.

A review of TTP data showed that most commercial trips during 2019–2024 landed between one and 15 bushels of hard blue crabs (Table 5). Implementing a hard crab bushel limit of 15 bushels or less would limit harvest while continuing to allow crabbers to operate. Additionally, seasonal bushel limits implemented early or late in the season limit harvest during biologically important periods of the blue crab life cycle, specifically for already mated overwintering females that are first to spawn when temperatures rise in the spring. Limiting harvest of these females will likely contribute to higher recruitment.

Table 5. Percent of commercial trips landing a given number of bushels (bu.) of hard blue crabs per trip by month including the maximum bushels landed per trip, 2019–2024. Includes hard blue crabs landed in pot gear only.

Month	<1	1–5	6–10	11–15	16–20	21–25	26–30	>30	Max bu./trip	# of Trips
January	4%	45%	22%	12%	6%	3%	2%	5%	90	1,559
February	6%	44%	21%	12%	8%	3%	2%	4%	95	2,223
March	9%	48%	21%	10%	5%	3%	1%	2%	204	6,523
April	16%	55%	15%	7%	3%	2%	1%	2%	205	9,372
May	6%	47%	23%	11%	6%	3%	2%	3%	116	21,985
June	3%	37%	23%	14%	9%	5%	3%	5%	208	29,790
July	3%	36%	22%	13%	8%	6%	4%	8%	207	28,942
August	3%	32%	18%	12%	9%	7%	5%	14%	173	24,309
September	2%	30%	18%	12%	9%	7%	5%	17%	290	18,109
October	3%	26%	16%	11%	9%	7%	6%	22%	250	15,253
November	2%	25%	17%	12%	10%	8%	6%	20%	135	9,337
December	4%	38%	20%	12%	8%	6%	4%	9%	155	5,035

Options 3, 4, 5 and 6 implement bushel limits ranging from 10- to 50-bushels on all hard blue crabs year-round (Option 3), from September–December (Option 4), or from September-November (Options 5 and 6; Table 7a). Options 5 and 6 implement seasonal bushel limits in combination with statewide season closures.

Sex-specific Trip/Bushel Limits

Another variation of trip/bushel limits is for the limits to be sex specific, specifically limits for female crabs. Blue crab sex, and maturity stage of female blue crabs is easily differentiated with external examination of the crab (NCDMF 2020). In addition, culling of crabs by sex already occurs in some segments of the blue

crab fishery; harvest of immature female crabs is prohibited and harvest of dark sponge crabs is prohibited from April 1–30, which necessitates onboard culling of specific life stages.

Comprehensive management of the Chesapeake Bay blue crab stock is focused on limiting harvest of mature female blue crabs. Virginia has implemented extensive blue crab spawning sanctuaries where the harvest of blue crab is seasonally prohibited and Maryland has implemented seasonal bushel limits for mature female crabs (Appendix 2). The blue crab management program in Chesapeake Bay, which preferentially protects mature female blue crabs, has recovered the blue crab stock from low levels in the 2000's while allowing for consistent commercial harvest. While the Chesapeake Bay blue crab stock has declined recently, it is not depleted and overfishing is not occurring, though continued protection of mature females as well as immature blue crabs has been recommended (Garvey 2025).

Sex-specific bushel limits focused on mature female crabs provides a targeted approach to conservation, aiming to protect the reproductive potential of the blue crab population and promoting increased recruitment leading to a healthier more sustainable crab population. This targeted approach may have similar population benefits as more restrictive regulations with the benefit of continuing to allow some blue crab harvest. Sex-specific bushel limits allow greater flexibility in managing the fishery based on blue crab life history, specifically reproductive cycles, and fishery preferences. Because female blue crabs, particularly those carrying eggs, are often less commercially valuable, sex-specific bushel limits may result in less economic impact compared to broader restrictions while still resulting in conservation benefits. An advantage of this strategy is that it does not impact the harvest of peeler crabs since female crabs undergo a terminal molt when they reach maturity, meaning they do not molt again (no longer grow) after this stage, so they have no value as peeler crabs.

Depending on implementation specifics, female bushel limits are likely to distribute the burden of catch reductions unevenly, disproportionately impacting crabbers who primarily target females or those fishing in areas with a higher abundance of female crabs. Because female crabs are primarily found in higher salinity waters near coastal inlets, crabbers fishing on the eastern side of Pamlico Sound and in the southern part of the state (south of Pamlico Sound) are likely to be more affected by mature female bushel limits. This strategy would also severely curtail certain components of the blue crab fishery, specifically the crab trawl fishery, which catches a high volume of mature female crabs prior to the spawning season. This strategy requires additional culling effort, as crabbers sort and release female crabs while fishing, potentially slowing down fishing operations and increasing associated costs. Unless a crate limit is also implemented, crabbers who historically harvest crabs by combining both sexes of crabs together as culls or straights will need to purchase bushel baskets (or other gear dependent on specific management) to accommodate the separation of catch, increasing the overall burden on crabbers and adding to the operation cost. Limiting crab catch during times of historically high harvest will reduce the amount available to picking houses, which are already limited in number, to meet industry demand. As a result, to stay competitive, picking houses will likely need to increase reliance on crabs sourced from out of state.

Most commercial trips landing mature female blue crabs land between one and 10 bushels (Table 6). Implementing a mature female crab bushel limit of 10 bushels or less would limit harvest while allowing harvest of male crabs providing opportunity for crabbers to continue fishing. Additionally, seasonal mature female bushel limits implemented early or late in the season limit harvest during biologically important periods of the blue crab life cycle, specifically during or prior to the mating and spawning seasons. Estimated harvest reductions were calculated for Options 7–11 which include combinations of season closures and mature females limits (Table 7b).

Table 6. Percent of commercial trips landing a given number of bushels (bu.) of mature female hard blue crabs per trip by month including the maximum bushels landed per trip, 2019–2024. Includes mature female hard blue crabs landed in pot gear only.

Month	<1	1–5	6–10	11–15	16–20	21–25	26–30	>30	Max bu./trip	# of Trips
January	12%	52%	21%	7%	3%	2%	1%	2%	69	1,521
February	19%	53%	17%	6%	3%	1%	0%	1%	75	2,037
March	37%	44%	9%	4%	3%	1%	1%	1%	140	6,131
April	47%	38%	7%	3%	2%	1%	1%	1%	200	8,147
May	30%	55%	10%	3%	1%	1%	0%	1%	78	20,022
June	18%	55%	16%	6%	3%	1%	1%	1%	124	28,795
July	19%	55%	13%	6%	3%	2%	1%	1%	202	27,553
August	18%	49%	14%	8%	4%	3%	2%	3%	124	22,653
September	11%	43%	17%	10%	6%	4%	3%	6%	197	17,040
October	9%	36%	16%	10%	7%	6%	5%	11%	122	14,678
November	7%	35%	17%	11%	8%	6%	5%	11%	120	9,123
December	8%	45%	18%	10%	6%	4%	3%	6%	108	4,899

Regional Management

Current blue crab season closures are broken up regionally north and south of the Highway 58 bridge to Emerald Isle. North of the Highway 58 bridge the season is closed January 1–31 and south of the Highway 58 bridge the season is closed March 1–15. Season closures are implemented regionally to account for fishery differences between regions.

In consideration of the discrepancy in landings north and south of the Highway 58 (from 2019–2024 91.8% were from north of the Highway 58 bridge compared to 8.2% south of the bridge) and regional fishery characteristics, Table 8 shows the regional impacts of the reductions for options 3, 4, 5 and 6. Estimated harvest reductions were calculated at the regional level relative to landings within the given region and relative to statewide landings. For example, if a 10-bushel trip limit (Option 3a) were implemented year-round in only the northern area (north of Highway 58 bridge), northern landings would be reduced by an estimated 49.4% relative to the 2019–2024 northern landings (Table 8). However, if Option 3a was only implemented in the northern region, statewide landings would be reduced by an estimated 45.4%. If a year-round 10-bushel trip limit were implemented in the southern area (south of Highway 58 bridge), southern landings would be reduced by an estimated 26.4% relative to the 2019–2024 southern landings. If Option 3a was only implemented in the southern region, statewide landings would be reduced by an estimated 2.2%.

PROPOSED MANAGEMENT OPTIONS

All proposed options aim to balance conservation objectives with needs of the blue crab fishery by considering existing management, blue crab life history, and available information about the blue crab fishery and market value. All options in Tables 7a and 7b are estimated to result in a greater than 2.2% harvest reduction (the minimum to meet sustainable harvest requirement) and options to meet the sustainable harvest target or greater are included (≥19.8% harvest reduction). Options with estimated reductions higher than 12.3% are projected to increase the number of spawners closer to the spawner abundance target, increase the probability of achieving sustainable harvest to 100 percent, and reduce *F* closer to the *F* target (see Table 1).

Trip or bushel limits rather than season closures allow for continued use of the blue crab resource while providing protection for the blue crab stock. Blue crab catch is low early in the year, but value is high, while late in the year catch is high and value is low. In addition, bushel or trip limits specific to mature female crabs, limit harvest of female blue crabs, which are often lower value, while continuing to allow harvest of higher value male crabs.

Management Options

Option 1 – **Prohibit Crab Trawling** (year-round, statewide; estimated 0.7% harvest reduction relative to 2019–2024 landings)

Option 2 – **Prohibit Sponge Crab Harvest** (year-round, statewide; estimated 1.4% harvest reduction relative to 2019–2024 landings)

Options 3 and 4 - **Trip Limits** (see Table 7a for statewide option details and estimated harvest reduction and Table 8 for regional option details and estimated harvest reduction)

Option 5 and 6 - **Trip Limits and Season Closures** (see Table 7a for statewide option details and estimated harvest reduction and Table 8 for regional option details and estimated harvest reduction)

Options 7, 8, 9, 10, and 11 – **Life Stage Specific Trip Limits, and Season Closures** (see Table 7b for option details and estimated harvest reduction)

Table 7a. Estimated percent harvest reductions from season closure and trip limit management options compared to annual commercial hard blue crab landings, 2019-2024. Unless stated otherwise all options are in addition to existing management including season closures and apply statewide. One bushel is estimated to be 40 pounds.

Option #	Measures	2019-2024
3	a. 10-bushel hard crab trip limit year-round	47.6
	b. 15-bushel hard crab trip limit year-round	34.1
	c. 20-bushel hard crab trip limit year-round	24.6
	d. 25-bushel hard crab trip limit year-round	18.0
	e. 30-bushel hard crab trip limit year-round	13.2
	f. 35-bushel hard crab trip limit year-round	9.7
	g. 40-bushel hard crab trip limit year-round	7.1
	h. 45-bushel hard crab trip limit year-round	5.2
	i. 50-bushel hard crab trip limit year-round	3.9
4	a. 10-bushel hard crab trip limit Sept–Dec	22.2
	b. 15-bushel hard crab trip limit Sept–Dec	17.1
	c. 20-bushel hard crab trip limit Sept–Dec	13.1
	d. 25-bushel hard crab trip limit Sept–Dec	10.1
	e. 30-bushel hard crab trip limit Sept–Dec	7.7
	f. 35-bushel hard crab trip limit Sept–Dec	5.9
	g. 40-bushel hard crab trip limit Sept–Dec	4.5
	h. 45-bushel hard crab trip limit Sept–Dec	3.4
	i. 50-bushel hard crab trip limit Sept–Dec	2.5
5	a. 10-bushel hard crab trip limit Sept–Nov, closed Dec–Mar	28.0
	b. 15-bushel hard crab trip limit Sept–Nov, closed Dec–Mar	22.9
	c. 20-bushel hard crab trip limit Sept–Nov, closed Dec–Mar	18.9
	d. 25-bushel hard crab trip limit Sept–Nov, closed Dec–Mar	15.4
	e. 30-bushel hard crab trip limit Sept–Nov, closed Dec–Mar	12.6
	f. 35-bushel hard crab trip limit Sept–Nov, closed Dec–Mar	10.4
	g. 40-bushel hard crab trip limit Sept–Nov, closed Dec–Mar	8.6
	h. 45-bushel hard crab trip limit Sept–Nov, closed Dec–Mar	6.1
	i. 50-bushel hard crab trip limit Sept–Nov, closed Dec–Mar	4.3
6	a. 10-bushel hard crab trip limit Sept–Nov, closed Dec–Jan	24.4
	b. 15-bushel hard crab trip limit Sept–Nov, closed Dec–Jan	19.5
	c. 20-bushel hard crab trip limit Sept–Nov, closed Dec–Jan	15.7
	d. 25-bushel hard crab trip limit Sept–Nov, closed Dec–Jan	12.5
	e. 30-bushel hard crab trip limit Sept–Nov, closed Dec–Jan	10.1
	f. 35-bushel hard crab trip limit Sept–Nov, closed Dec–Jan	8.1
	g. 40-bushel hard crab trip limit Sept–Nov, closed Dec–Jan	6.6
	h. 45-bushel hard crab trip limit Sept–Nov, closed Dec–Jan	4.8
	i. 50-bushel hard crab trip limit Sept–Nov, closed Dec–Jan	3.5

Table 7b. Estimated percent harvest reductions from season closure, trip limit, and mature female season closure and trip limit management options compared to annual commercial hard blue crab landings, 2019-2024. Unless stated otherwise all options are in addition to existing management including season closures and apply statewide. One bushel is estimated to be 40 pounds. *Initial DMF recommendation presented to Northern, Southern, and Shellfish/Crustacean Advisory Committees in March 2025

Option #	Measures	2019-2024
7	a. 10-bushel mature females Sept-Oct, 5-bushel mature females Nov-Dec, no mature females Jan-Mar	14.9
	b. 15-bushel mature females Sept-Oct, 5-bushel mature females Nov-Dec, no mature females Jan-Mar	12.8
	c. 20-bushel mature females Sept-Oct, 5-bushel mature females Nov-Dec, no mature females Jan-Mar	11.3
8	a. 10-bushel mature females Sept-Oct, 5-bushel mature females Nov-Dec, no mature females Jan-May	19.2
	b. 15-bushel mature females Sept-Oct, 5-bushel mature females Nov-Dec, no mature females Jan-May	17.1
	c. 20-bushel mature females Sept-Oct, 5-bushel mature females Nov-Dec, no mature females Jan-May	15.5
9	a. 10-bushel all hard crabs limit Sept-Nov, complete closure Dec-Jan, no mature females Feb-May	30.7
	b. 15-bushel all hard crabs limit Sept-Nov, complete closure Dec-Jan, no mature females Feb-May	26.0
	c. 20-bushel all hard crabs limit Sept-Nov, complete closure Dec-Jan, no mature females Feb-May	22.3
10	a. 10-bushel mature females Sept-Dec, no mature females Jan-May	17.7
	b. 15-bushel mature females Sept-Dec, no mature females Jan-May	14.5
	c. 20-bushel mature females Sept-Dec, no mature females Jan-May	12.2
11	a. 10-bushel mature females June-Dec, no mature females Jan-May*	22.5
	b. 15-bushel mature females June-Dec, no mature females Jan-May	17.3
	c. 20-bushel mature females June-Dec, no mature females Jan-May	13.9

Table 8. Region-specific estimated percent harvest reductions from season closure and trip limit management options 3–6 (see Table 7a) compared to annual commercial hard blue crab landings, 2019-2024. The Highway 58 Bridge to Emerald Isle separates the northern and southern regions. For each option and region, estimated percent reductions were calculated relative to landings within the given region and relative to statewide landings. Unless stated otherwise, all options are in addition to existing management including season closures. One bushel is estimated to be 40 pounds. NOTE: Ocean landings and some landings from 2023 and 2024 were excluded from regional calculations because they cannot be assigned as north or south of the Highway 58 Bridge; therefore, reductions will not be equal to reductions in Table 7a. DMF recommendations presented to MFC in November 2025 are bolded and denoted by # for the southern region and * for the northern region.

		Northern landings		Southern landings	
Option #	Measures	Region	Statewide	Region	Statewide
3	a. 10-bushel hard crab trip limit year-round	49.4	45.4	26.4	2.2
	b. 15-bushel hard crab trip limit year-round	35.8	32.9	14.6	1.2
	c. 20-bushel hard crab trip limit year-round	26.1	24.0	8.4	0.7
	d. 25-bushel hard crab trip limit year-round	19.1	17.6	5.3	0.4
	e. 30-bushel hard crab trip limit year-round	14.0	12.9	3.6	0.3
	f. 35-bushel hard crab trip limit year-round	10.3	9.5	2.6	0.2
	g. 40-bushel hard crab trip limit year-round	7.6	6.9	2.0	0.2
	h. 45-bushel hard crab trip limit year-round	5.6	5.1	1.5	0.1
	i. 50-bushel hard crab trip limit year-round	4.1	3.8	1.2	0.1
4	a. 10-bushel hard crab trip limit Sept–Dec	23.3	21.4	9.5	0.8
	b. 15-bushel hard crab trip limit Sept–Dec#	18.2	16.7	**5.4**	**0.4**
	c. 20-bushel hard crab trip limit Sept–Dec	14.1	12.9	3.0	0.2
	d. 25-bushel hard crab trip limit Sept–Dec	10.8	9.9	1.7	0.1
	e. 30-bushel hard crab trip limit Sept–Dec*	**8.3**	**7.6**	1.1	0.1
	f. 35-bushel hard crab trip limit Sept–Dec	6.4	5.8	0.7	0.1
	g. 40-bushel hard crab trip limit Sept–Dec	4.8	4.4	0.6	<0.1
	h. 45-bushel hard crab trip limit Sept–Dec	3.6	3.3	0.5	<0.1
	i. 50-bushel hard crab trip limit Sept–Dec	2.7	2.5	0.4	<0.1

Table 8 continued.

		Northern landings		Southern landings	
		Region	Statewide	Region	Statewide
5	a. 10-bushel hard crab trip limit Sept–Nov, closed Dec–Mar	28.4	26.1	23.0	1.9
	b. 15-bushel hard crab trip limit Sept–Nov, closed Dec–Mar	23.6	21.6	19.9	1.6
	c. 20-bushel hard crab trip limit Sept–Nov, closed Dec–Mar	19.7	18.1	18.0	1.5
	d. 25-bushel hard crab trip limit Sept–Nov, closed Dec–Mar	16.7	15.3	17.1	1.4
	e. 30-bushel hard crab trip limit Sept–Nov, closed Dec–Mar	14.3	13.1	16.7	1.4
	f. 35-bushel hard crab trip limit Sept–Nov, closed Dec–Mar	12.4	11.4	16.5	1.4
	g. 40-bushel hard crab trip limit Sept–Nov, closed Dec–Mar	11.0	10.1	16.4	1.3
	h. 45-bushel hard crab trip limit Sept–Nov, closed Dec–Mar	9.8	9.0	16.3	1.3
	i. 50-bushel hard crab trip limit Sept–Nov, closed Dec–Mar	8.9	8.2	16.3	1.3
6	a. 10-bushel hard crab trip limit Sept–Nov, closed Dec–Jan	24.9	22.9	17.7	1.5
	b. 15-bushel hard crab trip limit Sept–Nov, closed Dec–Jan	20.1	18.5	14.5	1.2
	c. 20-bushel hard crab trip limit Sept–Nov, closed Dec–Jan	16.3	14.9	12.7	1.0
	d. 25-bushel hard crab trip limit Sept–Nov, closed Dec–Jan	13.2	12.1	11.8	1.0
	e. 30-bushel hard crab trip limit Sept–Nov, closed Dec–Jan	10.8	10.0	11.4	0.9
	f. 35-bushel hard crab trip limit Sept–Nov, closed Dec–Jan	9.0	8.2	11.2	0.9
	g. 40-bushel hard crab trip limit Sept–Nov, closed Dec–Jan	7.5	6.9	11.1	0.9
	h. 45-bushel hard crab trip limit Sept–Nov, closed Dec–Jan	6.4	5.8	11.0	0.9
	i. 50-bushel hard crab trip limit Sept–Nov, closed Dec–Jan	5.5	5.0	10.9	0.9

RECOMMENDATION

In consideration of blue crab life history, blue crab fishery characteristics, and concerning trends in stock indicator data from fisheries-independent sampling, the initial DMF recommendation presented to the Northern, Southern and Shellfish/Crustacean Advisory Committees (ACs) in March 2025 was Option 11a (was labeled as Option 8.a when it was presented to the ACs in March 2025), a 10-bushel trip limit for mature females from June–December and no harvest of mature females from January–May. The DMF also recommended all other blue crab management measures, including existing season closures remain in place. In combination, these measures were estimated to reduce harvest by 22.5 percent relative to landings from 2019–2024 (21.7% from 2019–2023 landings, reduction presented to Advisory Committees), which approximates the catch reduction needed to meet the spawner abundance target with 100% probability of success (see Table 1) and promote increased recruitment through protection of females.

The Amendment 3 adaptive management framework requires "consultation" with the Northern, Southern, and Shellfish/Crustacean advisory committees before management changes can be approved by the MFC. To fulfill this requirement, the ACs met the week of March 18–20, 2025 to discuss adaptive management and provide recommendations. DMF staff provided background information and the preliminary DMF recommendation. In addition, DMF staff were available prior to each meeting to answer questions and discuss blue crab science and management with the public.

Key takeaways from all meetings included:

- Concern about the economic impact of the preliminary DMF recommendation
- Concern about how the preliminary recommendation would disproportionately impact certain fishery segments and areas and the need for fair management between regions
- Distrust of stock assessment results and data
- Concern about the effects of water quality and predation on the blue crab stock
- Questions about authority to make management changes without an updated stock assessment
- Landings declines are the result of market conditions and participation declines, not a declining blue crab stock
- The need for cooperation with industry for data collection and formulating management
- Some acknowledgement the stock has declined since the 1990s even if it is not because of fishing
- Some concern about long-term declining trends

Advisory Committee Recommendations

<u>Northern</u>
Motion for the Marine Fisheries Commission to not take final action on Blue Crab Amendment 3 Adaptive Management until August 2025, instead of May 2023 (motion passes 10-0)

Motion for the Marine Fisheries Commission to remain status quo regarding the Blue Crab FMP Amendment 3 Adaptive Management (motion passes 7-2, with 1 abstention)

<u>Southern</u>
Motion to recommend the Marine Fisheries Commission to remain status quo regarding Blue Crab FMP Amendment 3 Adaptive Management and to move the Marine Fisheries Commission action on Blue Crab to the August 2025 meeting (motion passes 6-1, with 1 abstention)

<u>Shellfish/Crustacean</u>
Motion for the Marine Fisheries Commission to not take final action on Blue Crab Amendment 3 Adaptive Management until August 2025, instead of May 2025 (motion passes, 5-0, with 2 abstentions)

Motion to recommend to the Marine Fisheries Commission to remain status quo regarding Blue Crab FMP Amendment 3 (motion passes 4-0, with 3 abstentions)

Final DMF Recommendations

Following the March Advisory Committee meetings, the DMF further evaluated potential management options and stock indicators were updated with data from 2024. The stock indicator trends continue to show long-term decline in all blue crab life stages and both sexes. Even without an updated stock assessment, there is little evidence overfishing has ended, or sustainability objectives of Amendment 3 will be met with the current management strategy. Therefore, the DMF recommends that some action be taken immediately through Amendment 3 Adaptive Management to address continued declines in the stock. In consideration of Advisory Committee recommendations and public comment, the DMF revised the recommendations to reduce harvest to a level that approximates the reduction needed to meet the *F* target (5.9%) and increases the probability of meeting the spawner threshold from 50% (current strategy) to 90% (see Table 1). The final DMF recommendations are as follows:

- Maintain all blue crab management measures including existing season closures.
- **Option 1**, prohibit crab trawling statewide year-round (estimated 0.7% harvest reduction relative to 2019–2024 landings)
- **Option 4e** (North of the Highway 58 Bridge), 30-bushel hard crab trip limit from September–December (estimated 8.3% harvest reduction relative to 2019–2024 northern landings and 7.6% harvest reduction from statewide landings)
- **Option 4b** (South of the Highway 58 Bridge), 15-bushel hard crab trip limit from September – December (estimated 5.4% harvest reduction relative to 2019–2024 southern landings and 0.4% harvest reduction from statewide landings)

These recommendations should be viewed as a first step rather than a comprehensive solution. Recommendations are based on a stock assessment that indicated the stock was overfished and overfishing was occurring but has a terminal year of 2016. Fishery-independent stock indicators suggest stock status has not improved since then. The DMF has begun the process of developing a new benchmark stock assessment which should provide an updated stock status. If the assessment indicates additional management is necessary, it will be important to implement additional measures through adaptive management to ensure stock sustainability. Review of the Blue Crab FMP is scheduled to begin in 2026, at which time comprehensive management will be explored. Until then, Amendment 3 management, including adaptive management and changes made through adaptive management will remain in place.

MFC Selected Management Options

TBD

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October 29, 2025

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Appendix 1

Review Report
for the
2023 Update Stock Assessment
of
Blue Crab in the North Carolina

Dr. Jie Cao, Assistant Professor

Center for Marine Sciences and Technology (CMAST), North Carolina State University

Dr. Yan Li, Lead Analyst for 2018 Stock Assessment

Current Institution: Duke Cancer Institute Biostatistics Shared Resource, Duke University

January 3, 2024

A desk review of the update stock assessment of North Carolina blue crab (*Callinectes sapidus*) was conducted in November-December 2023. The reviewers evaluated the data sources, the model configuration, and model diagnostics. The reviewers also compared the results of this update assessment with those from the 2018 benchmark assessment. The reviewers appreciate all the hard work by the Assessment Team (AT) and are impressed with the quantity and quality of research and analysis conducted by the AT. The reviewers also thank Steve Poland, the Chief of Fisheries Management for providing an assessment report and additional support throughout the review.

Based on the information provided in the assessment report the reviewers believe the AT did an excellent job of summarizing and analyzing a large number of complex data sets that went into the assessment model. However, the reviewers feel the current model results are concerning due to (1) the strong residual pattens in the model fit to survey indices, especially Program 100 indices, (2) the extremely high estimates of fishing mortality over the entire assessment period, and (3) the constantly overfishing/overfished stock status over the entire assessment period. The following report provides detailed comments and recommendations from the reviewers:

1. Strong residual patterns were shown in the model fits to Program 100 indices (i.e., female fully recruit summer index, male fully recruit summer index, female fully recruit fall index, and male fully recruit fall index). Almost all residuals are negative before 2008 and positive afterwards (Figs. 3.6 and 3.7). Also, the model does not fit the high and variable indices after 2007/2008. This indicates potential model misspecifications. These strong residual patterns and lack of fit would undermine the validity and credibility of the overall results and conclusions, and thus, the reviewers strongly recommend resolving this issue before basing any management decisions on this update assessment. The reviewers recommend the following:
    a. Investigate the Program 100, especially any changes before and after 2008 in fisheries management, environmental conditions or fishing behaviors
    b. Consider time-block catchability when fitting these indices, with one catchability before and one after 2008
    c. Reviewers did not find the CVs used for these indices (therefore, not sure about how they were weighted in the model fitting process). Suggest investigating the uncertainty associate with each index and weight them accordingly.
    d. Run a sensitivity analysis with Program 100 indices removed
    e. There are multiple surveys included in the assessment. Given the nature of these surveys (e.g., spatial coverages, survey timing), they may measure different portions of the blue crab population. The reviewers understand that catch rates were standardized using GLM for each index. However, the potential issue of sampling representativeness may remain. Therefore, the reviewers strongly recommend

future studies should explore combining all the survey and develop an integrated single index which may be more representative of the population.

2. The estimated fishing mortality is extremely/unrealistically high (Fig. 4.1). The estimated fishing mortality of the early time period was above 2, which suggests that about 90% of the population was removed by the fishery. The estimated natural mortality had an upper bound as twice as the one in the 2018 benchmark assessment (Fig. 3.32). The reviewers recommend the following:
    a. Compared to the 2018 benchmark assessment, the estimated initial population size was low (Figs. 3.23-3.25). Setting a reasonable prior for the initial population is critical to regulate the overall scale of the estimation of parameters including fishing mortality.

3. The stock status of overfishing and overfished over the entire assessment period seems uncommon and concerning (Fig. 4.1). Addressing the above issues may potentially help resolve this issue.

4. The reviewers finally recommend investigating an integrated seasonal size-structured assessment model, which is often used for crustacean, in future. Such a model can potentially better describe the life history of blue crab and account for seasonality.

Appendix 2

East Coast and Gulf of Mexico blue crab effort regulations by state as of September 2025.

	Harvest restrictions			
State	Season	Catch Limit	Time	Days
New Jersey	Delaware Bay open Apr. 6 – Dec 4 Other Waters open Mar. 15 – Nov. 30	None	Delaware Bay 4am-9pm Other Waters 24-hrs	None
Delaware	Open Mar. 1-Nov 30	None	1 hr. before sunrise-sunset for trotlines	None
Maryland	Males open Apr. 1-Nov 30 Mature female open Apr. 1-June 30	No more than 6 females/bushel/lug or 13 females/barrel of males*	½ hr. before sunrise – 7 ½ hrs. after sunrise	Prohibited either Sun. or Mon.
Virginia	Open Mar. 17-Nov 30 Dark sponge crabs prohibited Mar. 17-June 15**	47 bushels May 16-Oct.31 36 bushels for 425 pot license March 17-May 15 and Nov. 1-Dec. 16 for 425 pot license***	3am-5pm	Prohibited Sunday except peeler pots
North Carolina	No pots Jan. 1–31 in Northern Region No pots March 1–1 5 in Southern Region	None	1 hr. before sunrise- 1hr. after sunset	None
South Carolina	None	None	5am-9pm Apr. 1-Sept 15 6am-7pm Sept 16-Mar.31	None
Georgia	None	None	None	None
Florida	10 day closure for derelict trap removal	200 pounds as bycatch w/ permit (from trawls)	1 hr. before sunrise- 1hr. after sunset	None
Alabama	Periodic derelict trap removal with no set closure period	None	1 hr. before sunrise-sunset	None
Mississippi	Possible 10–30 day closure for abandoned trap removal	None	½ hr. before sunrise – ½ hr. after sunset	None
Louisiana	Possible 14 day closure for abandoned trap removal	None	½ hr. before sunrise – ½ hr. after sunset	None
Texas	No pots Feb. 16–2 5	None	½ hr. before sunrise – ½ hr. after sunset	None

*daily limit varies by license type and season,
**no more than 10 dark sponge crabs per bushel may be possessed from March 17-June 15
***varies by license type (i.e. 85, 127, 170, 255, 425 pot license), sex-specific possession in Potomac River 8-30 bu. (varies by season and license type)

East Coast and Gulf of Mexico blue crab pot gear regulations by state as of September 2025.

State	Gear restrictions				
	Pots (max)	Escape Rings	Degradable Panels	Terrapin Excluders	Buoys
New Jersey	Delaware Bay 600 Other Waters 400	None	Yes	Some areas	Reflective I.D. Sink line
Delaware	200/vessel 500/vessel	None	None	None	I.D. Color coded
Maryland	50 up to 900/vessel w/ 2 crew	1 (2–3 /16”) 1 (2–5 /16”) May close for peelers	None	None But limited pot area	I.D.
Virginia	Chesapeake Bay 85 up to 425 Tributaries and Potomac Tribs. in VA 255 Peeler 210	Seaside Eastern Shore 1 (2–3 /16”) 1 (2–5 /16”) Bay & Tribs. 2 (2–3 /8”) May close for peelers	None	None	I.D.
North Carolina	None Newport River only 150	3 (2–5 /16”)* May be closed in some areas	None	Some areas	I.D. Sink line
South Carolina	200 or highest number of pots fished in 3 previous years	2 (2–3 /8”)*	None	None	I.D. With colors
Georgia	200 including peeler pots	2 (2–3 /8”)*	None	None	I.D. No green
Florida	Inshore 600 Offshore 400 Non-transfer 100 Peeler 400	3 (2–3 /8”) May close for peelers	Yes	None	I.D. Sink line
Alabama	None	2 (2–5 /16”) May be closed for peelers Apr. 1- Oct. 30	None	None	I.D. ½ white Sink line
Mississippi	None	2 (2–3 /8”) Can be closed Apr. 1-Jun. 30 Sept. 1-Oct. 31	None	None	I.D. or Color code Sink line
Louisiana	None	3 (2–3 8/”)* Can be closed Apr. 1-Jun. 30 Sept. 1-Oct. 31	None	None	I.D. on metal trap tag/plastic bait cover Sink line
Texas	200	2 (2–3 /8”)	Yes	None	I.D. White Gear tag

*Special placement required

East Coast and Gulf of Mexico blue crab life stage regulations by state as of September 2025.

State	Minimum size limits (inches)				
	Hard	Soft	Peeler	Culling Tolerance	Sponge Crab Protection
New Jersey	4.75” 4.5” mature female	3.5”	3”	Zero	Prohibited
Delaware	5”	3.5”	3”	5% by number	Prohibited
Maryland	5” Apr. 1- July 14 5.25” July 15- Dec 15	3.5” Males	3.25” Apr. 1- July 14 3.5” July 15- Dec 15 Separated from catch	6 hard crabs/ bushel or 13/barrel 10 peelers	Prohibited to take but may import from another state May 11-July 20
Virginia	5”	3.5”	3.25” Mar. 17-Jul. 15 3.5” Jul. 16-Nov. 30	10 hard crabs/ bushel or 35/barrel 10 peelers/bushel or 5% in other containers	Prohibit brown/black sponge March 17-June 15 Crabbing prohibited in sanctuary zones May 16-Sept. 15
North Carolina	5” Prohibit immature female	None	None Separated. White-lines no sale	5% by number/container	Prohibit brown/black sponge Spawning sanctuaries
South Carolina	5” Includes mature female	5” Includes mature female	None with peeler permit	Zero	Prohibited to take but may import from another state
Georgia	5” Mature female exempt	5”	3”	Zero	Prohibited to take but may import from another state
Florida	5” Includes mature female	5”	None Separated from catch	5% by number/ container except bait	Prohibited
Alabama	5” Includes mature female Bait Dealer exempt	None Separate from catch	None Separated from catch No white-lines	Zero except bait and work box	Prohibited May 16-Jan 14
Mississippi	5” Includes mature female	None	None	Zero	Prohibited Crab sanctuaries
Louisiana	5” Includes mature female Prohibit immature female	None	None Separated from catch	10% undersized in 50 crab random sample 2% immature female crabs in 50 crab random sample	Prohibited Crab sanctuaries
Texas	5” Includes mature female	5”	5”	5% by number in separate container for bait only	Prohibited

East Coast and Gulf of Mexico blue crab trawl regulations as of September 2025.

State	Regulations				
	Crab Trawls allowed	Season	Area	Catch Limit	Gear Restrictions
New Jersey	No	N/A	N/A	N/A	N/A
Delaware	No	N/A	Permitted in Delaware Bay and Delaware River only	N/A	N/A
Maryland	No	N/A	N/A	N/A	N/A
Virginia	No	N/A	N/A	N/A	N/A
North Carolina	Yes	Set by proclamation	Specified in proclamation	None	3–4 in. minimum mesh for hard crabs Headrope<25 ft and 2 in. minimum mesh for peelers and softshell
South Carolina	Yes	Open Dec. 1-Mar. 31 and in shrimp trawls during shrimp season	General Trawling Zone	None	4 in minimum mesh Chafing gear no more than ½ tailbag circumference
Georgia	Yes	May be open year-round in ocean Some sounds may open Jan.-Mar.*	Seaward side of sounds and sounds when authorized	No limit w/ crab endorsement	4 in minimum mesh TEDs
Florida	Yes**	Subject to shrimp trawl regulations	Subject to shrimp trawl regulations	Up to 200 pounds as bycatch in shrimp trawl	Subject to shrimp trawl regulations
Alabama	Yes***	Subject to shrimp trawl regulations	Subject to shrimp trawl regulations	No limit w/ crab license 5 gal. bucket w/o crab license	Subject to shrimp trawl regulations
Mississippi	Yes***	Subject to shrimp trawl regulations	Subject to shrimp trawl regulations	No limit w/ crab license	Subject to shrimp trawl regulations
Louisiana	Yes	Subject to shrimp trawl regulations	Subject to shrimp trawl regulations	None	Subject to shrimp trawl regulations
Texas	Yes	Subject to shrimp trawl regulations	Subject to shrimp trawl regulations	No limit w/ crab license	Subject to shrimp trawl regulations

*Opening and closing dates determined by Commissioner
**Allowed with incidental take endorsement
***Allowed as bycatch in shrimp trawls

NC Marine Fisheries Commission

Striped Bass Fishery Management Plan

November 2025 Quarterly Business Meeting

Documents

Tar-Pamlico and Neuse Rivers Stocks Summary Document

Tar-Pamlico and Neuse Rivers Stocks Harvest Management Strategy

SUMMARY DOCUMENT

Estuarine Striped Bass Fishery Management Plan Amendment 2 Adaptive Management Data Evaluation and Harvest Strategy for Tar-Pamlico and Neuse Rivers Stocks

This Summary Document provides background information for Amendment 2 to the N.C. Striped Bass Fishery Management Plan and the adaptive management steps prescribed for the Tar-Pamlico and Neuse Rivers stocks.

November 2025

Summary

Estuarine striped bass (*Morone saxatilis*) in North Carolina are managed under Amendment 2 to the North Carolina Fishery Management Plan (FMP) adopted in November 2022 and its subsequent revision (2024). Striped bass stocks in North Carolina are managed jointly by the North Carolina Marine Fisheries Commission (MFC) and the North Carolina Wildlife Resources Commission (WRC). Amendment 2 management for the Tar-Pamlico and Neuse rivers stocks carried forward the Supplement A no-possession measure, maintained the gill net closure above the ferry lines, and maintained the use of 3-foot tie-downs for gill nets below the ferry lines. The Amendment 2 adaptive management framework for the Tar-Pamlico and Neuse rivers stocks prescribes that in 2025, data through 2024 will be evaluated to determine if populations are self-sustaining and if sustainable harvest can be determined. In addition, the MFC approved the following measure in Amendment 2 regarding the gill net closure: "maintain the gill net prohibition through 2024 to allow for assessment of its performance". Results of the data evaluation indicate the harvest and gill net closures have been ineffective at increasing abundance of adult striped bass, expanding the age structure, or promoting recruitment. Factors other than fishing mortality are preventing sustainability of the Tar-Pamlico and Neuse rivers striped bass stocks. Consistent with the Amendment 2 adaptive management framework, staff with the DMF and WRC have developed alternate management strategies that provide protection for and access to the resource.

Amendment 2 Goal and Objectives

The goal of Amendment 2 is to manage the estuarine striped bass fisheries to achieve self-sustaining populations that provide sustainable harvest based on science-based decision-making processes. If biological and/or environmental factors prevent a self-sustaining population, then alternate management strategies will be implemented that provide protection for and access to the resource. The following objectives will be used to achieve this goal.

- Implement management strategies within North Carolina and encourage interjurisdictional management strategies that maintain and/or restore spawning stock with adequate age structure and abundance to maintain recruitment potential and to prevent overfishing.
- Restore, enhance, and protect critical habitat and environmental quality in a manner consistent with the Coastal Habitat Protection Plan, to maintain or increase growth, survival, and reproduction of the striped bass stocks.
- Use biological, social, economic, fishery, habitat, and environmental data to effectively monitor and manage the fisheries and their ecosystem impacts.
- Promote stewardship of the resource through public outreach and interjurisdictional cooperation regarding the status and management of the North Carolina striped bass stocks, including practices that minimize bycatch and discard mortality.

Background

There are two estuarine striped bass management units and four stocks in North Carolina. The Northern Management Unit includes the Albemarle Sound Management Area (ASMA) and Roanoke River Management Area (RRMA). The striped bass stock in these management areas is the Albemarle-Roanoke (A-R) stock. The A-R stock is also included in the management unit of Amendment 7 to the Atlantic States Marine Fisheries Commission (ASMFC) Interstate FMP for Atlantic Striped Bass. The Southern Management Unit is the Central/Southern Management Area (CSMA) and includes stocks in the Tar-Pamlico, Neuse, and Cape Fear rivers.

CSMA Stock Status

Stock status of the CSMA striped bass is unknown, no stock status determination has been performed, and no biological reference points have been generated. The CSMA Estuarine Striped Bass Stocks report, completed in 2020, is a collection of 1) all available data, 2) all management effort, and 3) all major analyses that have been completed for CSMA stocks; this report served as an aid in development of Amendment 2. While this report does not determine stock status, it does indicate sustainability of Tar-Pamlico and Neuse rivers stocks is unlikely at any level of fishing mortality, citing the lack of natural recruitment as the primary limiting factor. The report concludes that without stocking, abundance will decline.

Supplement A to Amendment 1

At the November 2018 MFC business meeting, the N.C. Division of Marine Fisheries (DMF) recommended development of temporary management measures to supplement the N.C. Estuarine Striped Bass FMP Amendment 1 providing for a no-possession provision for striped bass in the internal coastal and joint waters of the CSMA to protect important year classes of striped bass while Amendment 2 to the FMP was developed. This supplement, Supplement A, was adopted by the MFC at their February 2019 business meeting and by the WRC in March 2019. Supplement actions were implemented March 29, 2019, consisting of the following:

- Commercial and recreational no possession measure for striped bass (including hybrids) in coastal and inland fishing waters of the CSMA (Proclamation FF-6-2019). The WRC hook and line closure proclamation had the effect of suspending rules 15A NCAC 10C .0107 (I) and 10C .0314 (g). A no-possession requirement already exists in the Cape Fear River by rule.
- Consistent with Amendment 1, commercial anchored gill-net restrictions requiring tie-downs and distance from shore measures will apply year-round.

Ferry Line Gill Net Closures

Prior to 2019, after the commercial striped season in the Tar-Pamlico and Neuse rivers closed, large mesh gill nets were required to use three-foot tie downs throughout the entirety of the rivers and be set greater than 50 yards from shore in the upper portions of the rivers.

These restrictions were based on data indicating their effectiveness with subsequent analysis estimating striped bass discards were reduced by approximately 82% after these restrictions were implemented.

See Figure 1 for gill net restrictions in the Tar-Pamlico, Pungo, Bay, and Neuse rivers in place prior to implementation of the ferry line gill net closures.

Independent of Supplement A but also at the February 2019 MFC business meeting, the following motion passed:

> "Ask the director of NCDMF to issue a proclamation, effective in conjunction with the Supplement, that restricts the use of gill-nets that interact with striped bass upstream of the ferry lines and requires attendance of gill-nets that interact with striped bass upstream of the tie-down lines."

After careful consideration, the director declined the motion request, concluding the scientific data did not support the requested management measure (see letter from the DMF director to the MFC chairman dated March 4, 2019).

On March 13, 2019, the MFC held an emergency meeting and passed a motion directing the director to issue a proclamation regarding gill nets, beyond what was contained in Supplement A. Proclamation M-6-2019 implemented the following:

- Prohibits the use of all gill nets upstream of the ferry lines from the Bayview Ferry to Aurora Ferry on Pamlico River and the Minnesott Beach Ferry to Cherry Branch Ferry on the Neuse River.
- Maintains tie-down (vertical height restrictions) and distance from shore restrictions for gill nets with a stretched mesh length 5 inches and greater in the western Pamlico Sound and rivers.

North Carolina General Statute section 113-221.1(d), authorizes the Chair of the MFC to call an emergency meeting (pursuant to the request of five or more MFC members) to review the desirability of directing the fisheries director to issue a proclamation. Once the MFC votes under this provision to direct issuance of a proclamation, the fisheries director has no discretion to choose another management option and is bound by law to follow the MFC decision. In these cases, under existing law, the decision of the MFC to direct the director to issue a proclamation is final and can only be overruled by the courts.

Amendment 2

Amendment 2 to the N.C. Estuarine Striped Bass FMP was adopted by the MFC at its November 2022 business meeting. The amendment included the no-possession measure for the Tar-Pamlico and Neuse rivers stocks that was included in Supplement A. Amendment 2 also maintained the gill net closure above the ferry lines and the use of 3-foot tie-downs for gill nets below the ferry lines. The draft of Amendment 2 presented to the MFC at their February 2022 business meeting included discussion of the ferry line gill net closures and options that would have provided limited access for the gill net fishery above the ferry lines while continuing to minimize striped bass discards. However, at that meeting, the MFC

approved a motion to send the draft Estuarine Striped Bass FMP Amendment 2 for review by the public and advisory committees with the change of deleting these options. Therefore, the only option considered by the public, Advisory Committees, and MFC related to the ferry line gill net closure in Amendment 2 was to maintain it.

Amendment 2 included two measures for the Tar-Pamlico, and Neuse rivers stocks that require reconsideration after 2024. First, the adaptive management framework prescribes that in 2025, data through 2024 will be reviewed "*to determine if populations are self-sustaining and if sustainable harvest can be determined*". In addition, the MFC approved the following motion: "*maintain the gill net prohibition through 2024 to allow for assessment of its performance*".

Adaptive Management

Adaptive management allows managers to adjust management measures based on new information or data. Management options which are selected during FMP adoption account for the most up-to-date data on biological and environmental factors which affect the stock. Data through 2024 were reviewed in early 2025 to determine the impact of the 2019 no-possession provision on the stocks.

If the data review suggests continuing the no-possession provision is needed for stock recovery, no changes in harvest management measures will be recommended until the next FMP Amendment is developed. Adaptive management may be used to adjust management measures including area, time, and gear restrictions if it is determined additional protections for the stocks are needed.

If analysis indicates the populations are self-sustaining and a level of sustainable harvest can be determined, recommendations for harvest strategies will be developed. Conversely, if analysis indicates biological and/or environmental factors prevent a self-sustaining population, then, consistent with the goal of Amendment 2, alternate management strategies will be developed that provide protection for and access to the resource.

2025 Data Review

Methods

Several data sets were updated with data through 2024 and analyzed to assess the impact of the 2019 no-possession provision on the Tar-Pamlico and Neuse rivers stocks. Analysis included evaluation of adult abundance, age structure, natural recruitment, and hatchery contribution. The analysis also considered environmental conditions (e.g., river flow), changes to stocking strategies, and new life history information. Details of complete data analysis and results can be found in "*Analysis of Striped Bass Fishery-Independent and Fishery-Dependent Data from the Tar-Pamlico and Neuse Rivers for Purposes of Amendment 2 Adaptive Management*".

Summary of Results

- No 'wild' juveniles have been caught in the Tar-Pamlico or Neuse rivers since the juvenile survey began in 2017, except two "wild" fish were caught in 2021
- During 2019–2024 the percentage of hatchery striped bass on the spawning grounds of the Tar-Pamlico and Neuse rivers has increased to nearly 100%
- During 2019–2024 the percentage of hatchery origin striped bass in the lower Tar-Pamlico and Neuse rivers has been variable ranging from <50% to >90%
- Abundance of all age classes in the lower rivers is significantly lower after the harvest closure
- Abundance of all age classes on the spawning grounds did not increase significantly after the harvest closure

Conclusions

- The harvest and gill net closures have been ineffective at increasing adult abundance, expanding the age structure, and promoting recruitment
- The Tar-Pamlico and Neuse rivers striped bass stocks are currently not sustainable
- Factors other than fishing mortality and inadequate spawning abundance are preventing sustainability of the Tar-Pamlico and Neuse rivers striped bass stocks
- Acoustic and conventional tagging data indicate most 'wild' fish in the Tar-Pamlico and Neuse rivers are part of the Albemarle-Roanoke stock
- Environmental factors and declines in the Albemarle-Roanoke stock have contributed to reduced striped bass abundance in the Tar-Pamlico and Neuse rivers

Based on data from the DMF and WRC fishery-independent and dependent sampling programs reviewed through 2024, the striped bass populations in the Tar-Pamlico and Neuse rivers are currently not self-sustaining. Evaluation of the harvest and gill net closures shows these measures have been ineffective at increasing adult abundance, expanding the age structure, and promoting natural recruitment through year six of implementation. Striped bass have been shown to quickly rebound even at low population levels given favorable environmental conditions (Robitaille et al. 2011; DFO 2023), suggesting factors other than fishing mortality and inadequate spawner abundance are preventing successful reproduction and self-sustaining striped bass populations in the Tar-Pamlico and Neuse rivers.

Acoustic telemetry and genetic data suggest there are three groups of striped bass in the Tar-Pamlico and Neuse rivers. Most of the fish are hatchery reared stocked fish, followed by 'wild' fish originating from the Albemarle-Roanoke, with a small portion of 'wild' fish originating from the spawning grounds on the Tar-Pamlico and Neuse rivers.

Management Changes

Consistent with the Amendment 2 goal and adaptive management framework, the DMF and WRC staff have developed a harvest management strategy that provides protection for and access to the resource. Tagging data was reviewed to evaluate the spatial extent and timing of Albemarle-Roanoke and stocked striped bass residence in the Tar-Pamlico and Neuse rivers. The harvest management strategy limits the timing of and spatial extent of allowed harvest in the Tar-Pamlico and Neuse rivers to concentrate harvest on stocked fish while limiting harvest of Albemarle-Roanoke stock striped bass to the greatest extent possible. Additionally, harvest will be limited to allow for mature stocked striped bass abundance in the rivers to be maintained so in the event of favorable environmental conditions, natural reproduction could occur.

Management measures for the recreational fishery will be:

- Open recreational harvest season above the large-mesh gill net distance from shore demarcation lines (Figure 1) in the Tar-Pamlico and Neuse rivers April 1–30
- One fish per person per day recreational creel limit
- An 18–22 inch total length harvest slot, or >27 inch total length

Management measure for the commercial fishery will be:

- Open commercial harvest season above the large-mesh gill net distance from shore demarcation lines (Figure 1) in the Tar-Pamlico and Nesue rivers April 1–30
- One fish per person per day trip limit
- An 18-22 inch total length harvest slot, or >27 inch total length
- Allow hook-and-line as a legal commercial gear in the striped bass commercial fishery (consistent with Amendment 2)
- Continue commercial tagging requirement
- Maintain tie-down and distance from shore requirements for non-incidental take permit exempt gill nets and implement additional gill net restrictions to further reduce incidental take of striped bass in the shad gill net fishery

Recreational and commercial seasons in Joint and Coastal Fishing Waters will be opened by proclamation.

Timeline

(gray indicates completed step)

Supplement A to Amendment 1 adopted	March 2019
Ferry Line Gill Net Closure implemented	March 15, 2019
Amendment 2 adopted	November 2022
Division begins data review	January 1, 2025
Division provides background to MFC	May 21 - 23, 2025
Division presents data analysis/conclusions/next steps to MFC	August 2025
Division and WRC hold public information meeting to present harvest plan and answer questions	November 5, 2025
Division presents harvest management plan to MFC	November 2025
Harvest season opens	April 1 2026

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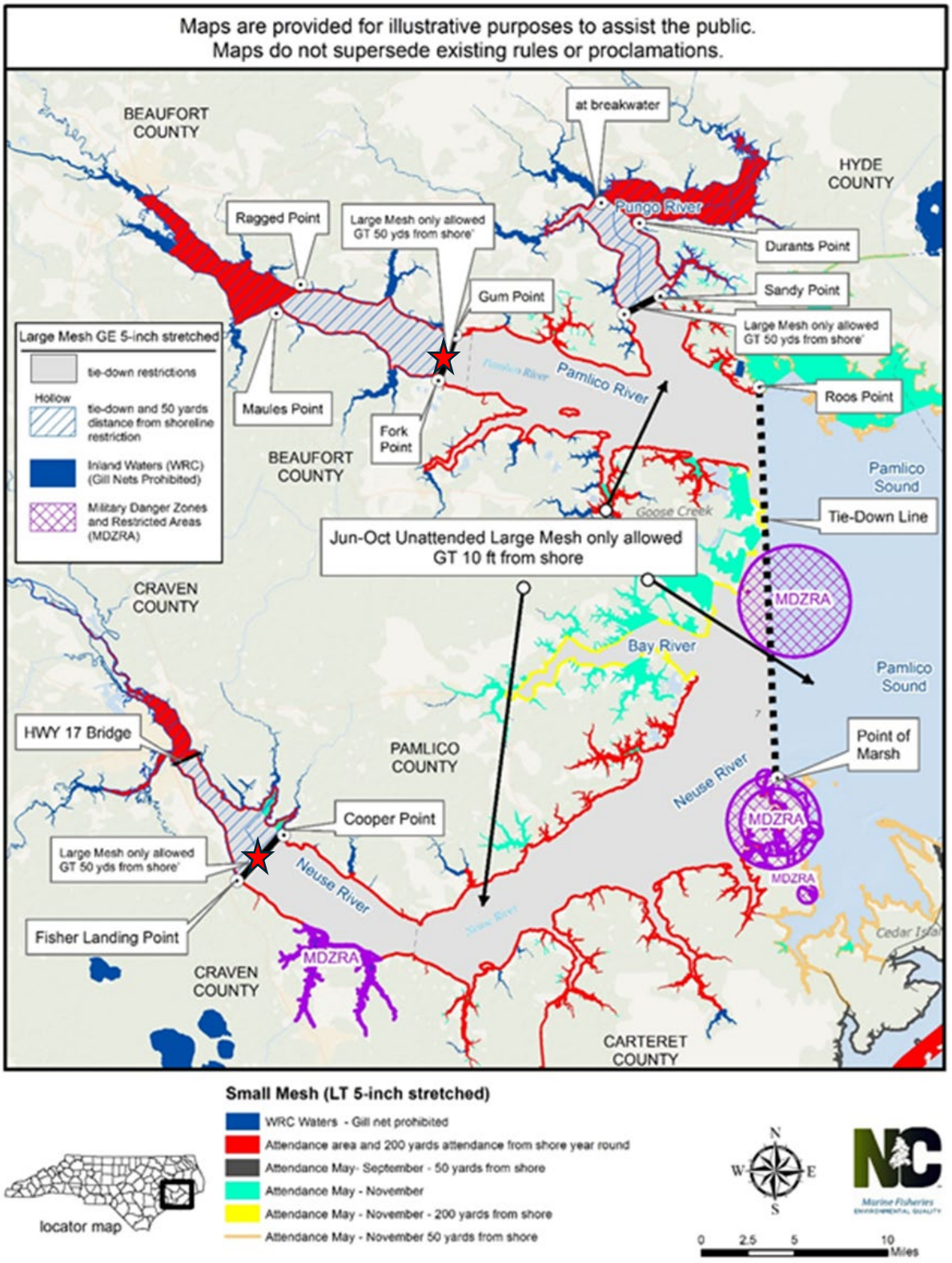

Figure 1. Gill-net regulations for small and large mesh gill nets in the Pamlico, Pungo, Bay, and Neuse rivers. LT=less than; GT=greater than. Distance from shore lines indicated by red stars.

IMPLEMENTATION OF ALTERNATIVE MANAGEMENT STRATEGIES FOR STRIPED BASS HARVEST IN THE TAR-PAMLICO AND NEUSE RIVERS THAT PROVIDE PROTECTION FOR AND ACCESS TO THE RESOURCE

Oct. 29, 2025

ISSUE

The goal of Amendment 2 to the N.C. Estuarine Striped Bass Fishery Management Plan is to manage the estuarine striped bass fisheries to achieve self-sustaining populations that provide sustainable harvest based on science-based decision-making processes. If biological and/or environmental factors prevent self-sustaining populations in the Tar-Pamlico and Neuse rivers, then alternate management strategies will be implemented that provide protection for and access to the resource.

The 2025 data evaluation for the Tar-Pamlico and Neuse rivers concluded biological and/or environmental factors are preventing self-sustaining populations in these rivers (Appendix 1). Consistent with Amendment 2 Adaptive Management, management will be implemented providing protection for and access to the resource.

ORIGINATION

Adaptive management for the striped bass stocks in the Tar-Pamlico and Neuse rivers, North Carolina Estuarine Striped Bass Fishery Management Plan Amendment 2, Appendix 3: Achieving Sustainable Harvest for the Tar-Pamlico and Neuse Rivers Striped Bass Stocks.

BACKGROUND

Amendment 2 to the N.C. Estuarine Striped Bass FMP was adopted by the MFC in November 2022. The Amendment 2 adaptive management strategy for the Tar-Pamlico and Neuse rivers was to maintain the harvest closure in the Tar-Pamlico and Neuse rivers through 2024, and then in 2025 evaluate key population parameters including adult abundance, age structure, natural recruitment, and hatchery contribution to determine whether the populations are self-sustaining and if sustainable harvest can be determined. Per the amendment, if analysis indicates the populations are self-sustaining and a level of sustainable harvest can be determined, recommendations for harvest strategies will be developed. If analysis indicates biological and/or environmental factors prevent a self-sustaining population, alternate management strategies will be developed that provide protection for and access to the resource. Adaptive management may be used to adjust management measures including area and time restrictions and gear restrictions if it is determined additional protections for the stocks are needed.

Results of the analysis indicate the harvest closure was ineffective at promoting natural recruitment, increasing adult abundance, or expanding the age structure and increasing the number of older (age-10+), larger striped bass through year six of implementation of the harvest closure. Factors other than fishing mortality and inadequate spawner abundance are preventing successful reproduction and self-sustaining Tar-Pamlico and Neuse rivers striped bass stocks. (Appendix 1).

Consistent with the Amendment 2 adaptive management framework, Division of Marine Fisheries (DMF) and Wildlife Resources Commission (WRC) staff have developed a harvest management strategy that provides access to and protection for the resource.

Confounding management changes is the documented residency of a portion of the Albemarle-Roanoke (A-R) striped bass stock in the Tar-Pamlico and Neuse rivers outside of the A-R striped bass spawning season. The A-R striped bass stock has had chronic poor spawning success since 2017 (Figure 1; NCDMF 2025), and striped bass harvest in the Albemarle Sound Management Area (ASMA) and the Roanoke River Management Area (RRMA) has been prohibited since January 2024 (NCDMF 2024 Revision to Amendment 2). Striped bass harvest for both the recreational and commercial sectors in the Tar-Pamlico and Neuse rivers system averaged 7,635 fish per year during 2004–2018 (Table 1). Reverting back to management measures in place before the harvest closure that allowed this level of harvest risks unintended capture of A-R striped bass. The revised harvest management strategy will instead focus harvest on stocked fish in the Tar-Pamlico and Neuse rivers, while limiting harvest of A-R stock striped bass present in the Tar-Pamlico and Neuse rivers to the greatest extent possible, by restricting the times and areas harvest can occur. Harvest will be restricted to a level low enough that mature striped bass abundance in the Tar-Pamlico and Neuse rivers is maintained so in the event of favorable environmental conditions, natural reproduction could occur.

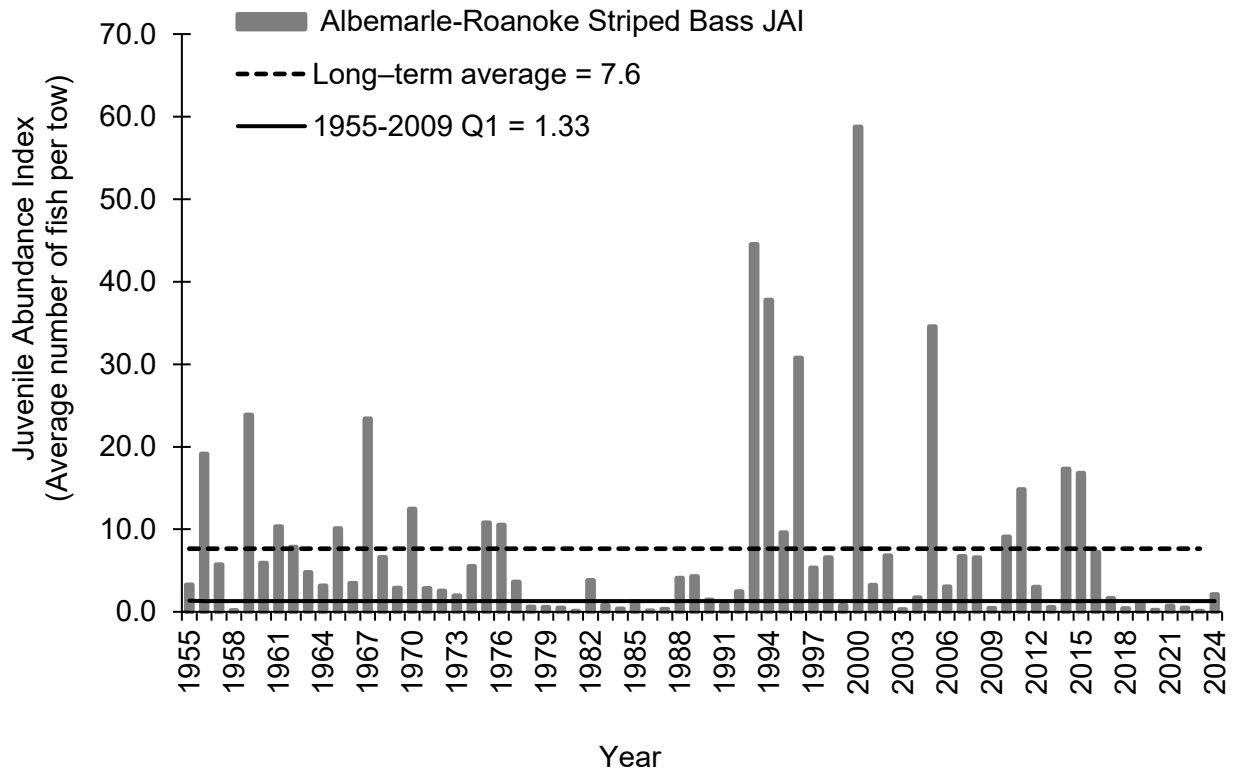

Figure 1. The juvenile abundance index (JAI) for the Albemarle-Roanoke striped bass stock, 1955–2024. Values below the Q1 value of 1.33 (the 75% percentile) are considered spawning failures.

Table 1. Recreational harvest estimates (number and weight in pounds) and releases (number of fish) and total commercial harvest (number and weight in pounds) of striped bass in the Tar-Pamlico, Pungo, and Neuse rivers, 2004–2024. There was a limited recreational harvest season in 2019 (January 1–March 19, 2019) prior to the harvest closure, which remains in effect. Data sources: DMF Striped Bass Creel Survey for recreational data and the Division of Marine Fisheries Trip Ticket Program for commercial data. Gray shading indicates large increase in recreational releases that, in part, prompted development of Supplement A (NCDMF 2019).

	Recreational			Commercial		
Year	Number Landed	Number Released	Weight Landed	Number Landed	Weight Landed	Total Weight Landed
2004	6,141	13,557	22,958	3,950	32,479	55,437
2005	3,832	16,854	14,965	3,723	27,132	42,097
2006	2,481	14,895	7,352	2,850	21,149	28,501
2007	3,597	23,527	10,794	3,608	25,008	35,802
2008	843	17,966	2,990	1,719	10,115	13,105
2009	895	6,965	3,061	4,140	24,847	27,908
2010	1,757	7,990	5,537	4,486	23,888	29,425
2011	2,728	24,188	9,474	4,083	28,054	37,528
2012	3,922	43,313	15,240	3,693	22,725	37,964
2013	5,467	32,816	19,537	4,439	28,597	48,134
2014	3,301	30,209	13,368	5,830	25,245	38,613
2015	3,934	31,353	14,269	6,029	27,336	41,605
2016	6,697	75,461	25,260	4,123	23,041	48,301
2017	7,334	131,129	26,973	4,382	23,018	49,991
2018	3,371	49,122	10,884	3,788	20,057	30,941
2019	959	36,080	3,562	0	0	3,562
2020	0	19,420	0	0	0	0
2021	0	23,216	0	0	0	0
2022	0	30,026	0	0	0	0
2023	0	13,536	0	0	0	0
2024	0	9,795	0	0	0	0
Mean	3,579	31,020	12,889	4,056	24,179	35,557

AUTHORITY

N.C. Marine Fisheries Commission and N.C. Wildlife Resources Commission Rules 2020 (15A NCAC)

15A NCAC 03H .0103 PROCLAMATIONS, GENERAL
15A NCAC 03M .0201 GENERAL

15A NCAC 03M .0202	SEASON, SIZE AND HARVEST LIMIT: INTERNAL COASTAL WATERS
15A NCAC 03M .0512	COMPLIANCE WITH FISHERY MANAGEMENT PLANS
15A NCAC 03Q .0107	SPECIAL REGULATIONS: JOINT WATERS
15A NCAC 03Q .0108	MANAGEMENT RESPONSIBILITY FOR ESTUARINE STRIPED BASS IN JOINT WATERS
15A NCAC 03Q .0109	IMPLEMENTATION OF ESTUARINE STRIPED BASS MANAGEMENT PLANS: RECREATIONAL FISHING
15A NCAC 03Q .0202	DESCRIPTIVE BOUNDARIES FOR COASTAL-JOINT-INLAND WATERS
15A NCAC 03R .0201	STRIPED BASS MANAGEMENT AREAS
15A NCAC 10C .0107	SPECIAL REGULATIONS: JOINT WATERS
15A NCAC 10C .0108	SPECIFIC CLASSIFICATION OF WATERS
15A NCAC 10C .0110	MANAGEMENT RESPONSIBILITY FOR ESTUARINE STRIPED BASS IN JOINT WATERS
15A NCAC 10C .0111	IMPLEMENTATION OF ESTUARINE STRIPED BASS MANAGEMENT PLANS: RECREATIONAL FISHING
15A NCAC 10C .0301	INLAND GAME FISHES DESIGNATED
15A NCAC 10C .0314	STRIPED BASS

DISCUSSION

To further evaluate the temporal and spatial extent of A-R stock striped bass residency in the Tar-Pamlico and Neuse rivers, DMF conventional and acoustic tagging data, along with results of other tagging studies were reviewed. This information was used to develop the timing and spatial extent of an open striped bass harvest season in the Tar-Pamlico and Neuse rivers that minimizes, to the greatest extent possible, harvest of A-R stock striped bass while allowing modest harvest of stocked fish.

MOVEMENT AND MIGRATION

Striped bass stocks in the mid-Atlantic bight are anadromous and originate from four principal spawning areas; the Hudson River, Delaware River, numerous rivers within the Chesapeake Bay, and the Roanoke River (Merriman 1941; Boreman and Lewis 1987; Dorazio et al. 1994, Waldman et al. 1997; Welsh et al. 2007; Able et al. 2012; Callihan et al. 2014; Kneebone et al. 2014). Tag return data show that larger A-R stock striped bass migrate outside of the Albemarle Sound after spawning and return to the Roanoke River each year with no evidence of straying (i.e., spawning in a river system other than the Roanoke River; Callihan et al. 2015). Callihan et al. (2014) reported A-R stock striped bass greater than 24 inches (in.) total length (TL) were more likely to emigrate to ocean waters after spawning, while fish less than 24 in. TL were more likely to remain within the Albemarle Sound. Callihan et al. (2014) also noted up to 31% of the A-R stock may migrate outside of the Albemarle Sound estuary to adjacent internal estuarine systems, and migratory fish less than 24 in. TL were more likely to remain in inshore estuarine waters, especially the Pamlico Sound, Tar-Pamlico, Pungo and Neuse rivers, and the lower Chesapeake Bay (Callihan et al. 2014; Figure 2).

Striped bass stocks south of Albemarle Sound, including stocks in the Tar-Pamlico and Neuse rivers, are considered riverine rather than anadromous spending their entire life in the estuary and river systems (Raney 1952; Dudley et al. 1977; Setzler et al. 1980; Rulifson et al. 1982; Bulak 2004; Callihan 2014).

CONVENTIONAL TAGGING DATA

Tag return data can be used to provide insight on where and when stocked hatchery fish and A-R stock fish occur in the Tar-Pamlico and Neuse rivers to inform the best harvest management strategy.

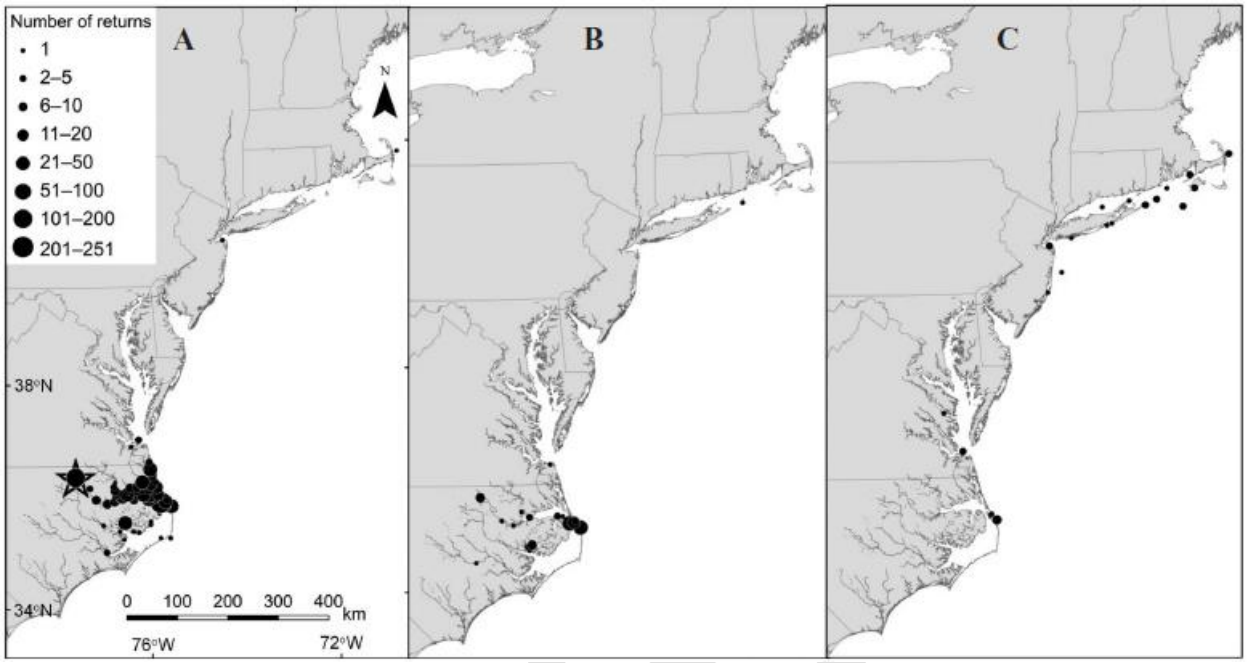

Figure 2. Tag return locations of striped bass along the eastern seaboard of the United States by length group (data pooled across years): **(A)** fish 287–599 mm in total length (TL; *n* = 1,020 returns), **(B)** fish 600–799 mm TL (*n* = 101 returns), and **(C)** fish 800–1,105 mm TL (*n* = 55 returns). Bubble sizes represent the number of tag returns from each location (within each length group). The star in panel A denotes the location where striped bass were tagged and released during annual spring electrofishing surveys conducted in the Roanoke River in 1991–2008. Only those tag returns that occurred after the first 2 weeks but within the first calendar year at liberty were included in analyses and are shown (Callihan et al. 2014).

The DMF and WRC have consistently tagged striped bass during surveys in the Roanoke, Tar-Pamlico, Neuse and Cape Fear rivers with external tags since 1980 (Winslow 2010). A portion of hatchery reared phase-II (5–8 inches) striped bass are also tagged each year before being released into the Tar-Pamlico and Neuse rivers. Phase-I (1–2 inches) and phase-II annual stocking numbers for the Albemarle Sound and the Tar-Pamlico and Neuse rivers 2014–2024 are provided in Table 2.

During 2014–2024 DMF staff tagged 8,232 A-R striped bass on the Roanoke River spawning grounds, of which 999 have been returned (i.e., caught by a fisherman and reported to DMF) through 2024, for a tag return rate of 12% (Table 3). Tag return locations for all months of the year show 7% of returns came from the Tar-Pamlico and Neuse rivers (Figure 3), and no returns came from outside the Albemarle Sound Management Area (ASMA) during April (Figure 4).

From 2014–2024, 25,044 hatchery reared phase-II striped bass were tagged and released into the Tar-Pamlico River and 34,848 were tagged and released into the Neuse River (Table 3). For tagged striped bass released in the Tar-Pamlico River, 21% of returns occurred outside the Tar-

Pamlico River (Figure 5), and for striped bass tagged in the Neuse River, 26% of returns came from outside the Neuse River (Figure 6). Most returns from outside of the tagging system occurred in the adjacent river (i.e., either the Tar-Pamlico or Neuse; Figures 5 and 6). Less than 5% of returns for tagged fish released in either the Tar-Pamlico and Neuse rivers came from outside of the system during April, and all were from adjacent rivers (Figures 7 and 8).

Table 2. Annual stocking numbers of phase-I (1–2 inches) and phase-II (5–8 inches) hatchery striped bass by area, 2014–2024.

	Albemarle Sound		Tar-Pamlico River		Neuse River	
Year-Class	Phase-I	Phase-II	Phase-I	Phase-II	Phase-I	Phase-II
2014	0	0	138,889	92,727	79,864	78,866
2015	0	0	0	52,922	0	109,107
2016	0	0	234,718	121,190	80,910	134,559
2017	0	0	0	101,987	0	14,203
2018	0	0	0	120,668	96,900	86,556
2019	0	0	0	97,920	0	85,694
2020	0	0	0	90,614	0	96,933
2021	0	0	0	23,082	31,208	80,122
2022	0	0	175,633	55,465	91,569	33,560
2023	668,243	0	116,989	66,165	62,885	71,527
2024	427,176	133,395	0	0	0	0

Table 3. Number (No.) of striped bass tagged with conventional external tags, number of overall tag returns (i.e., caught by a fisherman and reported to DMF), number of returns outside of the system where they were tagged, and number of returns in April outside the system they were tagged, 2014–2024.

Tagging Location	No. tagged	No. overall tag returns (% of tagged)	No. tag returns outside of system (% of overall returns)	No. April tag returns outside of system (% of overall returns)
Roanoke River A-R Spawning Stock	8,232	999 (12%)	68 (7%)	0 (0%)
Tar-Pamlico Phase-II Hatchery Stockings	25,044	105 (0.4%)	22 (21%)	3 (3%)
Neuse Phase-II Hatchery Stockings	34,848	150 (0.4%)	39 (26%)	6 (4%)

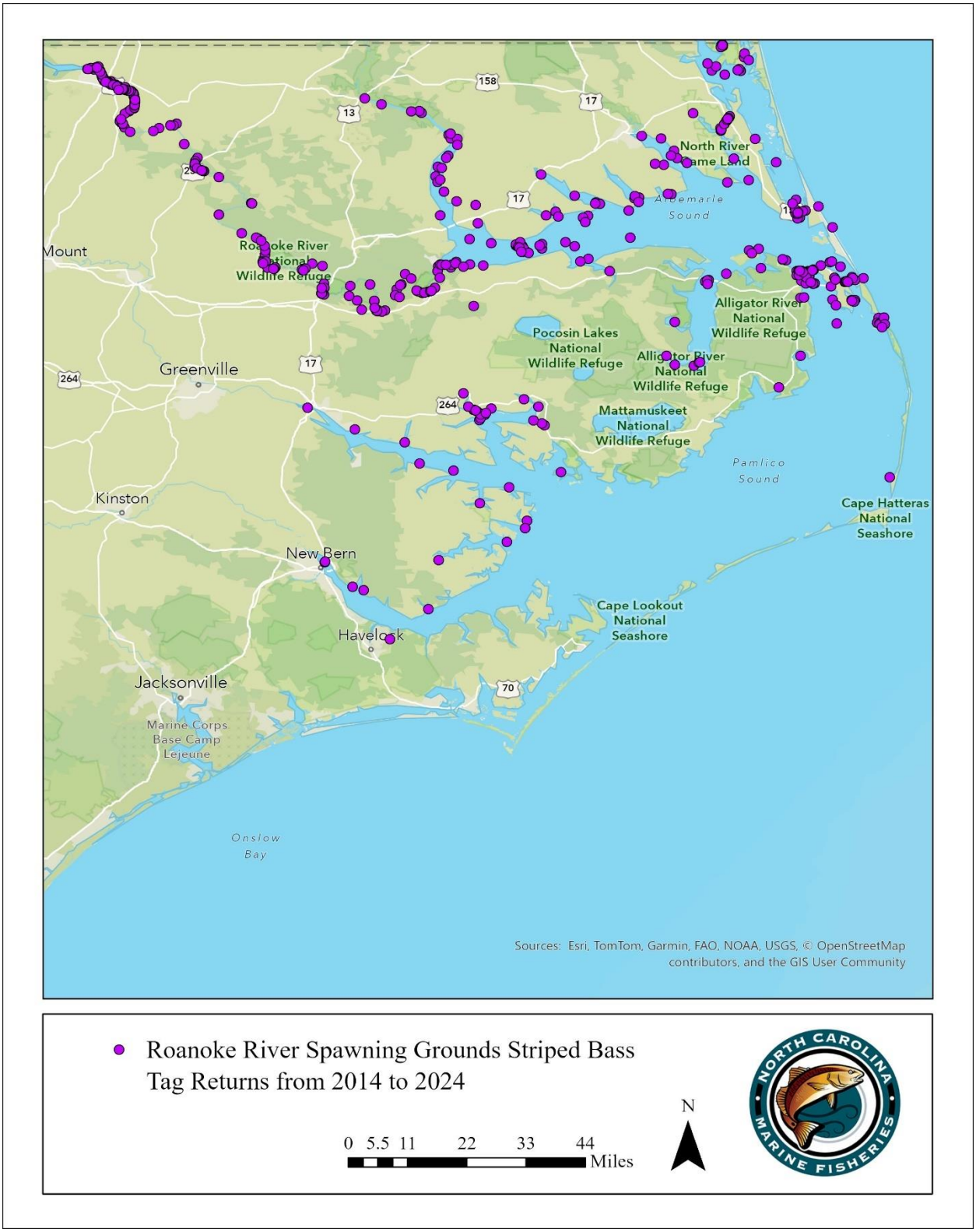

Figure 3. Tag return locations (all months) of Albemarle-Roanoke striped bass tagged and released on their spawning grounds in the Roanoke River near Weldon, 2014–2024. Tag returns outside of N.C. are not shown.

Figure 4. Tag return locations during April of Albemarle-Roanoke striped bass tagged and released on their spawning grounds in the Roanoke River near Weldon, 2014–2024. Tag returns outside of N.C. are not shown.

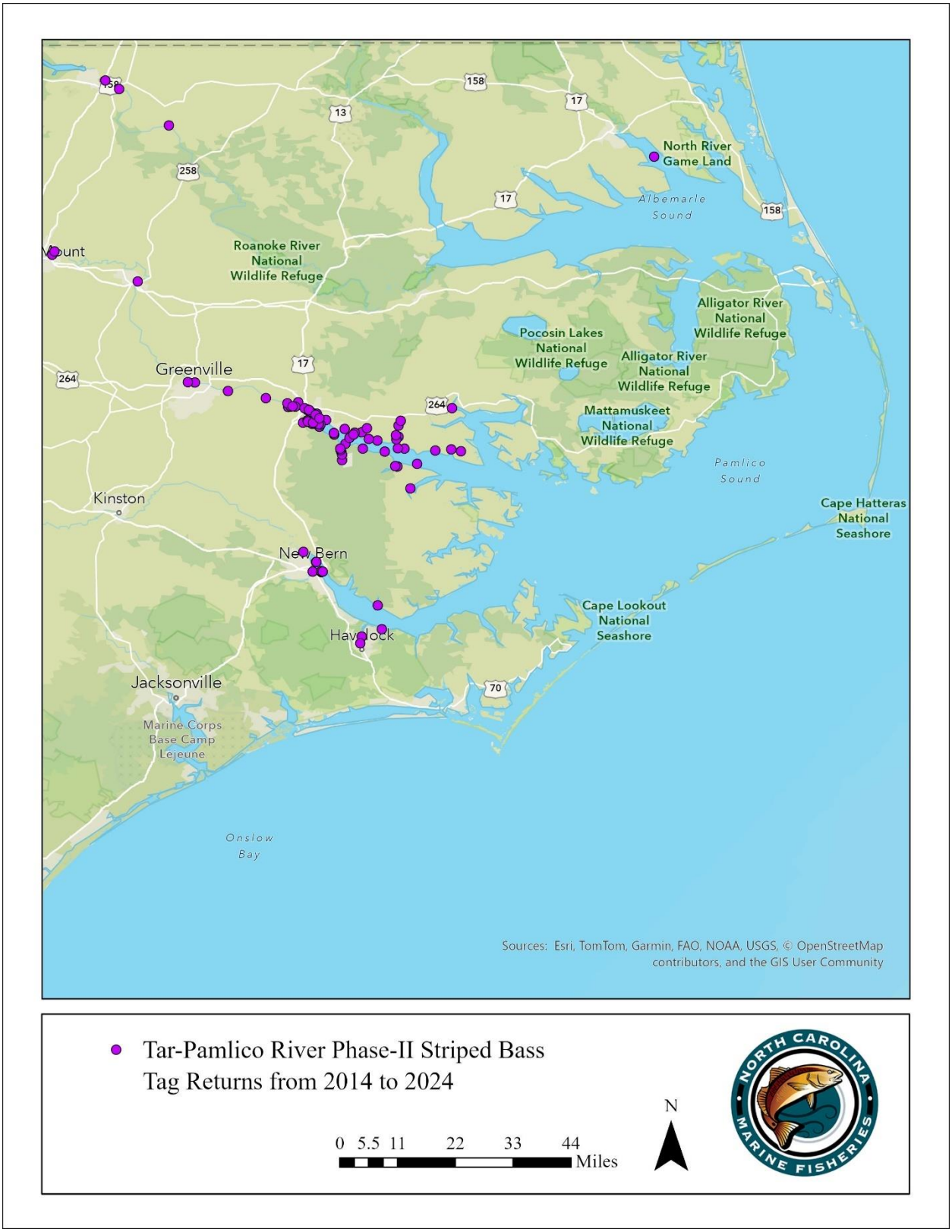

Figure 5. Tag return locations (all months) of phase-II (5–8 inches) hatchery reared striped bass tagged and released in the Tar-Pamlico River, 2014–2024. Tag returns outside of N.C. are not shown.

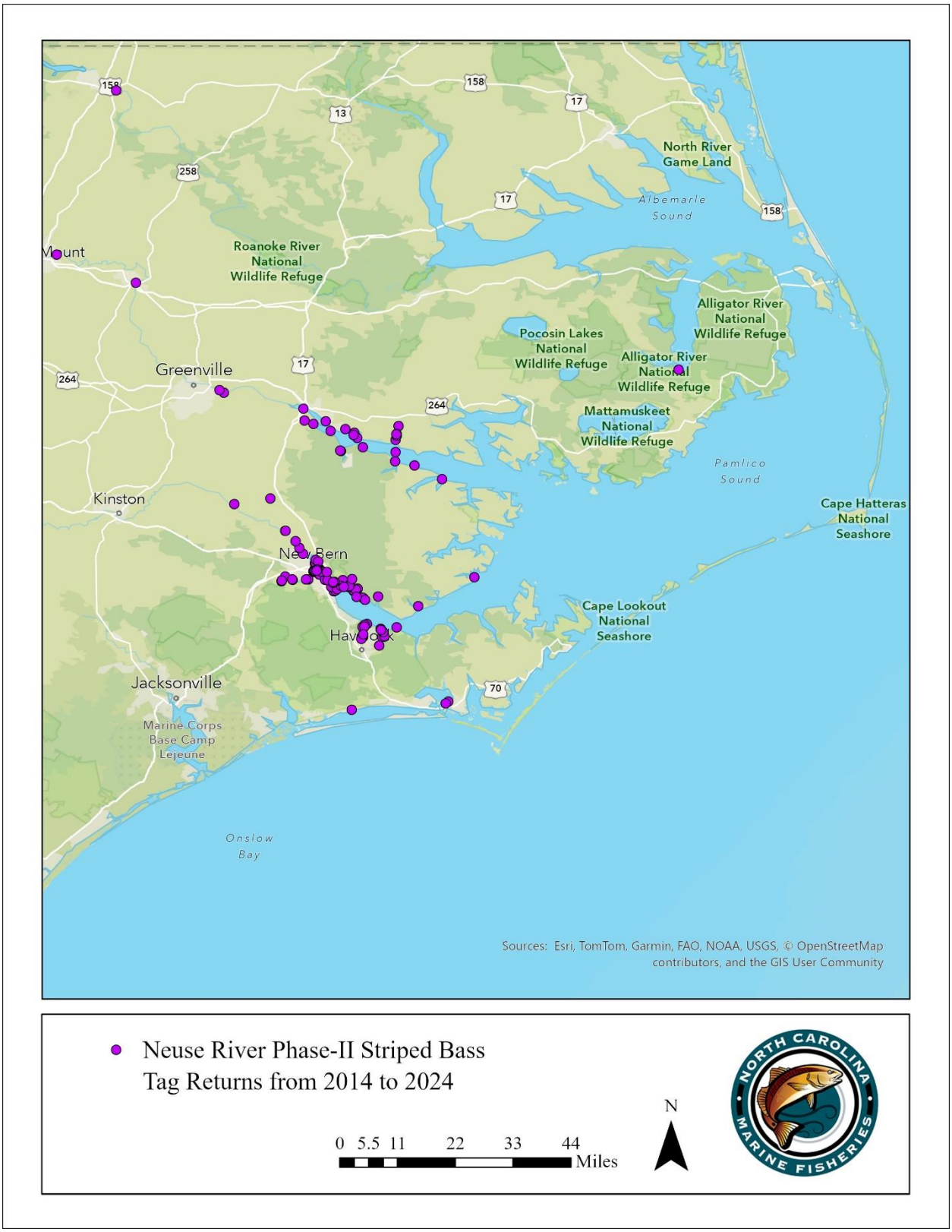

Figure 6. Tag return locations (all months) of phase-II (5–8 inches) hatchery reared striped bass tagged and released in the Neuse River, 2014–2024. Tag returns outside of N.C. are not shown.

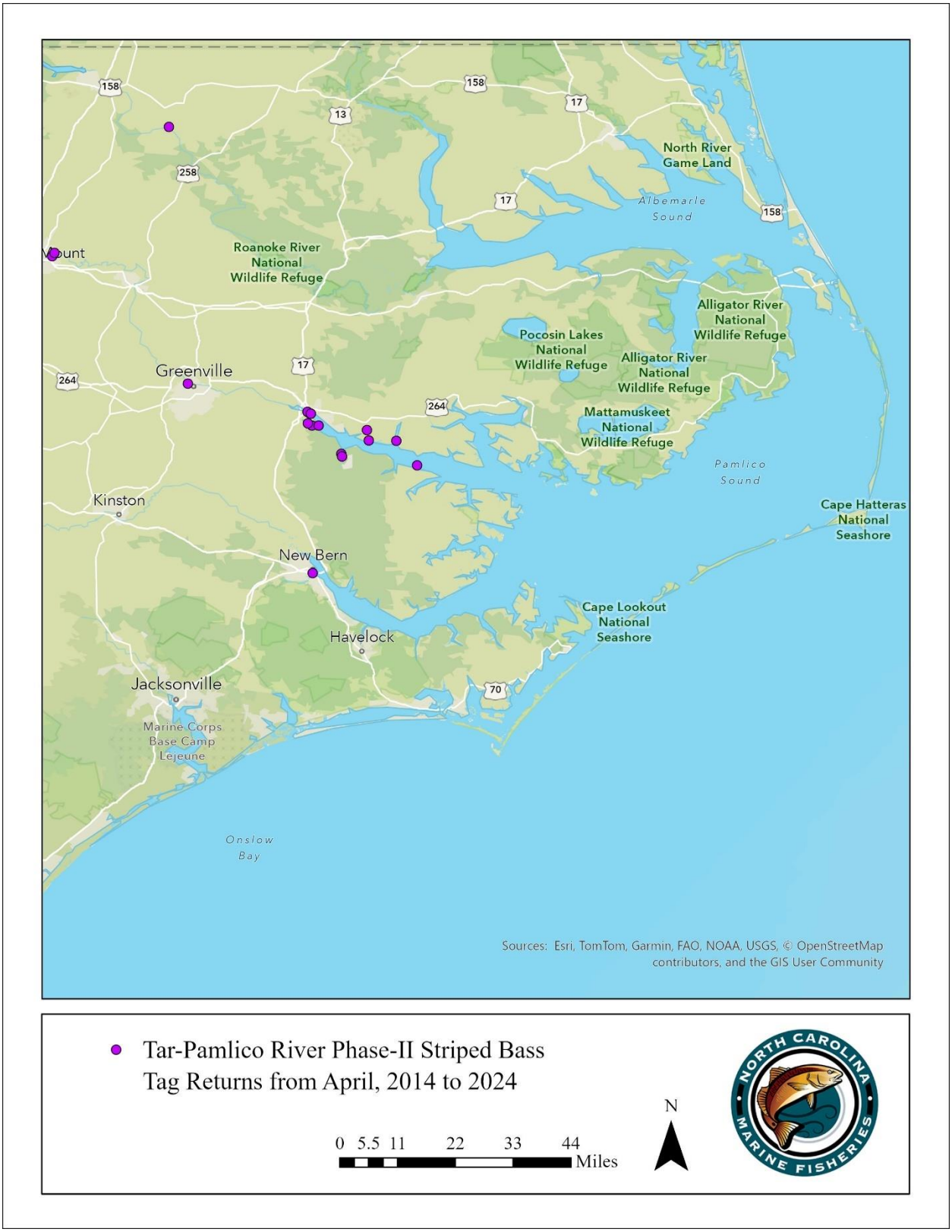

Figure 7. Tag return locations during April of phase-II (5–8 inches) hatchery reared striped bass tagged and released in the Tar-Pamlico River, 2014–2024

Figure 8. Tag return locations during April of phase-II (5–8 inches) hatchery reared striped bass tagged and released in the Neuse River, 2014–2024.

ACOUSTIC TELEMETRY TAGGING DATA

Acoustic telemetry data provide additional information about striped bass movement that does not rely on a fish being recaptured and reported. Acoustic telemetry data in combination with conventional tag data can be used to further refine where and when harvest can occur in the Tar-Pamlico and Neuse rivers so harvest of A-R stock striped bass is minimized.

In response to a significant increase in undersized recreational striped bass releases in 2016 and 2017 (Table 1) and increased abundance of non-hatchery origin (wild) striped bass present in the Tar-Pamlico and Neuse rivers in 2017 and 2018 (Farrae and Darden 2018; NCDMF 2022), DMF initiated an acoustic telemetry study in 2019 to track movements of acoustically tagged fish. Because A-R striped bass return to natal rivers to spawn (Callihan 2015), the objective of the acoustic tagging study was to infer natal origin of wild striped bass found in the lower-middle Tar-Pamlico and Neuse rivers by tracking spring spawning migrations of acoustically tagged fish.

Fifty adult striped bass (from the 2014 and 2015 year classes, age 4–5 in 2020 and 2021 based on length and scale ages) from the lower-middle Tar-Pamlico and Neuse rivers were implanted with acoustic tags. Fin clips were taken from each fish, and Parentage Based Tagging (PBT) analysis was conducted to determine if the fish were of hatchery or 'wild' origin. Results of PBT analysis indicated 30 of the tagged striped bass were 'wild'. Six of those 30 "wild" striped bass did not have enough detection data to be used in analysis. Of the 30 wild striped bass, 70% (n=21) were later detected in the Albemarle Sound or on the Roanoke River spawning grounds in the spring. Most (53%, 11 out of 21) of the wild fish entering the Albemarle Sound were detected on the spawning grounds near Weldon, N.C., with five making repeated annual migrations in the spring back to the Roanoke River spawning grounds, suggesting these fish are part of the A-R stock. A single 'wild' striped bass tagged in the Tar-Pamlico River was later detected on the spawning grounds in the Tar-Pamlico River and one 'wild' striped bass tagged in the Neuse River was later detected on the spawning grounds in the Neuse River, suggesting limited natural recruitment in these rivers, or possible straying of A-R stock fish to the Tar-Pamlico and Neuse rivers spawning grounds. Additionally, one wild striped bass tagged in the Neuse River was later detected on the spawning grounds in the Tar River. The patterns indicated by the acoustic detections suggest most wild fish from the 2014 and 2015 year classes present in the Tar-Pamlico and Neuse rivers are part of the A-R stock, which had above-average recruitment in 2014 and 2015 (Figure 1; see Appendix 1 for additional details).

In contrast to conventional tag return data, telemetry data indicate a portion of the A-R stock resides in the Tar-Pamlico and Neuse rivers during the month of April. Residency analysis, which is the amount of time a tagged fish remained in an area based on acoustic detections, indicates A-R stock striped bass were in the Tar-Pamlico and Neuse rivers above the gill net tie down line 41% of the month of April (Table 4; Figure 9). However, residency analysis considering other boundaries farther upriver, indicates A-R stock striped bass are not found throughout the entire Tar-Pamlico and Neuse rivers during the entire month of April. Residency analysis of hatchery origin striped bass in the Tar-Pamlico and Neuse rivers indicates hatchery striped bass are concentrated in upriver areas during the entire month of April (Table 5; Figure 10).

Table 4. Percent residency time of 'wild' acoustically tagged Albemarle-Roanoke striped bass in segments of the Tar-Pamlico and Neuse rivers during the month of April, 2021–2022. Harvest line boundaries are based on existing management boundaries and locations of acoustic receivers in the Tar-Pamlico and Neuse rivers.

Harvest line boundaries	Percent residency time 'wild' Albemarle-Roanoke striped bass
Coastal/Joint/Inland Boundaries	12%
Small Mesh Attendance Line	18%
Distance From Shore Line	26%
Tie-Down Line	41%

HARVEST STRATEGY DISCUSSION

HARVEST SEASON

Based on conventional tag returns, A-R fish start moving from the Tar-Pamlico and Neuse rivers to the Albemarle Sound in March and April and are absent from the rivers in April (Figures 3 and 4). However, acoustic tag data indicate A-R stock striped bass remain in parts of the Tar-Pamlico and Neuse rivers in April. So, while A-R stock striped bass are still present in the Tar-Pamlico and Neuse rivers during April before they leave the system to migrate to the Albemarle Sound and Roanoke River, limiting the spatial extent of where harvest can occur in the rivers can be used to further minimize harvest of A-R fish.

Harvest Season Management: Based on analysis of conventional and acoustic tagging data, harvest of striped bass in the Tar-Pamlico and Neuse rivers will only be allowed April 1–April 30.

HARVEST AREA

Residency patterns of A-R fish versus stocked fish were compared to determine the downstream extent of where harvest can occur in April to minimize harvest of A-R stock fish. Residency analysis (Table 4; Figure 9) indicates if harvest were allowed upstream of the of the tie-down line (the furthest downstream boundary considered) in the Tar-Pamlico and Neuse rivers, acoustic tagged A-R striped bass would have been available for harvest 41% of the month of April. If the harvest area was limited to upstream of the Distance From Shore (DFS) lines in both rivers, acoustic tagged A-R stock striped bass were only available for harvest 26% of the month of April. If harvest were only allowed upstream of the small mesh attendance lines in both rivers, acoustic tagged A-R stock striped bass were only available for harvest 18% of the month of April. If harvest was only allowed upstream of the Coastal-Inland boundary in the Tar-Pamlico River and the Coastal-Joint boundary in the Neuse River, acoustic tagged A-R stock striped bass were only available for harvest 12% of the month of April.

Residency analysis for the 20 acoustically tagged hatchery striped bass (Table 5; Figure 10) shows hatchery fish reside in the Tar-Pamlico and Neuse rivers year-round. April tag detections indicate hatchery fish reside between the Coastal/Joint/Inland Fishing Waters boundary lines and the distance from shore line, with very little residency time above the Coastal/Joint/Inland Fishing Waters boundary lines (Table 5; Figure 10). In addition, most conventional tag returns are from

the middle and lower parts of the rivers, with very few returns above the Coastal/Joint/Inland Fishing Waters boundary lines (Figures 7 and 8).

Unless the harvest line is at least upstream of the distance from shore line in each river, there will be limited opportunity to harvest stocked striped bass.

Harvest Area Management: Considering the intent of allowing harvest of hatchery striped bass while limiting potential harvest of A-R striped bass, harvest will be allowed upstream of the distance from shore demarcation lines.

HARVEST SIZE LIMIT

Current size limits for striped bass are established in rule and proclamation, but vary across N.C. jurisdictional waters. For example, the MFC has authority over striped bass in coastal fishing waters (excluding joint fishing waters), while the WRC has authority over striped bass in inland fishing waters. The MFC and WRC share authority over striped bass in joint fishing waters through joint rules 15A NCAC 03Q .0107 and 15A NCAC 10C .0107, which allow harvest of fish between 18 and 22 inches Total Length (TL), or over 27 inches TL. For coastal and inland fishing waters, changes to size limits can be made relatively quickly. Changes to size limits in coastal fishing waters can be made effective within 48 hours through the MFC's delegation of proclamation authority to the DMF Director (15A NCAC 03M .0202); changes in inland fishing waters can be accomplished through WRC's temporary rulemaking process, which can happen in well under a year. However, standardizing size limits in joint fishing waters requires amending the joint rules 15A NCAC 03Q .0107 and 15A NCAC 10C .0107, which must be approved by the MFC and WRC and go through the established permanent rule-making process (e.g., approximately two to three years).

The striped bass harvest season in April 2026 will open with an 18–22 in TL slot limit, or over 27 in TL. These are the current size restrictions for joint fishing waters. Implementing the same size limit across jurisdictional boundaries in the Tar-Pamlico and Neuse rivers and their tributaries above the distance from shore lines should help to avoid angler and enforcement confusion. To accomplish this, the WRC will initiate temporary rulemaking to amend the size limit in their rule for inland fishing waters prior to the April 2026 harvest season and the DMF Director will set the size limit for coastal fishing waters through proclamation prior to the April 2026 harvest season. Based on the length frequency of striped bass observed in the recreational harvest, very few fish greater than 27 inches TL are expected to be harvested (Figure 11).

DMF and WRC staff plan to begin the process for joint rulemaking to establish a consistent size limit for striped bass fisheries across all jurisdictions and management areas, including the Roanoke River Management Area (RRMA), ASMA, and Central Southern Management Area (CSMA).

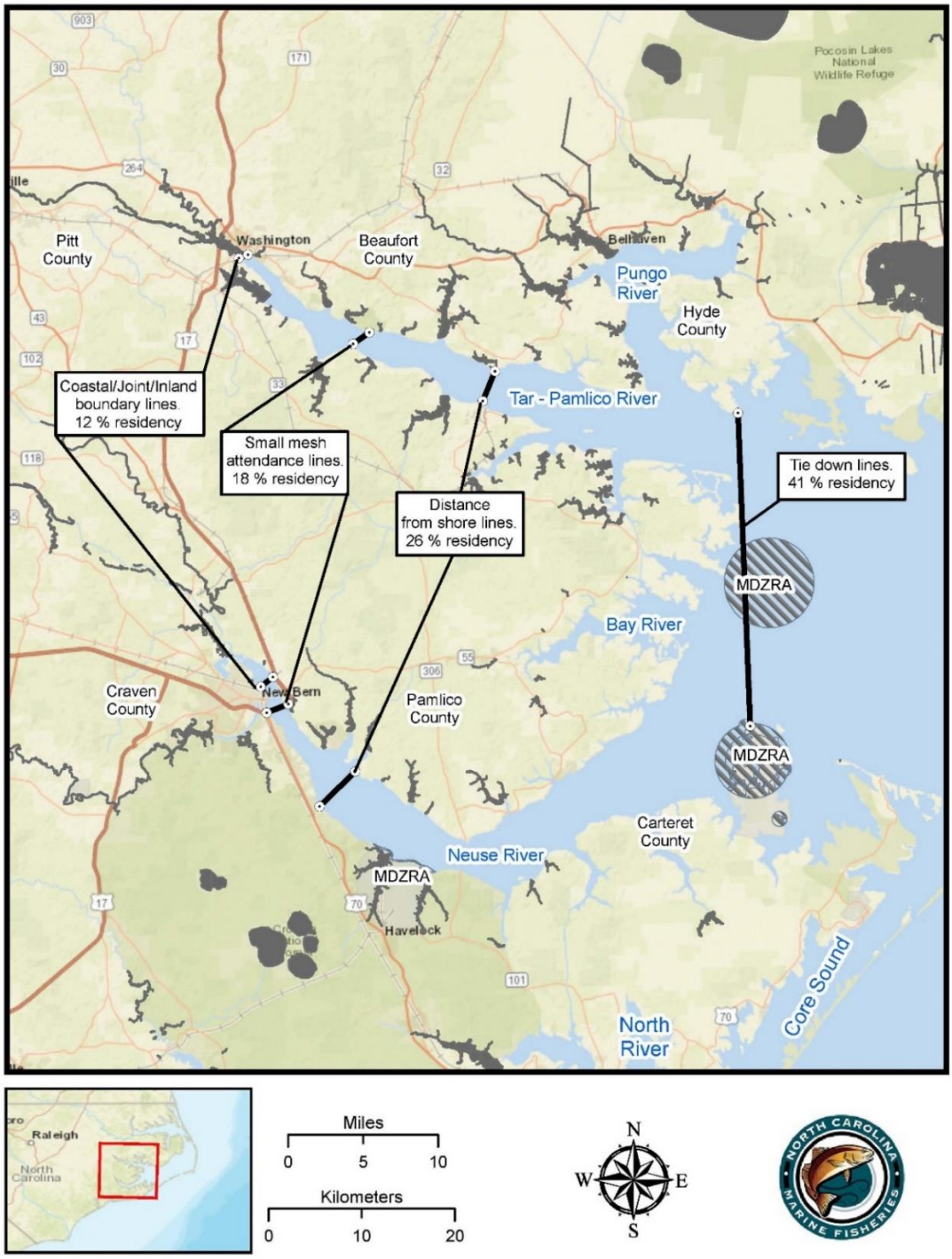

Figure 9. Harvest area lines analyzed using acoustic tagged 'wild' Albemarle-Roanoke striped bass in the Tar-Pamlico and Neuse rivers during the month of April, 2020–2021.

Table 5. Percent residency time of hatchery stocked acoustically tagged striped bass in segments of the Tar-Pamlico and Neuse rivers during the month of April 2021–2022. Harvest line boundaries are based on existing management boundaries and locations of acoustic receivers in the Tar-Pamlico and Neuse rivers.

Harvest line boundaries	Percent residency time hatchery striped bass
Coastal/Joint/Inland Boundaries	55%
Small Mesh Attendance Line	57%
Distance From Shore Line	70%
Tie-Down Line	100%

Size Limit Management: For the Coastal/Joint/Inland fishing waters of the Tar-Pamlico and Neuse rivers and all tributaries above the distance from shore demarcation lines, allow harvest of striped bass 18–22 in TL, or >27 in TL until the MFC and WRC joint rules can be amended to not allow harvest of fish >27 in TL.

HARVEST DAILY POSESSION LIMITS

During 2004–2018 (fishery has been closed since 2019), the average annual harvest of striped bass was 3,753 fish per year (range = 843–7,334) for the recreational sector and 4,056 fish per year (range = 1,719–6,029) for the commercial sector (Table 1). Daily possession limits were two fish per person per day for the recreational sector, and 10–15 fish per operation per day for the commercial sector. The recreational season was open October 1–April 30 each year with no harvest quota, while the commercial season opened April 1 and usually caught the 25,000 lb quota in 3–4 weeks.

With the goal of allowing protection for and access to the resource, while also limiting harvest of A-R fish, possession limits must be conservative to limit overall harvest. Potential harvest levels can be inferred from historical data. During 2007–2018, annual recreational harvest estimates for April averaged 803 fish per year, though harvest in 2010 and 2016 was greater than 2,000 fish (Table 1). During 2012–2017, the number of commercial participants in the striped bass fishery in the Tar-Pamlico and Neuse rivers ranged from 63 to 97 participants (NCDMF 2019; Supplement A). A 10-fish commercial daily limit per operation could potentially result in over 20,000 striped bass harvested if commercial effort and participation were high during April.

To limit harvest levels below what occurred from 2004–2018, the daily possession limit will be one fish per person for both the commercial and recreational sectors. The intent is to not allow a directed commercial gill net fishery but allow limited incidental harvest in other gill net fisheries occurring in April (e.g., American shad anchored large-mesh gill net fishery, spotted seatrout and striped mullet small mesh runaround gill net fisheries). The Amendment 2 Adaptive Management Framework provides for adjustment of management measures, including area, time, and gear restrictions if it is determined additional protections for the stocks are needed. As described in Amendment 2, additional restrictions on the use of large mesh gill nets during the open shad season will also be implemented to limit incidental capture of striped bass. Analysis of observer data shows striped bass are less abundant in shad nets set greater than 200 yards offshore (striped bass observed in only 26% of nets), while harvest of hickory and American shad was not significantly impacted. All other small and large mesh regulations currently in rule will remain in effect (Figure 12).

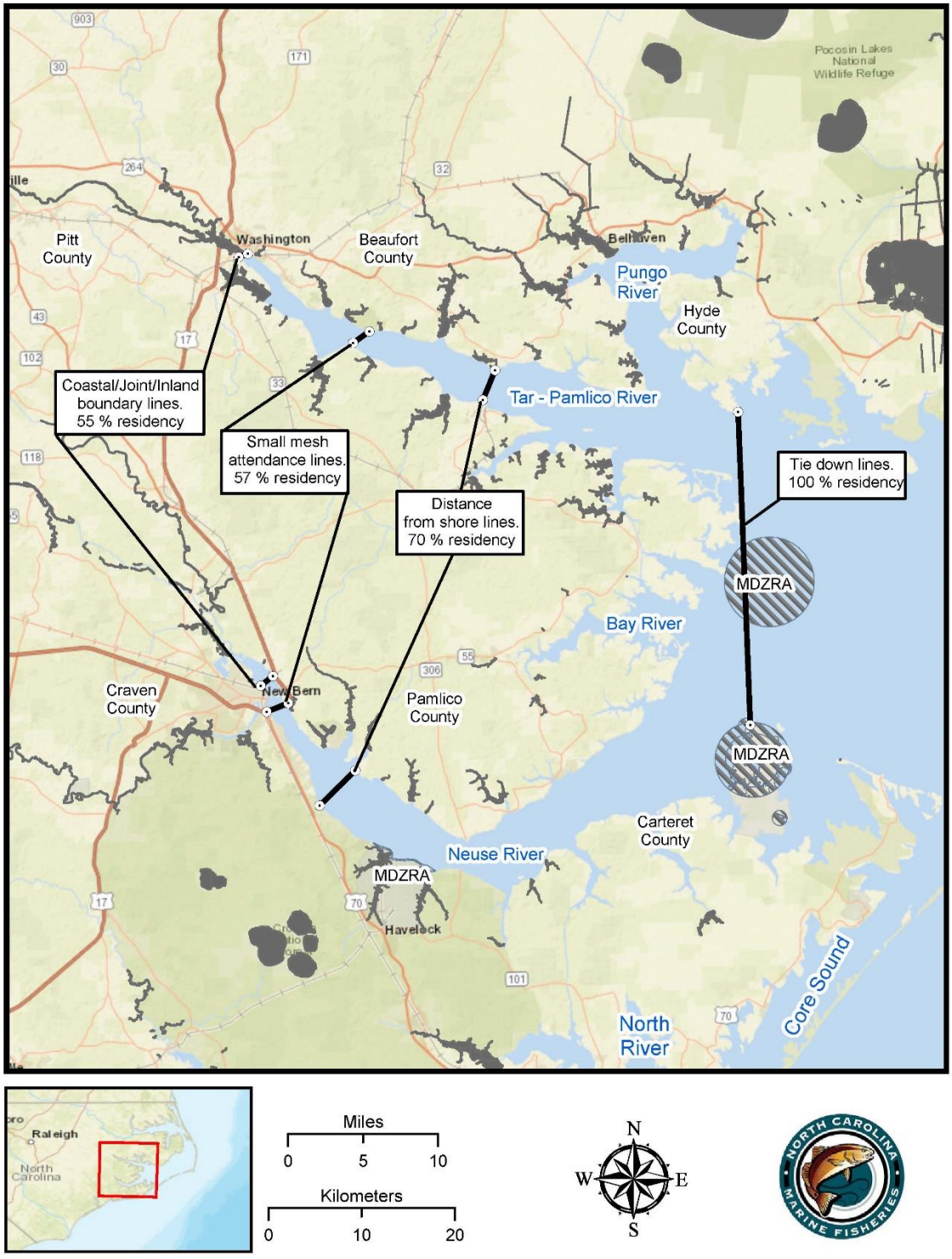

Figure 10. Harvest area lines analyzed using acoustic tagged hatchery stocked striped bass in the Tar-Pamlico and Neuse rivers during the month of April, 2020–2021.

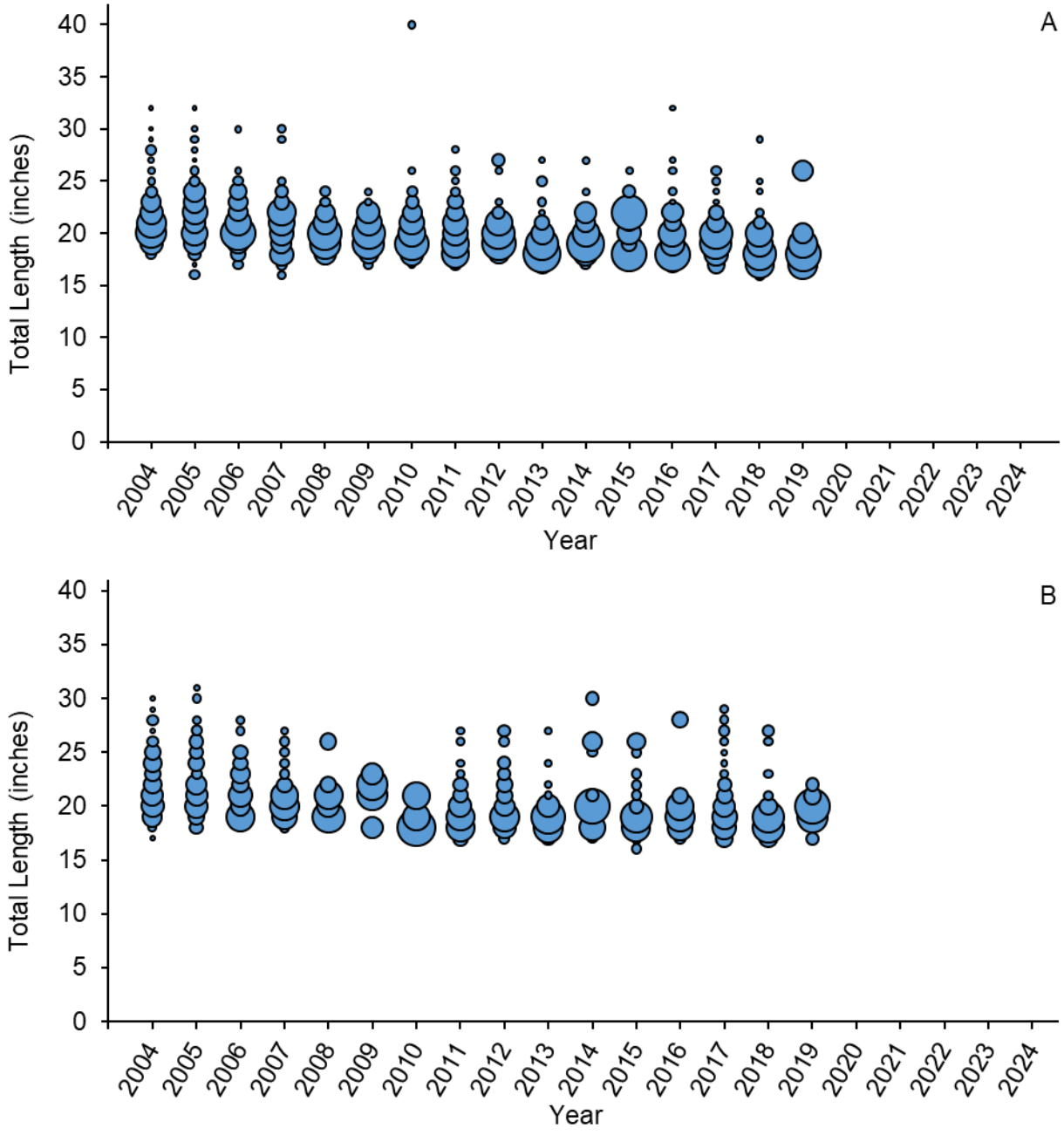

Figure 11. Recreational length frequency of measured striped bass harvested in the Tar-Pamlico/Pungo rivers (A), and the Neuse River (B), 2004–2024. Bubbles represent fish at length and the bubble size is proportional to the number of fish at that length. There was a limited recreational harvest season in 2019 (January 1–March 19, 2019) prior to the harvest closure.

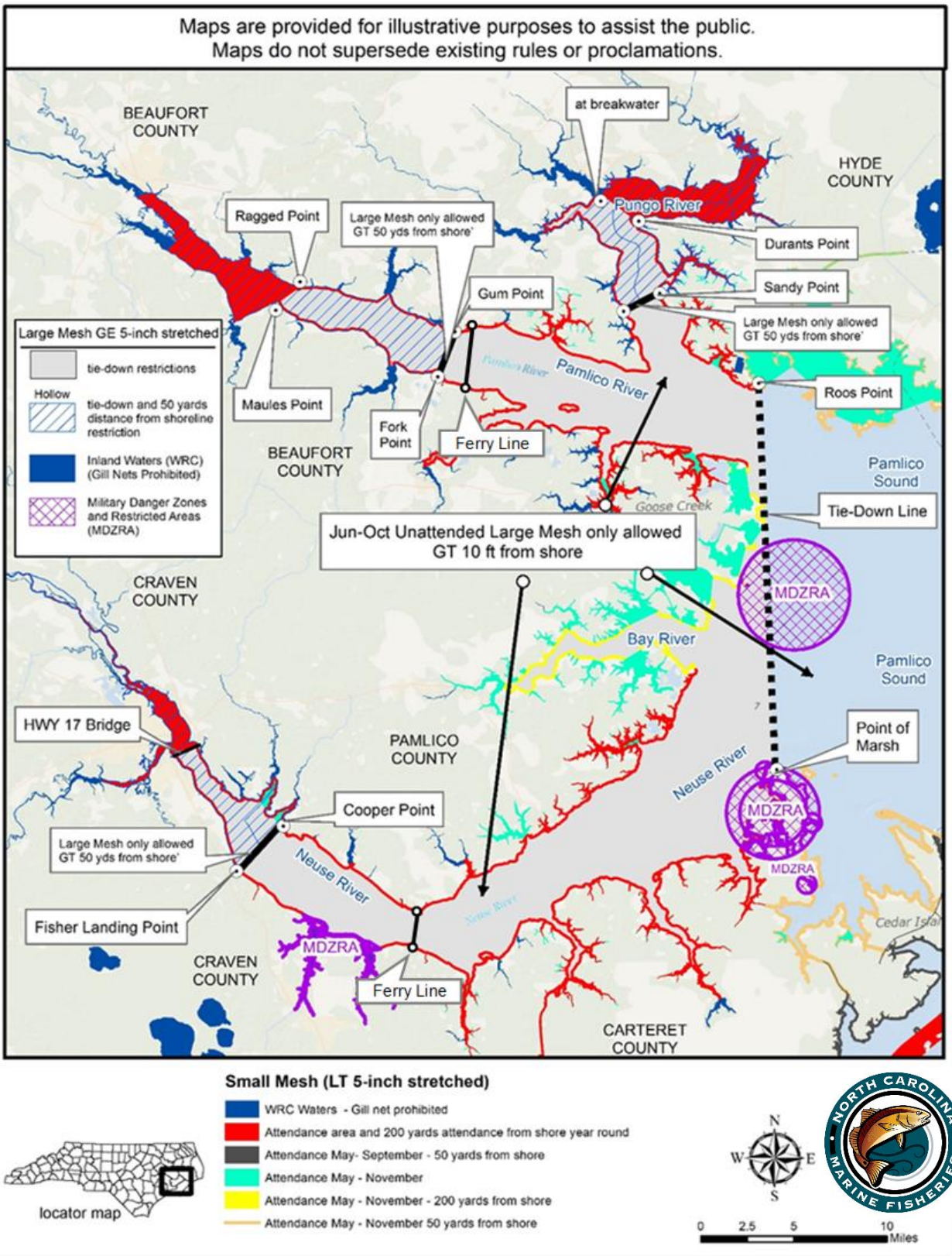

Figure 12. Gill net regulations in the Tar-Pamlico and Neuse rivers.

Per the Amendment 2 adaptive management framework described in the use of hook-and-line as a commercial gear in the estuarine striped bass fishery issue paper, hook-and-line will be a legal commercial gear for directed harvest of striped bass in the coastal and joint waters of the Tar-Pamlico and Neuse rivers with a possession limit of one fish per person per day, 18–22 in. TL, or >27 in. TL. Dealers will still have the requirement to tag each striped bass landed and to call in landings in pounds and the number of tags used each day.

Harvest Daily Possession Limit Management: one fish per person daily possession limit for both the commercial and recreational sectors. Hook-and-line gear will be a legal commercial gear to directly harvest striped bass when the harvest season opens. Incidental harvest of striped bass in commercial gill net fisheries will also be allowed.

MONITORING AND ADAPTIVE MANAGEMENT

It is crucial to evaluate both the total level of harvest and the percent of harvest attributed to hatchery or A-R striped bass (assuming all non-hatchery 'wild' striped bass are from the A-R stock) during the April harvest seasons. Fin clips will be obtained from the commercial and recreational fisheries and analyzed to determine the percentage of hatchery versus 'wild' fish in the harvest. If harvest of A-R striped bass is determined to be excessive, the Amendment 2 adaptive management framework will be used to implement changes to the Harvest Management Strategy prior to future harvest seasons. Additional information collected from the recreational and commercial harvest, including length and age, will provide important information to further monitor the stocks.

Onboard observer coverage in the applicable gill net fisheries will be important so estimates of striped bass discards can be calculated. If striped bass discards are excessive, the Amendment 2 adaptive management framework will be used to implement changes to the Harvest Management Strategy prior to future harvest seasons.

PROPOSED RULE(S)

DMF and WRC staff plan to begin the process for joint rulemaking to establish a consistent size limit for striped bass fisheries across all jurisdictions and management areas. Establishing a consistent size limit will provide protection for larger, older striped bass, alleviate angler confusion, and ease enforcement of size limits.

FINAL MANAGEMENT STRATEGY

- Recreational and commercial harvest season for striped bass in the Coastal and Joint fishing waters, and recreational harvest season in the Inland fishing waters of the Tar-Pamlico and Neuse rivers, including all adjacent tributaries, upstream of the distance from shore demarcation lines (Figure 12).
- The season will be open April 1–30.
- One fish per person per day possession limit for recreational and commercial sectors
- Harvest slot of 18–22 in. TL, or over 27 in. TL.
- Hook-and-line will be a legal commercial gear in the Coastal and Joint fishing waters.

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NC Marine Fisheries Commission

Rulemaking

November 2025 Quarterly Business Meeting

Documents

Rulemaking Update Memo

2024-2025 Annual Rulemaking Cycle

2025-2026 Annual Rulemaking Cycle

- News Release
- Proposed Rules N.C. Register Excerpt
- Public Comments
- Public Hearing Summary

2026-2027 Annual Rulemaking Cycle

JOSH STEIN
Governor
D. REID WILSON
Secretary
KATHY B. RAWLS
Director

November 5, 2025

MEMORANDUM

TO: N.C. Marine Fisheries Commission

FROM: Catherine Blum, Rulemaking Coordinator
Marine Fisheries Commission Office

SUBJECT: Rulemaking Update

Issue
Update the N.C. Marine Fisheries Commission (MFC) on the status of rulemaking in support of the 2024-2025, 2025-2026, and 2026-2027 rulemaking cycles.

Findings

- 2024-2025 Rulemaking Cycle – Update
  - At its August 2024 business meeting, the MFC began the process for eight rules in this cycle about pot marking requirements, false albacore management, and the Interstate Wildlife Violator Compact.
  - The Interstate Wildlife Violator Compact rules became effective June 1, 2025.
  - The pot marking requirements and false albacore management rules will be available for legislative review in the 2026 short session.
- 2025-2026 Rulemaking Cycle – **Action**
  - At its May 2025 business meeting, the MFC began the process for nine rules in this cycle about permits, and franchises and shellfish leases.
  - On August 1, 2025, the proposed rules were published in the *N.C. Register*, beginning the public comment process; a news release was issued.
  - A public hearing was held on August 26, 2025, at 6 p.m. via WebEx with a listening station in Morehead City.
  - The public comment period closed September 30, 2025.
  - The public comments will be presented to the MFC at its November 2025 business meeting when it is scheduled to vote on final approval of the rules.
  - The rules are subject to legislative review, so they will have a delayed effective date.
- 2026-2027 Rulemaking Cycle – Update
  - Per the MFC's August 21, 2025, motion, the N.C. Division of Marine Fisheries (DMF) is developing rulemaking language for a five-fish recreational bag limit per person for Atlantic bonito.
  - DMF staff will provide a preview of the draft rulemaking language at the MFC's November 2025 business meeting, with an issue paper containing management options to follow in February 2026.
  - The rulemaking process is scheduled to begin in May 2026, following fiscal analysis of the proposed rule.

Action Needed
The MFC is scheduled to vote on final approval of the 2025-2026 rule package at its November 2025 business meeting.

2024-2025 Rulemaking Cycle (8 rules)
At its August 2024 business meeting, the MFC approved Notice of Text for Rulemaking to begin the process for eight rules about pot marking requirements, false albacore management, and the Interstate Wildlife Violator Compact. A table showing the timing of the steps in the process is included in the rulemaking section of the briefing materials. On October 1, 2024, a news release was issued and the proposed rules were published in the *N.C. Register*, beginning the public comment period. The MFC accepted public comments on the proposed rules from October 1 through December 2, 2024. A public hearing was held on October 30, 2024. The public comments received were presented to the MFC at its February 2025 business meeting when it gave final approval of the rules.

The N.C. Rules Review Commission (RRC) approved two of the rules on April 24, 2025; both rules will be available for legislative review in the 2026 short session (pots, false albacore). The RRC approved five rules on May 29, 2025; one rule was withdrawn as it was determined to be unnecessary. These five rules became effective June 1, 2025 (Interstate Wildlife Violator Compact; 15A NCAC 03O .0600). A summary of the remaining two subjects is provided below.

POT MARKING REQUIREMENTS RULE AMENDMENTS (1 rule)
Proposed amendments would simplify pot marking requirements for commercial fishermen by requiring only one of three ways to mark pot buoys, not two ways: 1) gear owner's current motorboat registration number; or 2) gear owner's U.S. vessel documentation name; or 3) gear owner's last name and initials. The current rule requires the gear owner's last name and initials be identified on each buoy as a baseline. Then, if a vessel is used, the identification must also include either the gear owner's current motorboat registration number or the gear owner's U.S. vessel documentation name. There have been no problems with pot identification and pot identification would be sufficient via a single identifier. The proposed amendments would simplify the requirements and grant some relief to commercial fishermen that use pots in their commercial fishing operation. The rule is automatically subject to legislative review pursuant to Session Law 2019-198 and N.C.G.S. § 14-4.1.

FALSE ALBACORE MANAGEMENT RULE ADOPTION (1 rule)
The proposed adoption of this rule would provide a mechanism to implement management measures to cap harvest when the false albacore fishery landings exceed a threshold of 200% of average landings from both sectors combined from 2018 to 2022. Harvest restrictions would be implemented if the threshold is exceeded as a means to prevent further expansion of the false albacore fisheries beyond the threshold. Currently, there are no rules in place for management of false albacore in North Carolina. There is no baseline stock assessment for false albacore and thus, no biological basis for reducing harvest. The only mechanism to monitor false albacore is through annual landings in North Carolina, which is not a measure for sustainability of the stock. While there is no need to manage to meet sustainability requirements, the MFC is seeking proactive management of false albacore to limit expansion of new and existing fisheries. Management options would include commercial trip limits, recreational bag limits, and recreational vessel limits. The rule is subject to legislative review pursuant to N.C.G.S. § 150B-21.3.

2025-2026 Rulemaking Cycle (9 rules)

At its May 2025 business meeting, the MFC approved Notice of Text for Rulemaking to begin the process for nine rules about permits, and franchises and shellfish leases. A summary of the proposed rules by subject is provided below. A table showing the timing of the steps in the process is included in the rulemaking section of the briefing materials.

On August 1, 2025, the proposed rules were published in the *N.C. Register*, beginning the public comment period; a news release was issued. A public hearing was held on August 26, 2025, at 6 p.m. via WebEx with a listening station in Morehead City. No members of the public were in attendance. The public comment period closed September 30, 2025; two public comments were received. One public commenter wrote they do not support codifying the Estuarine Gill Net Permit in permanent rule because they do not support the use of gill nets. A second public commenter wrote they do not support requiring any seafood dealer that reports electronically to report quota monitoring logs electronically; however, the person did not understand that reporting by fax or email (in addition to reporting online) are acceptable methods and, once that was explained, no longer had an objection.

The public comments will be presented to the MFC at its November 2025 business meeting when it is scheduled to vote on final approval of the rules. A copy of the public comments is included in the rulemaking section of the briefing materials. If approved, the proposed rules will be automatically subject to legislative review in the 2026 legislative session pursuant to Session Law 2019-198 and N.C.G.S. § 14-4.1 and thus would have a delayed effective date.

PERMIT RULE AMENDMENTS (5 rules)
(15A NCAC 03I .0101, .0114, 03O .0501-.0503)

Consistent with N.C.G.S. § 150B-19.1, Requirements for agencies in the rule-making process, DMF employees reviewed several MFC rules with permit requirements and suggested amendments to several rules that would achieve a variety of actions. These actions would add requirements to permanent rules that are no longer variable in nature, increase efficiencies for quota monitoring, protect DMF employees and improve data collection and public health protection, reduce the burden on regulated stakeholders, clarify rules, and remove outdated or unnecessary requirements from rules.

An issue paper was provided to the MFC at its May 2025 business meeting that provides information about the affected permits, processes, and requirements, as well as a detailed description of the proposed rule amendments, which are expected to accomplish the following:

- Update and clarify MFC rules, including:
    - Adding four permits to permanent rule that are currently issued by proclamation;
    - Clarifying a fish dealer is required to submit a trip ticket for fish not sold consistent with N.C. law and MFC rules for commercial harvest reporting requirements;
    - Relocating from proclamation to rule the permit condition that makes it unlawful to refuse to allow DMF employees to obtain data for the conservation and management of marine and estuarine resources;
    - Broadening the definition of "educational institution" to better align with the original purpose of two permits;

  - Adding links to webpages in rules for supporting information that can change frequently; and
  - Repealing the Horseshoe Crab Biomedical Use Permit;
- Reduce burden on regulated stakeholders, including:
  - Adding email as an additional means to satisfy call-in requirements for two permits; and
  - Removing the requirement to notarize a permit application, instead requiring the initial permit general condition form to be notarized. This is a more appropriate time in the permit issuance process to verify a permittee's identity; and
- Achieve efficiencies for quota monitored fisheries by requiring any seafood dealer that reports trip tickets electronically to report quota monitoring logs electronically.

CONFORMING RULE AMENDMENTS FOR FRANCHISES AND SHELLFISH LEASES (5 rules) (15A NCAC 03I .0101, 03O .0201, .0207, .0208, .0210)

Shellfish franchises recognized under N.C.G.S. § 113-206 are perpetual. The DMF has understood that because franchises are perpetual, the DMF does not have the authority to terminate franchises and thus subjecting a franchise to production requirements would have no consequence. The N.C. General Assembly codified this understanding with the passage of Session Law 2024-32, Section 5.(a), which removed franchises from the production requirements of Session Law 2019-37, Section 3. The MFC's authority over private and protected deeded rights of a shellfish franchise is limited to subjects such as proper marking requirements and permitting of the aquaculture activities occurring on a franchise. So, proposed amendments include the removal of franchises from all shellfish production requirements, as the production requirements are grounds for termination of a leasehold only. Proposed amendments also remove franchises from the rule for termination procedures.

Additional proposed amendments in 15A NCAC 03O .0201, in Paragraphs (d) through (g), clarify production requirements for shellfish leases based on the date a shellfish lease was granted or last renewed. Additional amendments to Paragraphs (i) and (j) clarify who determines eligibility for additional shellfish lease acreage, the time at which the determination of eligibility for additional acreage occurs, what is considered additional shellfish lease acreage, and what is considered acres under a shellfish lease. An issue paper was provided to the MFC at its May 2025 business meeting that provides background information and a detailed description of the proposed rule amendments.

While clarifying amendments are proposed in this issue paper for shellfish leaseholders, it is important to note that the primary reason for the proposed rule amendments is to undertake a paper exercise to align MFC rules with current DMF procedures and N.C. General Assembly authority for shellfish aquaculture, neither of which has changed in practice in recent years relative to requirements for franchises. This issue paper presents a single option for consideration, as it is the only option that achieves the objective of the proposed rule changes: to align with current statutory authority and DMF procedures for franchises and shellfish leases, consistent with N.C. Session Law 2019-37, Section 3 as amended by N.C. Session Law 2024-32, Section 5.(a), as well as rulemaking requirements in the Administrative Procedure Act. This option complies with State law and clarifies MFC rules by removing out-of-date requirements, but it requires undergoing the lengthy rulemaking process.

2026-2027 Rulemaking Cycle (potentially 1 rule)

At its May 2024 business meeting, the MFC passed a motion to request DMF staff develop an issue paper for Atlantic bonito management, including landings information and proposed rule language, using the previous sheepshead issue paper (February 11, 2013) as a model to follow. Discussions among commissioners noted concerns expressed by recreational stakeholders about angler behavior changing in targeting Atlantic bonito in more recent years and the potential need to implement a recreational bag limit. Further concerns expressed by the MFC identified limited information about Atlantic bonito in this part of the Atlantic Ocean and no measure of stock status for the population, and whether these recent increases in recreational catches may not be due to more fish, but rather due to changes in fishing tactics and new technologies available to recreational anglers to improve their success in catching Atlantic bonito when available in state waters. Commissioners did not express concern for commercial catches due to a limited shelf life as a fresh product and not being desirable frozen as likely reasons behind no similar increase in commercial harvest occurring. Potential waste of the resource was discussed, since there are no current limits on Atlantic bonito. The MFC also identified the need to learn more about the fisheries and develop a rule to implement regulations to get ahead of a potential problem.

Commissioners continued discussions on Atlantic bonito at their August and November 2024, and May 2025 business meetings with an urgency to be proactive in their management and continued to stress the need to implement a bag limit in the recreational fishery. After key DMF vacancies were filled, DMF staff presented background information about the life history and catch characteristics of Atlantic bonito to the MFC at its August 2025 business meeting. Commissioners discussed that Atlantic bonito appear to behave differently off southeast North Carolina than in other locations along the coast, showing preference for structure and pondered if these preferences are associated with spawning, thereby making Atlantic bonito more vulnerable to harvest. Commissioners mentioned that the presentation illustrated the increasing trends in recreational landings with smaller fish being caught in recent years and discussed the potential for implementing both a bag limit and possibly a size limit on the recreational sector. The MFC passed a motion to ask the DMF staff to bring proposed rulemaking language for a five-fish recreational bag limit per person for Atlantic bonito to its November 2025 business meeting.

The DMF is developing an issue paper containing background information, authority for management, and discussion of potential management options, including a proposed rule. The issue paper will be presented to the MFC at its February 2026 business meeting when it is scheduled to vote on its preferred management option for Atlantic bonito. If the MFC selects a proposed rule as its preferred management option, a fiscal analysis will be developed and presented to the Office of State Budget and Management for approval. If the fiscal analysis is approved, at its May 2026 business meeting the MFC would vote on approval of Notice of Text for Rulemaking to begin the process for its 2026-2027 annual rulemaking cycle, including a proposed rule for Atlantic bonito management. A table showing the approximate timing of the steps in the process is included in the rulemaking section of the briefing materials. Additional details will be added to the table approaching the start of the formal rulemaking process. At this time, no other proposed rules are under development for this cycle.

N.C. Marine Fisheries Commission
2024-2025 Annual Rulemaking Cycle

November 2025

Time of Year	Action
February-July 2024	Fiscal analysis of rules prepared by DMF staff and approved by Office of State Budget and Management
Aug. 23, 2024	MFC approved Notice of Text for Rulemaking
Oct. 1, 2024	Publication of proposed rules in the *North Carolina Register*
Oct. 1-Dec. 2, 2024	Public comment period held
Oct. 30, 2024, 6 p.m.	Public hearing held via WebEx with listening station
March 12, 2025	MFC received public comments and gave final approval of eight permanent rules
April 24, 2025	Two rules subject to legislative review approved by Office of Administrative Hearings/Rules Review Commission (15A NCAC 03J .0301, 03M .0523)
May 29, 2025	Five rules approved by Office of Administrative Hearings/Rules Review Commission and one rule withdrawn (15A NCAC 03O .0600)
June 1, 2025	Effective date of five rules not automatically subject to legislative review
June 1, 2025	Rulebook supplement available online
2026 legislative session	**Possible effective date of two rules subject to legislative review per S.L. 2019-198 and G.S. 14-4.1, and G.S. 150B-21.3**
2026 legislative session	Rulebook supplement available online pending legislative review process

N.C. Marine Fisheries Commission
2025-2026 Annual Rulemaking Cycle

November 2025

Time of Year	Action
February-April 2025	Fiscal analysis of rules prepared by DMF staff and approved by Office of State Budget and Management
May 22, 2025	MFC approved Notice of Text for Rulemaking
Aug. 1, 2025	Publication of proposed rules in the *North Carolina Register*
Aug. 1-Sept. 30, 2025	Public comment period held
August 26, 2025, 6 p.m.	Public hearing held via WebEx with listening station at NCDEQ Division of Marine Fisheries Central District Office at 5285 Highway 70 West, Morehead City
November 2025	**MFC receives public comments and votes on final approval of permanent rules**
January 2026	Rules reviewed by Office of Administrative Hearings/ Rules Review Commission
2026 legislative session	Possible effective date of rules subject to legislative review per S.L. 2019-37, Section 3, as amended by S.L. 2024-32, Section 5.(a); and S.L. 2019-198 and G.S. 14-4.1
2026 legislative session	Rulebook supplement available online pending legislative review process

Aug. 1, 2025

Comment period opens, public hearing scheduled for marine fisheries rules

MOREHEAD CITY – The N.C. Marine Fisheries Commission is accepting public comment on nine proposed rules pertaining to permits, and franchises and shellfish leases.

A public hearing will be held by WebEx on Aug. 26, 2025, at 6 p.m. A listening station will be established at the NCDEQ Division of Marine Fisheries Central District Office at 5285 Highway 70 West, Morehead City.

The public may join the meeting online; however, those who wish to comment during the hearing must register to speak by noon on the day of the hearing. Those who wish to speak at the listening station may sign up when they arrive.

WHO: Marine Fisheries Commission
WHAT: Public Hearing for Proposed Rules
WHEN: Aug. 26, 2025, at 6 p.m.
WHERE: Meeting by Web Conference

Members of the public may also submit written comments through an online form or through the mail to:

N.C. Marine Fisheries Commission Rules Comments
P.O. Box 769
Morehead City, N.C. 28557

Comments must be posted online or received by the Division of Marine Fisheries by 5 p.m. Sept. 30, 2025.

Links to the public hearing registration form and online comment form, as well as text of the proposed rules and links to join the meeting, can be found on the N.C. Marine Fisheries Commission's 2025-2026 Proposed Rules Webpage.

Permit Rule Amendments – Proposed amendments to five rules (15A NCAC 03I .0101, .0114, 03O .0501-.0503) would:

- Require any seafood dealer that reports trip tickets electronically to report quota monitoring logs electronically;

- Add four permits to permanent rule that are currently issued by proclamation, including a dealer permit for the estuarine flounder fishery and the Estuarine Gill Net Permit. There are no changes to current requirements;
- Clarify a fish dealer is required to submit a trip ticket for fish not sold consistent with North Carolina law and MFC rules for commercial harvest reporting requirements;
- Relocate from proclamation to rule the permit condition that makes it unlawful to refuse to allow DMF employees to obtain data for the conservation and management of marine and estuarine resources;
- Broaden the definition of "educational institution" to include schools and educational organizations;
- Add links to webpages in rules for supporting information that can change frequently;
- Repeal the Horseshoe Crab Biomedical Use Permit due to lack of use. Harvest would continue to be allowed during the open commercial bait harvest season;
- Add email as an additional means to satisfy call-in requirements for two permits; and
- Remove the requirement to notarize a permit application and instead require only the initial permit general condition form to be notarized.

Shellfish Leases and Franchises Rule Amendments: Proposed amendments to 5 rules (15A (NCAC 03I .0101, 03O .0201, .0207, .0208, .0210) would codify current procedures and align rules with state laws by:

- Removing franchises from productions requirements and termination procedures;
- Clarifying that production requirements for shellfish leases are based on the date a shellfish lease was granted or last renewed; and
- Clarifying who determines eligibility for additional shellfish lease acreage, the time at which the determination of eligibility for additional acreage occurs, what is considered additional shellfish lease acreage, and what is considered acres under a shellfish lease.

The proposed rule changes will be presented to the N.C. Marine Fisheries Commission for final approval in November 2025. If approved, the effective date of the rules would be pending legislative review in 2026.

For questions about the N.C. Marine Fisheries Commission rulemaking process, email Catherine Blum, rules coordinator for the Division of Marine Fisheries.

For More Information
Contact: Patricia Smith
Phone: 252-515-5500

Website: https://www.deq.nc.gov/dmf
Facebook: https://www.facebook.com/NCMarineFisheries

Instagram: https://www.instagram.com/NC_DMF
Twitter: https://twitter.com/NC_DMF
P.O. Box 769, 3441 Arendell St., Morehead City N.C. 28577

NORTH CAROLINA REGISTER

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August 1, 2025

PUBLISHED BY
The Office of Administrative Hearings
Rules Division
1711 New Hope Church Road
Raleigh, NC 27609
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Melissa Owens Lassiter, Director
Brian Liebman, Codifier of Rules
Julie B. Eddins, Publications Coordinator

Contact List for Rulemaking Questions or Concerns

For questions or concerns regarding the Administrative Procedure Act or any of its components, consult with the agencies below. The bolded headings are typical issues which the given agency can address but are not inclusive.

Rule Notices, Filings, Register, Deadlines, Copies of Proposed Rules, etc.

Office of Administrative Hearings
Rules Division
1711 New Hope Church Road — 984-236-1850
Raleigh, North Carolina 27609 — 984-236-1947 FAX

contact:	Brian Liebman, Codifier of Rules	brian.liebman@oah.nc.gov	984-236-1941
	Julie B. Eddins, Publications Coordinator	julie.eddins@oah.nc.gov	984-236-1937

Rule Review and Legal Issues

Rules Review Commission
1711 New Hope Church Road — 984-236-1850
Raleigh, North Carolina 27609 — 984-236-1947 FAX

contact:	Seth M. Ascher, Commission Counsel	seth.ascher@oah.nc.gov	984-236-1934
	Travis Wiggs, Commission Counsel	travis.wiggs@oah.nc.gov	984-236-1929
	Alexander Burgos, Paralegal	alexander.burgos@oah.nc.gov	984-236-1940

Fiscal Notes & Economic Analysis

Office of State Budget and Management
116 West Jones Street
Raleigh, North Carolina 27603-8005
Contact: Julie Ventaloro, Economic Analyst — osbmruleanalysis@osbm.nc.gov — 984-236-0694

Fiscal Research Division
Legislative Office Building
300 N. Salisbury Street, Suites 619 and 400
Raleigh, NC 27603-5925
Contact: Brian Matteson — brian.matteson@ncleg.gov — 919-733-4910

NC Association of County Commissioners — 919-715-2893
215 North Dawson Street
Raleigh, North Carolina 27603
contact: Amy Bason — amy.bason@ncacc.org

NC League of Municipalities — 919-715-2925
424 Fayetteville Street, Suite 1900
Raleigh, North Carolina 27601
contact: Baxter Wells — bwells@nclm.org

Legislative Process Concerning Rulemaking

545 Legislative Office Building
300 North Salisbury Street — 919-733-2578
Raleigh, North Carolina 27611 — 919-715-5460 FAX

Jason Moran-Bates, Staff Attorney
Chris Saunders, Staff Attorney
Aaron McGlothlin, Staff Attorney

NORTH CAROLINA REGISTER

Publication Schedule for January 2025 – December 2025

FILING DEADLINES			NOTICE OF TEXT		PERMANENT RULE			TEMPORARY RULES
Volume & issue number	Issue date	Last day for filing	Earliest date for public hearing	End of required comment Period	Deadline to submit to RRC for review at next meeting	RRC Meeting Date	Earliest Eff. Date of Permanent Rule	270th day from publication in the Register
39:13	01/02/25	12/06/24	01/17/25	03/03/25	03/20/25	04/24/2025	05/01/25	09/29/25
39:14	01/15/25	12/19/24	01/30/25	03/17/25	03/20/25	04/24/2025	05/01/25	10/12/25
39:15	02/03/25	01/10/25	02/18/25	04/04/25	04/20/25	05/29/2025	06/01/25	10/31/25
39:16	02/17/25	01/27/25	03/04/25	04/21/25	05/20/25	06/26/2025	07/01/25	11/14/25
39:17	03/03/25	02/10/25	03/18/25	05/02/25	05/20/25	06/26/2025	07/01/25	11/28/25
39:18	03/17/25	02/24/25	04/01/25	05/16/25	05/20/25	06/26/2025	07/01/25	12/12/25
39:19	04/01/25	03/11/25	04/16/25	06/02/25	06/20/25	07/30/2025	08/01/25	12/27/25
39:20	04/15/25	03/25/25	04/30/25	06/16/25	06/20/25	07/30/2025	08/01/25	01/10/26
39:21	05/01/25	04/09/25	05/16/25	06/30/25	07/20/25	08/28/2025	09/01/25	01/26/26
39:22	05/15/25	04/24/25	05/30/25	07/14/25	07/20/25	08/28/2025	09/01/25	02/09/26
39:23	06/02/25	05/09/25	06/17/25	08/01/25	08/20/25	09/25/2025	10/01/25	02/27/26
39:24	06/16/25	05/23/25	07/01/25	08/15/25	08/20/25	09/25/2025	10/01/25	03/13/26
40:01	07/01/25	06/10/25	07/16/25	09/02/25	09/20/25	10/30/2025	11/01/25	03/28/26
40:02	07/15/25	06/23/25	07/30/25	09/15/25	09/20/25	10/30/2025	11/01/25	04/11/26
40:03	08/01/25	07/11/25	08/16/25	09/30/25	10/20/25	11/20/2025	12/01/25	04/28/26
40:04	08/15/25	07/25/25	08/30/25	10/14/25	10/20/25	11/20/2025	12/01/25	05/12/26
40:05	09/02/25	08/11/25	09/17/25	11/03/25	11/20/25	12/18/2025	01/01/26	05/30/26
40:06	09/15/25	08/22/25	09/30/25	11/14/25	11/20/25	12/18/2025	01/01/26	06/12/26
40:07	10/01/25	09/10/25	10/16/25	12/01/25	12/20/25	*01/29/2026	02/01/26	06/28/26
40:08	10/15/25	09/24/25	10/30/25	12/15/25	12/20/25	*01/29/2026	02/01/26	07/12/26
40:09	11/03/25	10/13/25	11/18/25	01/02/26	01/20/26	*02/26/2026	03/01/26	07/31/26
40:10	11/17/25	10/24/25	12/02/25	01/16/26	01/20/26	*02/26/2026	03/01/26	08/14/26
40:11	12/01/25	11/05/25	12/16/25	01/30/26	02/20/26	*03/26/2026	04/01/26	08/28/26
40:12	12/15/25	11/20/25	12/30/25	02/13/26	02/20/26	*03/26/2026	04/01/26	09/11/26

*Dates not approved by RRC

EXPLANATION OF THE PUBLICATION SCHEDULE

This Publication Schedule is prepared by the Office of Administrative Hearings as a public service and the computation of time periods are not to be deemed binding or controlling. Time is computed according to 26 NCAC 2C .0302 and the Rules of Civil Procedure, Rule 6.

GENERAL

The North Carolina Register shall be published twice a month and contains the following information submitted for publication by a state agency:

(1) temporary rules;
(2) text of proposed rules;
(3) text of permanent rules approved by the Rules Review Commission;
(4) emergency rules
(5) Executive Orders of the Governor;
(6) final decision letters from the U.S. Attorney General concerning changes in laws affecting voting in a jurisdiction subject of Section 5 of the Voting Rights Act of 1965, as required by G.S. 120-30.9H; and
(7) other information the Codifier of Rules determines to be helpful to the public.

COMPUTING TIME: In computing time in the schedule, the day of publication of the North Carolina Register is not included. The last day of the period so computed is included, unless it is a Saturday, Sunday, or State holiday, in which event the period runs until the preceding day which is not a Saturday, Sunday, or State holiday.

FILING DEADLINES

ISSUE DATE: The Register is published on the first and fifteen of each month if the first or fifteenth of the month is not a Saturday, Sunday, or State holiday for employees mandated by the State Human Resources Commission. If the first or fifteenth of any month is a Saturday, Sunday, or a holiday for State employees, the North Carolina Register issue for that day will be published on the day of that month after the first or fifteenth that is not a Saturday, Sunday, or holiday for State employees.

LAST DAY FOR FILING: The last day for filing for any issue is 15 days before the issue date excluding Saturdays, Sundays, and holidays for State employees.

NOTICE OF TEXT

EARLIEST DATE FOR PUBLIC HEARING: The hearing date shall be at least 15 days but not later than 60 days after the date a notice of the hearing is published.

END OF REQUIRED COMMENT PERIOD An agency shall accept comments on the text of a proposed rule for at least 60 days after the text is published.

DEADLINE TO SUBMIT TO THE RULES REVIEW COMMISSION: The Commission shall review a rule submitted to it on or before the twentieth of a month by the last day of the next month.

~~(29)~~(30) Nitrogen, Total Kjeldahl;
~~(30)~~(31) Oil and Grease;
~~(31)~~(32) Orthophosphate;
~~(32)~~(33) Paint Filter Liquids;
~~(33)~~(34) pH;
~~(34)~~(35) Phenols;
~~(35)~~(36) Phosphorus, Total;
~~(36)~~(37) Residue, Settleable;
~~(37)~~(38) Residue, Total;
~~(38)~~(39) Residue, Total Dissolved;
~~(39)~~(40) Residue, Total Suspended;
~~(40)~~(41) Residue, Volatile;
~~(41)~~(42) Salinity;
~~(42)~~(43) Salmonella;
~~(43)~~(44) Silica;
~~(44)~~(45) Sulfate;
~~(45)~~(46) Sulfide;
~~(46)~~(47) Sulfite;
~~(47)~~(48) Temperature;
~~(48)~~(49) Total Organic Carbon;
~~(49)~~(50) Turbidity;
~~(50)~~(51) Vector Attraction Reduction: Option 1;
~~(51)~~(52) Vector Attraction Reduction: Option 2;
~~(52)~~(53) Vector Attraction Reduction: Option 3;
~~(53)~~(54) Vector Attraction Reduction: Option 4;
~~(54)~~(55) Vector Attraction Reduction: Option 5;
~~(55)~~(56) Vector Attraction Reduction: Option 6;
~~(56)~~(57) Vector Attraction Reduction: Option 7;
~~(57)~~(58) Vector Attraction Reduction: Option 8; and
~~(58)~~(59) Vector Attraction Reduction: Option 12.

(c) Metals: Each of the metals listed in this Paragraph shall be considered a certifiable Parameter. One or more Parameter Methods shall be listed with a laboratory's certified Parameters. Analytical methods shall be determined from the sources listed in Rule .0805(a)(1) of this Section. Certifiable metals are as follows:

(1) Aluminum;
(2) Antimony;
(3) Arsenic;
(4) Barium;
(5) Beryllium;
(6) Boron;
(7) Cadmium;
(8) Calcium;
(9) Chromium, Hexavalent (Chromium VI);
(10) Chromium, Total;
(11) Chromium, Trivalent (Chromium III);
(12) Cobalt;
(13) Copper;
(14) Hardness, Total (Calcium + Magnesium);
(15) Iron;
(16) Lead;
(17) Lithium;
(18) Magnesium;
(19) Manganese;
(20) Mercury;
(21) Molybdenum;
(22) Nickel;
(23) Potassium;
(24) Phosphorus;
(25) Selenium;
(26) Silica;
(27) Silver;
(28) Sodium;
(29) Strontium;
(30) Thallium;
(31) Tin;
(32) Titanium;
(33) Vanadium; and
(34) Zinc.

(d) Organics: Each of the organic Parameters listed in this Paragraph shall be considered a certifiable Parameter. One or more Parameter Methods shall be listed with a laboratory's certified Parameters. Analytical methods shall be determined from the sources listed in Rule .0805(a)(1) of this Section. Certifiable organic Parameters are as follows:

(1) 1,2-Dibromoethane (EDB); 1,2-Dibromo-3-chloro-propane (DBCP); 1,2,3-Trichloropropane (TCP);
(2) Acetonitrile;
(3) Acrolein, Acrylonitrile;
(4) Adsorbable Organic Halides;
(5) Base/Neutral and Acid Organics;
(6) Benzidines;
(7) Chlorinated Acid Herbicides;
(8) Chlorinated Hydrocarbons;
(9) Chlorinated Phenolics;
(10) Explosives;
(11) Extractable Petroleum Hydrocarbons;
(12) Haloethers;
(13) N-Methylcarbamates;
(14) Nitroaromatics and Isophorone;
(15) Nitrosamines;
(16) Nonhalogenated Volatile Organics;
(17) Organochlorine Pesticides;
(18) Organophosphorus Pesticides;
(19) Per- and polyfluoroalkyl substances (PFAS);
(20) Pharmaceutical Pollutants
~~(20)~~(21) Phenols;
~~(21)~~(22) Phthalate Esters;
~~(22)~~(23) Polychlorinated Biphenyls;
~~(23)~~(24) Polynuclear Aromatic Hydrocarbons;
~~(24)~~(25) Purgeable Aromatics;
~~(25)~~(26) Purgeable Halocarbons;
~~(26)~~(27) Purgeable Organics;
~~(27)~~(28) Total Organic Halides;
~~(28)~~(29) Total Petroleum Hydrocarbons – Diesel Range Organics;
~~(29)~~(30) Total Petroleum Hydrocarbons – Gasoline Range Organics; and
~~(30)~~(31) Volatile Petroleum Hydrocarbons.

Authority G.S. 143-215.3(a)(1); 143-215.3(a)(10); Eff. February 1, 1976.

* * * * * * * * * * * * * * * * * * *

***Notice** is hereby given in accordance with G.S. 150B-21.2 that the Marine Fisheries Commission intends to amend the rules cited as*

15A NCAC 03I .0101, .0114; 03O .0201, .0207, .0208, .0210, and .0501-.0503.

Link to agency website pursuant to G.S. 150B-19.1(c): *https://deq.nc.gov/mfc-proposed-rules*

Proposed Effective Date: *Subject to Legislative Review*

Public Hearing:
Date: *August 26, 2025*
Time: *6:00 pm*
Location: *WebEx Events meeting link: https://ncgov.webex.com/ncgov/j.php?MTID=m5bba69179ac81774461e45721b2f9452 Event number: 2426 352 8767 Event password: 1234 Event phone number: 1-415-655-0003 Access code: 242 635 28767 Listening station: Division of Marine Fisheries Central District Office, 5285 Highway 70 West, Morehead City, NC 28557*

Reason for Proposed Action:

Permits

15A NCAC 03I .0101 DEFINITIONS
Proposed amendments broaden the definition of "educational institution" to better align with the original purpose of the Scientific and Educational Activity Permit and Coastal Recreational Fishing License Exemption Permit. Additional proposed amendments add a definition of "quota monitoring log" in support of requirements for dealer permits for monitoring fisheries under a quota or allocation, and a definition of "permittee" to address the ubiquitous and interchangeable use of "permittee" and "permit holder" (which is already defined) throughout N.C. Marine Fisheries Commission rules.

15A NCAC 03I .0114 RECORDKEEPING REQUIREMENTS
Proposed amendments set the same recordkeeping requirements for quota monitoring logs as for trip tickets for licensed fish dealers but apply only to dealers holding a permit for monitoring fisheries under a quota or allocation. Additional proposed amendments clarify a fish dealer is required to submit a trip ticket for fish not sold consistent with N.C. law and MFC rules for commercial harvest reporting requirements.

15A NCAC 03O .0501 PROCEDURES AND REQUIREMENTS TO OBTAIN PERMITS
Proposed amendments remove the requirement for a permit application signature to be notarized, instead requiring the initial permit general condition form to be notarized. This is a more appropriate time in the permit issuance process to verify a permittee's identity. Additional proposed amendments clarify existing requirements for holders of an Estuarine Gill Net Permit to hold a valid Recreational Commercial Gear License, Standard Commercial Fishing License, or Retired Standard Commercial Fishing License. Proposed amendments also add a link to the N.C. Division of Marine Fisheries website to access permit applications and related information.

15A NCAC 03O .0502 GENERAL PERMIT CONDITIONS
Proposed amendments relocate from proclamation to rule the permit condition that makes it unlawful to refuse to allow N.C. Division of Marine Fisheries (DMF) employees to obtain data for the conservation and management of marine and estuarine resources, and data for the protection of public health related to the public health programs that fall under the authority of the N.C. Marine Fisheries Commission. These requirements are in five other N.C. Marine Fisheries Commission rules, so the proposed amendments would bring consistency across rules and add clarity for regulated stakeholders.

15A NCAC 03O .0503 PERMIT CONDITIONS; SPECIFIC
Proposed amendments address seven items. First, proposed amendments relocate four existing permits from proclamation into rule: Estuarine Gill Net Permit, Estuarine Flounder Dealer Permit, Shellfish Lease Restoration Permit, and Shellfish Relocation Permit to aid in the clarity of existing requirements for the public. Relocating the permit requirements in rule has no real impact on holders of the permits as the application process, permit conditions, and reporting requirements would not change. Second, proposed amendments require any seafood dealer that reports trip tickets electronically be required to report quota monitoring logs electronically, improving the timeliness and accuracy of reporting. Third, proposed amendments include email as a way to satisfy the call-in requirements for Scientific and Educational Activity Permits and Permits for Weekend Trawling for Live Shrimp, making it easier for regulated stakeholders to forward required information to the N.C. Division of Marine Fisheries and improving the tracking of activity by the Division. Fourth, proposed amendments clarify requirements for a Coastal Recreational Fishing License Exemption Permit to reflect proposed changes to another rule that broadens the definition of "educational institution", to better align with the original purpose of the permit. Fifth, proposed amendments add a link to the N.C. Division of Marine Fisheries website to access information about which Division offices issue striped bass tags for permitted dealers. Sixth, management for horseshoe crabs falls under the Atlantic States Marine Fisheries Commission Interstate Fishery Management Plan for Horseshoe Crab, which establishes state-by-state quotas in all Atlantic states for horseshoe crabs harvested for bait and the requirement to collect information on the use of horseshoe crabs for biomedical purposes. The Horseshoe Crab Biomedical Use Permit was designed to collect that information but is proposed for repeal because the industry has not shown the anticipated growth since its inception over 25 years ago. Eliminating the permit would not disallow use of horseshoe crabs for biomedical purposes in North Carolina, but access to horseshoe crabs would be limited to the open commercial bait harvest season and counted towards the annual bait quota to maintain compliance with the Interstate Fishery Management Plan. Lastly, proposed amendments add nongovernmental conservation organizations as entities eligible for a Scientific or Educational Activity Permit that exempts the holder from N.C. license, rule, proclamation, or statutory requirements for approved scientific, educational, or conservation activities, pursuant to S.L. 2015-241, s. 14.10A.

Franchises and Shellfish Leases

15A NCAC 03I .0101 DEFINITIONS
Proposed amendments clarify the existing definition of "holder" to align occurrences of "franchise holder" throughout N.C. Marine Fisheries Commission rules with shellfish franchises recognized pursuant to N.C.G.S. § 113-206.

15A NCAC 03O .0201 STANDARDS AND REQUIREMENTS FOR SHELLFISH LEASES AND FRANCHISES
Proposed amendments include the removal of franchises from all shellfish production requirements, as the production requirements are grounds for termination of a leasehold only. Shellfish franchises recognized under N.C.G.S. § 113-206 are perpetual. The N.C. Division of Marine Fisheries has understood that because franchises are perpetual, the Division does not have the authority to terminate franchises and thus subjecting a franchise to production requirements would have no consequence. The N.C. General Assembly codified this understanding with the passage of Session Law 2024-32, Section 5.(a), which removed franchises from the production requirements of Session Law 2019-37, Section 3. The N.C. Marine Fisheries Commission's authority over private and protected deeded rights of a shellfish franchise is limited to subjects such as proper marking requirements and permitting of the aquaculture activities occurring on a franchise. Additional amendments in paragraphs (d) through (g) clarify production requirements for shellfish leases based on the date a shellfish lease was granted or last renewed. Additional amendments to paragraphs (a) and (i) clarify who determines eligibility for additional shellfish lease acreage, the time at which the determination of eligibility for additional acreage occurs, what is considered additional shellfish lease acreage, and what is considered acres under a shellfish lease.

15A NCAC 03O .0207 SHELLFISH LEASE AND FRANCHISE PRODUCTION REPORTS
Proposed amendments remove franchises from production report requirements. Franchises are perpetual and not subject to termination, and compliant production reports relate to procedures for termination.

15A NCAC 03O .0208 TERMINATION PROCEDURES FOR SHELLFISH LEASES AND FRANCHISES
Proposed amendments align the rule with Session Law 2024-32, Section 5.(a), by eliminating references to franchises.

15A NCAC 03O .0210 STANDARDS AND REQUIREMENTS FOR FRANCHISES
Proposed amendments clarify the proper activation of a shellfish franchise enables the franchise to be permitted, remove the time limit of 30 days following activation, and remove the method for evaluating production of a franchise, as franchises are perpetual and not subject to termination.

Comments may be submitted to: *Catherine Blum, PO Box 769, Morehead City, NC 28557 (Written comments may also be submitted via an online form available at https://deq.nc.gov/mfc-proposed-rules.)*

Comment period ends: *September 30, 2025*

Rule(s) is automatically subject to legislative review: *S.L. 2019-37, Section 3, as amended by S.L. 2024-32, Section 5.(a): 15A NCAC 03O .0201; S.L. 2019-198: 15A NCAC 03I .0114, 03O .0501-.0503*

Fiscal impact. Does any rule or combination of rules in this notice create an economic impact? Check all that apply.
☒ **State funds affected**
☐ **Local funds affected**
☐ **Substantial economic impact (>= $1,000,000)**
☒ **Approved by OSBM**
☐ **No fiscal note required**

CHAPTER 03 - MARINE FISHERIES

SUBCHAPTER 03I – GENERAL RULES

SECTION .0100 – GENERAL RULES

15A NCAC 03I .0101 DEFINITIONS
All definitions set out in G.S. 113, Subchapter IV and the following additional terms shall apply to this Chapter:

(1) enforcement and management terms:
  (a) "Commercial quota" means total quantity of fish allocated for harvest by commercial fishing operations.
  (b) "Educational institution" means a college, university, or community college accredited by an accrediting agency recognized by the U.S. Department of Education; an Environmental Education Center certified by the N.C. Department of Environmental Quality Office of Environmental Education and Public Affairs; ~~or~~ a zoo or aquarium certified by the Association of Zoos and ~~Aquariums.~~ Aquariums; or a public school unit, private school, or an organization whose mission includes education.
  (c) "Internal Coastal Waters" or "Internal Waters" means all Coastal Fishing Waters except the Atlantic Ocean.
  (d) length of finfish:
    (i) "Curved fork length" means a length determined by measuring along a line tracing the contour of the body from the tip of the upper jaw to the middle of the fork in the caudal (tail) fin.
    (ii) "Fork length" means a length determined by measuring along a straight line the distance from the tip of the snout with the mouth closed

to the middle of the fork in the caudal (tail) fin, except that fork length for billfish is measured from the tip of the lower jaw to the middle of the fork of the caudal (tail) fin.

(iii) "Pectoral fin curved fork length" means a length of a beheaded fish from the dorsal insertion of the pectoral fin to the fork of the tail measured along the contour of the body in a line that runs along the top of the pectoral fin and the top of the caudal keel.

(iv) "Total length" means a length determined by measuring along a straight line the distance from the tip of the snout with the mouth closed to the tip of the compressed caudal (tail) fin.

(e) "Nongovernmental conservation organization" means an organization whose primary mission is the conservation of natural resources. For the purpose of this Chapter, a determination of the organization's primary mission is based upon the Division of Marine Fisheries' consideration of the organization's publicly stated purpose and activities.

(f) "Polluted" means any shellfish growing waters as defined in 15A NCAC 18A .0901:

(i) that are contaminated with fecal material, pathogenic microorganisms, poisonous or deleterious substances, or marine biotoxins that render the consumption of shellfish from those growing waters hazardous. This includes poisonous or deleterious substances as listed in the latest approved edition of the National Shellfish Sanitation Program (NSSP) Guide for the Control of Molluscan Shellfish, Section IV: Guidance Documents, Chapter II: Growing Areas; Action Levels, Tolerances and Guidance Levels for Poisonous or Deleterious Substances in Seafood, which is incorporated by reference, including subsequent amendments and editions. A copy of the reference material can be found at https://www.fda.gov/food/federalstate-food-programs/national-shellfish-sanitation-program-nssp, at no cost;

(ii) that have been determined through a sanitary survey as defined in 15A NCAC 18A .0901 to be adjacent to a sewage treatment plant outfall or other point source outfall that may contaminate shellfish and cause a food safety hazard as defined in 15A NCAC 18A .0301;

(iii) that have been determined through a sanitary survey as defined in 15A NCAC 18A .0901 to be in or adjacent to a marina;

(iv) that have been determined through a sanitary survey as defined in 15A NCAC 18A .0901 to be impacted by other potential sources of pollution that render the consumption of shellfish from those growing waters hazardous, such as a wastewater treatment facility that does not contaminate a shellfish area when it is operating normally but will contaminate a shellfish area and shellfish in that area when a malfunction occurs; or

(v) where the Division is unable to complete the monitoring necessary to determine the presence of contamination or potential pollution sources.

(g) "Recreational possession limit" means restrictions on size, quantity, season, time period, area, means, and methods where take or possession is for a recreational purpose.

(h) "Recreational quota" means total quantity of fish allocated for harvest for a recreational purpose.

(i) "Regular closed oyster season" means March 31 through October 15, unless amended by the Fisheries Director through proclamation authority.

(j) "Scientific institution" means one of the following entities:

(i) an educational institution as defined in this Item;
(ii) a state or federal agency charged with the management of marine or estuarine resources; or
(iii) a professional organization or secondary school working under the direction of, or in compliance with mandates from, the entities listed in Sub-items (j)(i) and (ii) of this Item.

(2) fishing activities:
(a) "Aquaculture operation" means an operation that produces artificially propagated stocks of marine or estuarine resources, or other non-native species that may thrive if introduced into Coastal Fishing Waters, or obtains such stocks from permitted sources for the purpose of rearing on private bottom (with or without the superadjacent water column) or in a controlled environment. A controlled environment provides and maintains throughout the rearing process one or more of the following:
(i) food;
(ii) predator protection;
(iii) salinity;
(iv) temperature controls; or
(v) water circulation, utilizing technology not found in the natural environment.
(b) "Attended" means being in a vessel, in the water or on the shore, and immediately available to work the gear and be within 100 yards of any gear in use by that person at all times. Attended does not include being in a building or structure.
(c) "Blue crab shedding" means the process whereby a blue crab emerges soft from its former hard exoskeleton. A shedding operation is any operation that holds peeler crabs in a controlled environment. A controlled environment provides and maintains throughout the shedding process one or more of the following:
(i) food;
(ii) predator protection;
(iii) salinity;
(iv) temperature controls; or
(v) water circulation, utilizing technology not found in the natural environment. A shedding operation does not include transporting pink or red-line peeler crabs to a permitted shedding operation.
(d) "Depurate" or "depuration" has the same meaning as defined in the 2019 revision of the NSSP Guide for the Control of Molluscan Shellfish, Section I: Purpose and Definitions. This definition is incorporated by reference, not including subsequent amendments and editions. A copy of the reference material can be found at https://www.fda.gov/food/federalstate-food-programs/national-shellfish-sanitation-program-nssp, at no cost.
(e) "Long haul operation" means fishing a seine towed between two vessels.
(f) "Peeler crab" means a blue crab that has a soft shell developing under a hard shell and having a white, pink, or red-line or rim on the outer edge of the back fin or flipper.
(g) "Possess" means any actual or constructive holding whether under claim of ownership or not.
(h) "Recreational purpose" means a fishing activity that is not a commercial fishing operation as defined in G.S. 113-168.
(i) "Swipe net operations" means fishing a seine towed by one vessel.
(j) "Transport" means to ship, carry, or cause to be carried or moved by public or private carrier by land, sea, or air.
(k) "Use" means to employ, set, operate, or permit to be operated or employed.

(3) gear:
(a) "Bunt net" means the last encircling net of a long haul or swipe net operation constructed of small mesh webbing. The bunt net is used to form a pen or pound from which the catch is dipped or bailed.
(b) "Channel net" means a net used to take shrimp that is anchored or attached to the bottom at both ends or with one end anchored or attached to the bottom and the other end attached to a vessel.
(c) "Commercial fishing equipment or gear" means all fishing equipment used in Coastal Fishing Waters except:
(i) cast nets;
(ii) collapsible crab traps, a trap used for taking crabs with the largest open dimension no larger than 18 inches and that by design is collapsed at all

times when in the water, except when it is being retrieved from or lowered to the bottom;

(iii) dip nets or scoops having a handle not more than eight feet in length and a hoop or frame to which the net is attached not exceeding 60 inches along the perimeter;

(iv) gigs or other pointed implements that are propelled by hand, whether or not the implement remains in the hand;

(v) hand operated rakes no more than 12 inches wide and weighing no more than six pounds and hand operated tongs;

(vi) hook and line, and bait and line equipment other than multiple-hook or multiple-bait trotline;

(vii) landing nets used to assist in taking fish when the initial and primary method of taking is by the use of hook and line;

(viii) minnow traps when no more than two are in use;

(ix) seines less than 30 feet in length;

(x) spears, Hawaiian slings, or similar devices that propel pointed implements by mechanical means, including elastic tubing or bands, pressurized gas, or similar means.

(d) "Corkline" means the support structure a net is attached to that is nearest to the water surface when in use. Corkline length is measured from the outer most mesh knot at one end of the corkline following along the line to the outer most mesh knot at the opposite end of the corkline.

(e) "Dredge" means a device towed by engine power consisting of a frame, tooth bar or smooth bar, and catchbag used in the harvest of oysters, clams, crabs, scallops, or conchs.

(f) "Fixed or stationary net" means a net anchored or staked to the bottom, or some structure attached to the bottom, at both ends of the net.

(g) "Fyke net" means an entrapment net supported by a series of internal or external hoops or frames, with one or more lead or leaders that guide fish to the net mouth. The net has one or more internal funnel-shaped openings with tapered ends directed inward from the mouth, through which fish enter the enclosure. The portion of the net designed to hold or trap fish is completely enclosed in mesh or webbing, except for the openings for fish passage into or out of the net (funnel area).

(h) "Gill net" means a net set vertically in the water to capture fish by entanglement of the gills in its mesh as a result of net design, construction, mesh length, webbing diameter, or method in which it is used.

(i) "Headrope" means the support structure for the mesh or webbing of a trawl that is nearest to the water surface when in use. Headrope length is measured from the outer most mesh knot at one end of the headrope following along the line to the outer most mesh knot at the opposite end of the headrope.

(j) "Hoop net" means an entrapment net supported by a series of internal or external hoops or frames. The net has one or more internal funnel-shaped openings with tapered ends directed inward from the mouth, through which fish enter the enclosure. The portion of the net designed to hold or trap the fish is completely enclosed in mesh or webbing, except for the openings for fish passage into or out of the net (funnel area).

(k) "Lead" means a mesh or webbing structure consisting of nylon, monofilament, plastic, wire, or similar material set vertically in the water and held in place by stakes or anchors to guide fish into an enclosure. Lead length is measured from the outer most end of the lead along the top or bottom line, whichever is longer, to the opposite end of the lead.

(l) "Mechanical methods for clamming" means dredges, hydraulic clam dredges, stick rakes, and other rakes when towed by engine power, patent tongs, kicking with propellers or deflector plates with or without trawls, and any other method that utilizes mechanical means to harvest clams.

(m) "Mechanical methods for oystering" means dredges, patent tongs, stick rakes, and other rakes when towed by

engine power, and any other method that utilizes mechanical means to harvest oysters.

(n) "Mesh length" means the distance from the inside of one knot to the outside of the opposite knot, when the net is stretched hand-tight in a manner that closes the mesh opening.

(o) "Pound net set" means a fish trap consisting of a holding pen, one or more enclosures, lead or leaders, and stakes or anchors used to support the trap. The holding pen, enclosures, and lead(s) are not conical, nor are they supported by hoops or frames.

(p) "Purse gill net" means any gill net used to encircle fish when the net is closed by the use of a purse line through rings located along the top or bottom line or elsewhere on such net.

(q) "Seine" means a net set vertically in the water and pulled by hand or power to capture fish by encirclement and confining fish within itself or against another net, the shore or bank as a result of net design, construction, mesh length, webbing diameter, or method in which it is used.

(4) "Fish habitat areas" means the estuarine and marine areas that support juvenile and adult populations of fish species throughout their entire life cycle, including early growth and development, as well as forage species utilized in the food chain. Fish habitats in all Coastal Fishing Waters, as determined through marine and estuarine survey sampling, are:

(a) "Anadromous fish nursery areas" means those areas in the riverine and estuarine systems utilized by post-larval and later juvenile anadromous fish.

(b) "Anadromous fish spawning areas" means those areas where evidence of spawning of anadromous fish has been documented in Division sampling records through direct observation of spawning, capture of running ripe females, or capture of eggs or early larvae.

(c) "Coral" means:

(i) fire corals and hydrocorals (Class Hydrozoa);

(ii) stony corals and black corals (Class Anthozoa, Subclass Scleractinia); or

(iii) Octocorals; Gorgonian corals (Class Anthozoa, Subclass Octocorallia), which include sea fans (Gorgonia sp.), sea whips (Leptogorgia sp. and Lophogorgia sp.), and sea pansies (Renilla sp.).

(d) "Intertidal oyster bed" means a formation, regardless of size or shape, formed of shell and live oysters of varying density.

(e) "Live rock" means living marine organisms or an assemblage thereof attached to a hard substrate, excluding mollusk shells, but including dead coral or rock. Living marine organisms associated with hard bottoms, banks, reefs, and live rock include:

(i) Coralline algae (Division Rhodophyta);

(ii) Acetabularia sp., mermaid's fan and cups (Udotea sp.), watercress (Halimeda sp.), green feather, green grape algae (Caulerpa sp.)(Division Chlorophyta);

(iii) Sargassum sp., Dictyopteris sp., Zonaria sp. (Division Phaeophyta);

(iv) sponges (Phylum Porifera);

(v) hard and soft corals, sea anemones (Phylum Cnidaria), including fire corals (Class Hydrozoa), and Gorgonians, whip corals, sea pansies, anemones, Solengastrea (Class Anthozoa);

(vi) Bryozoans (Phylum Bryozoa);

(vii) tube worms (Phylum Annelida), fan worms (Sabellidae), feather duster and Christmas treeworms (Serpulidae), and sand castle worms (Sabellaridae);

(viii) mussel banks (Phylum Mollusca: Gastropoda); and

(ix) acorn barnacles (Arthropoda: Crustacea: Semibalanus sp.).

(f) "Nursery areas" means areas that for reasons such as food, cover, bottom type, salinity, temperature, and other factors, young finfish and crustaceans spend the major portion of their initial growing season. Primary nursery areas are those areas in the estuarine system where initial post-larval development takes place. These are areas where populations are uniformly early juveniles. Secondary nursery areas are those areas in the estuarine system

where later juvenile development takes place. Populations are composed of developing sub-adults of similar size that have migrated from an upstream primary nursery area to the secondary nursery area located in the middle portion of the estuarine system.

(g) "Shellfish producing habitats" means historic or existing areas that shellfish, such as clams, oysters, scallops, mussels, and whelks use to reproduce and survive because of such favorable conditions as bottom type, salinity, currents, cover, and cultch. Included are those shellfish producing areas closed to shellfish harvest due to pollution.

(h) "Strategic Habitat Areas" means locations of individual fish habitats or systems of habitats that provide exceptional habitat functions or that are particularly at risk due to imminent threats, vulnerability, or rarity.

(i) "Submerged aquatic vegetation (SAV) habitat" means submerged lands that:

(i) are vegetated with one or more species of submerged aquatic vegetation including bushy pondweed or southern naiad (Najas guadalupensis), coontail (Ceratophyllum demersum), eelgrass (Zostera marina), horned pondweed (Zannichellia palustris), naiads (Najas spp.), redhead grass (Potamogeton perfoliatus), sago pondweed (Stuckenia pectinata, formerly Potamogeton pectinatus), shoalgrass (Halodule wrightii), slender pondweed (Potamogeton pusillus), water stargrass (Heteranthera dubia), water starwort (Callitriche heterophylla), waterweeds (Elodea spp.), widgeongrass (Ruppia maritima), and wild celery (Vallisneria americana). These areas may be identified by the presence of above-ground leaves, below-ground rhizomes, or reproductive structures associated with one or more SAV species and include the sediment within these areas; or

(ii) have been vegetated by one or more of the species identified in Sub-item (4)(i)(i) of this Rule within the past 10 annual growing seasons and that meet the average physical requirements of water depth, which is six feet or less, average light availability, which is a secchi depth of one foot or more, and limited wave exposure that characterize the environment suitable for growth of SAV. The past presence of SAV may be demonstrated by aerial photography, SAV survey, map, or other documentation. An extension of the past 10 annual growing seasons criteria may be considered when average environmental conditions are altered by drought, rainfall, or storm force winds.

This habitat occurs in both subtidal and intertidal zones and may occur in isolated patches or cover extensive areas. In defining SAV habitat, the Marine Fisheries Commission recognizes the Aquatic Weed Control Act of 1991 (G.S. 113A-220 et. seq.) and does not intend the submerged aquatic vegetation definition, of this Rule or 15A NCAC 03K .0304 and .0404, to apply to or conflict with the non-development control activities authorized by that Act.

(5) licenses, permits, shellfish leases and franchises, and record keeping:

(a) "Assignment" means temporary transferal to another person of privileges under a license for which assignment is permitted. The person assigning the license delegates the privileges permitted under the license to be exercised by the assignee, but retains the power to revoke the assignment at any time, and is still the responsible party for the license.

(b) "Designee" means any person who is under the direct control of the permittee or who is employed by or under contract to the permittee for the purposes authorized by the permit.

(c) "For hire vessel", as defined by G.S. 113-174, means when the vessel is fishing in State waters or when the

vessel originates from or returns to a North Carolina port.

(d) "Franchise" means a franchise recognized pursuant to G.S. 113-206.

(e) "Holder" means a person who has been lawfully issued in the person's name a license, permit, ~~franchise,~~ shellfish lease, or ~~assignment.~~ assignment, or who possesses a shellfish franchise recognized pursuant to G.S. 113-206.

(f) "Land" means:

(i) for commercial fishing operations, when fish reach the shore or a structure connected to the shore.

(ii) for purposes of trip tickets, when fish reach a licensed seafood dealer, or where the fisherman is the dealer, when fish reach the shore or a structure connected to the shore.

(iii) for recreational fishing operations, when fish are retained in possession by the fisherman.

(g) "Licensee" means any person holding a valid license from the ~~Department~~ Division to take or deal in ~~marine fisheries resources,~~ resources governed by any provision of Subchapter 113 of the North Carolina General Statutes under the authority of the Marine Fisheries Commission or any rule adopted by the Marine Fisheries Commission pursuant to Subchapter 113, except as otherwise defined in 15A NCAC 03O .0109.

(h) "Logbook" means paper forms provided by the Division and electronic data files generated from software or web-based utilities provided by the Division for the reporting of fisheries statistics by persons engaged in commercial or recreational fishing or for-hire operators.

(i) "Master" means captain or operator of a vessel or one who commands and has control, authority, or power over a vessel.

(j) "New fish dealer" means any fish dealer ~~making application~~ applying for a fish dealer license who did not possess a valid dealer license for the previous license year in that name. For purposes of license issuance, adding new categories to an existing fish dealers license does not constitute a new dealer.

(k) "Office of the Division" means physical locations of the Division conducting license and permit transactions in Wilmington, Morehead City, Washington, and Roanoke Island, North Carolina. Other businesses or entities designated by the Secretary to issue Recreational Commercial Gear Licenses or Coastal Recreational Fishing Licenses are not considered Offices of the Division.

(l) "Permittee" means any person who has been issued a permit from the Division to take or deal in resources governed by any provision of Subchapter 113 of the North Carolina General Statutes under the authority of the Marine Fisheries Commission or any rule adopted by the Marine Fisheries Commission pursuant to Subchapter 113.

(m) "Quota monitoring log" means paper forms provided by the Division and electronic data files generated from software or web-based utilities provided by the Division for the reporting of fisheries statistics by licensed fish dealers who hold dealer permits for monitoring fisheries under a quota or allocation.

~~(l)~~(n) "Responsible party" means the person who coordinates, supervises, or otherwise directs operations of a business entity, such as a corporate officer or executive level supervisor of business operations, and the person responsible for use of the issued license in compliance with applicable statutes and rules.

~~(m)~~(o) "Tournament organizer" means the person who coordinates, supervises, or otherwise directs a recreational fishing tournament and is the holder of the Recreational Fishing Tournament License.

~~(n)~~(p) "Transaction" means an act of doing business such that fish are sold, offered for sale, exchanged, bartered, distributed, or landed.

~~(o)~~(q) "Transfer" means permanent transferal to another person of privileges under a license for which transfer is permitted. The person transferring the license retains no rights or interest under the license transferred.

~~(p)~~(r) "Trip ticket" means paper forms provided by the Division and electronic data files generated from software or web-based utilities provided by the Division for the reporting of fisheries statistics by licensed fish dealers.

Authority G.S. 113-134; 113-174; 113-182; 143B-289.52; S.L. 2015-241, s. 14.10A.

15A NCAC 03I .0114 RECORDKEEPING REQUIREMENTS

(a) It shall be unlawful for a licensed fish dealer:

(1) to record false information on the North Carolina trip ticket or to fail to legibly record all items on the North Carolina trip ticket for each ~~transaction~~ transaction, including for fish harvested but not sold pursuant to 15A NCAC 03I .0123, and submit the trip ticket in accordance with G.S. 113-168.2, including the following:
  (A) fisherman's name;
  (B) fisherman's North Carolina license number;
  (C) dealer's North Carolina license number;
  (D) start date of trip, including year, month, and day;
  (E) unload date of trip, including year, month, and day;
  (F) North Carolina Division of Marine Fisheries Vessel Identification Number or indicate if no vessel was used;
  (G) crew size;
  (H) gear fished;
  (I) waterbody fished;
  (J) species landed;
  (K) quantity of each species landed in pounds, numbers of fish, bushels, or other units of measurement;
  (L) disposition of species;
  (M) transaction number;
  (N) number of crab pots or peeler pots fished, if applicable;
  (O) state where species was taken if other than North Carolina;
  (P) lease number, if applicable;
  (Q) bottom type, if applicable; and
  (R) shellfish harvest area, if ~~applicable.~~ applicable;

(2) to fail to provide to the Division a Trip Ticket Submittal/Transaction form indicating the number of transactions that occurred during the previous month;

(3) to fail to make paper copies or electronic copies of trip tickets or N.C. Trip Ticket Program Dock Tickets available at the dealer location for inspection by Marine Fisheries inspectors;

(4) to fail to submit trip tickets to the Division via electronic file transfer if that dealer reported an annual average of greater than 50,000 pounds of finfish for the previous three calendar years. Dealers subject to the electronic reporting requirement shall be notified by the Division via certified mail and within 120 days of receipt shall:
  (A) initiate electronic file transfer of trip tickets; and
  (B) continue to report by electronic file transfer until the dealer no longer holds a fish dealer license with finfish or consolidated categories;

(5) to fail to use software or web-based utilities authorized by the Division when reporting electronically; ~~and~~

(6) to fail to keep all trip tickets and all supporting documentation for each transaction including receipts, checks, bills of lading, records, electronic files, and accounts for a period of not less than three ~~years.~~ years;

(7) to fail to submit quota monitoring logs in accordance with 15A NCAC 03O .0503 if the licensed fish dealer holds a dealer permit for monitoring fisheries under a quota or allocation; and

(8) to fail to keep all quota monitoring logs including electronic files for a period of not less than three years.

(b) It shall be unlawful for a seller licensed under G.S. 113, Article 14A or donor to fail to provide to the fish dealer, at the time of transaction, the following:

(1) a current and valid license or permit to sell the type of fish being offered and if a vessel is used, the Commercial Fishing Vessel Registration; and

(2) complete and accurate information on harvest method and area of catch and other information required by the Division, in accordance with G.S. 113-168.2 and G.S. 113-169.3.

(c) It shall be unlawful to transport fish without having ready at hand for inspection a bill of consignment, bill of lading, or other shipping documentation provided by the shipping dealer showing the following items:

(1) name of the consignee;
(2) name of the shipper;
(3) date of the shipment;
(4) name of fish being shipped; and
(5) quantity of each fish being shipped.

In the event the fisherman taking the fish is also a licensed fish dealer and ships from the point of landing, all shipping records shall be recorded at the point of landing. Fishermen who transport their fish directly to licensed fish dealers are exempt from this Paragraph.

(d) It shall be unlawful to export fish landed in the State in a commercial fishing operation without a North Carolina licensed

fish dealer completing all the recordkeeping requirements in G.S. 113-168.2(i).

(e) It shall be unlawful to offer for sale fish purchased from a licensed fish dealer without having ready at hand for inspection by Marine Fisheries inspectors or other agents of the Fisheries Director written documentation of purchase showing the following items:

(1) name of the licensed fish dealer;
(2) name of the purchaser;
(3) date of the purchase;
(4) name of fish purchased; and
(5) quantity of each fish purchased.

(f) It shall be unlawful for a holder of a Fish Dealer License to have fish in possession at a licensed location without written documentation from a licensed fish dealer or a completed North Carolina trip ticket to show the quantity and origin of all fish.

Authority G.S. 113-134; 113-168.2; 113-168.3; 113-169.3; 113-170; 113-170.3; 113-170.4; 113-182; 143B-289.52.

SUBCHAPTER 03O - LICENSES, LEASES, FRANCHISES, AND PERMITS

SECTION .0200 – SHELLFISH LEASES AND FRANCHISES

15A NCAC 03O .0201 STANDARDS AND REQUIREMENTS FOR SHELLFISH LEASES AND FRANCHISES

(a) For the purpose of this Section:

(1) "any acres under a shellfish lease" shall include a water column amendment superjacent to a franchise.
(2) "application for additional shellfish lease acreage" shall include a water column amendment application to an existing shellfish bottom lease or to a franchise when the franchise holder also holds a shellfish bottom lease.
~~(1)~~(3) "extensive shellfish culture" shall mean shellfish grown on the bottom without the use of cages, racks, bags, or floats.
~~(2)~~(4) "intensive shellfish culture" shall mean shellfish grown on the bottom or in the water column using cages, racks, bags, or floats.
~~(3)~~(5) "plant" shall mean providing evidence of purchasing shellfish seed or planting shellfish seed or authorized cultch materials on a shellfish ~~lease or franchise.~~ lease.
~~(4)~~(6) "produce" shall mean the culture and harvest of oysters, clams, scallops, or mussels from a shellfish lease ~~or franchise~~ and lawful sale of those shellfish to the public at large or to a licensed shellfish dealer.

(b) All areas of the public bottom underlying Coastal Fishing Waters shall meet the following standards and requirements, in addition to the standards in G.S. 113-202, in order to be deemed suitable for leasing for shellfish aquaculture purposes:

(1) the proposed shellfish lease area shall not contain a "natural shellfish bed," as defined in G.S. 113-201.1, or have 10 bushels or more of shellfish per acre;
(2) the proposed shellfish lease area shall not be closer than 250 feet from a developed shoreline or a water-dependent shore-based structure, except no minimum setback is required when the area to be leased borders the applicant's property, the property of "riparian owners" as defined in G.S. 113-201.1 who have consented in a notarized statement, or is in an area bordered by undeveloped shoreline. For the purpose of this Rule, a water-dependent shore-based structure shall include docks, wharves, boat ramps, bridges, bulkheads, and groins;
(3) the proposed shellfish lease area shall not be closer than 250 feet to an existing lease;
(4) the proposed shellfish lease area, either alone or when considered cumulatively with other existing lease areas in the vicinity, shall not interfere with navigation or with existing, traditional uses of the area; and
(5) the proposed shellfish lease area shall not be less than one-half acre and shall not exceed 10 acres.

(c) To be suitable for leasing for shellfish aquaculture purposes, shellfish water column leases superjacent to a shellfish bottom lease shall meet the standards in G.S. 113-202.1 and shellfish water column leases superjacent to franchises shall meet the standards in G.S. 113-202.2.

(d) Shellfish bottom leases ~~and franchises~~ granted or renewed on or before July 1, 2019 and not renewed after July 1, 2019 shall be terminated unless they meet the following requirements, in addition to the standards in and as allowed by G.S. 113-202:

(1) they produce 10 bushels of shellfish per acre per year; and
(2) they are planted with 25 bushels of seed shellfish per acre per year or 50 bushels of cultch per acre per year, or a combination of cultch and seed shellfish where the percentage of required cultch planted and the percentage of required seed shellfish planted totals at least 100 percent.

(e) Shellfish water column leases granted or renewed on or before July 1, 2019 and not renewed after July 1, 2019 shall be terminated unless they meet the following requirements, in addition to the standards in and as allowed by G.S. 113-202.1 and G.S. 113-202.2:

(1) they produce 40 bushels of shellfish per acre per year; or
(2) the underlying bottom is planted with 100 bushels of cultch or seed shellfish per acre per year.

(f) Shellfish bottom leases ~~and franchises~~ granted or renewed after July 1, 2019 shall be terminated unless they meet the following requirements, in addition to the standards in and as allowed by G.S. 113-202:

(1) they produce a minimum of 20 bushels of shellfish per acre averaged over the previous three-year period beginning in year five of the shellfish bottom ~~lease or franchise;~~ lease; or

(2) for intensive culture bottom operations, the holder of the shellfish bottom lease ~~or franchise~~ provides evidence of purchasing a minimum of 23,000 shellfish seed per acre annually and for extensive culture bottom operations, the holder of the lease ~~or franchise~~ plants a minimum of 15,000 shellfish seed per acre per year.

(g) Shellfish water column leases granted or renewed after July 1, 2019 shall be terminated unless they meet the following requirements, in addition to the standards in and as allowed by G.S. 113-202.1 and 113-202.2:

(1) they produce a minimum of 50 bushels of shellfish per acre averaged over the previous three-year period beginning in year five of the shellfish water column lease; or

(2) the holder of the shellfish water column lease provides evidence of purchasing a minimum of 23,000 shellfish seed per acre annually.

(h) The following standards shall be applied to determine compliance with Paragraphs (d), (e), (f), and (g) of this Rule:

(1) only shellfish planted or produced as defined in Paragraph (a) of this Rule shall be included in the annual shellfish lease ~~and franchise~~ production reports required by Rule .0207 of this Section.

(2) if more than one shellfish lease ~~or franchise~~ is used in the production of shellfish, one of the leases ~~or franchises~~ used in the production of the shellfish shall be designated as the producing lease ~~or franchise~~ for those shellfish. Each bushel of shellfish shall be produced by only one shellfish ~~lease or franchise.~~ lease. Shellfish transplanted between shellfish leases ~~or franchises~~ shall be credited as planting effort on only one ~~lease or franchise.~~ lease.

(3) production information and planting effort information shall be compiled and averaged separately to assess compliance with the requirements of this Rule. Shellfish bottom leases ~~and franchises~~ granted on or before July 1, 2019 shall meet both the production requirement and the planting effort requirement within the dates set forth in G.S. 113-202.1 and G.S. 113-202.2 to be deemed in compliance. Shellfish bottom leases ~~and franchises~~ granted after July 1, 2019 and shellfish water column leases shall meet either the production requirement or the planting effort requirement within the dates set forth in G.S. 113-202.1 and G.S. 113-202.2 to be deemed in compliance.

(4) all bushel measurements shall be in standard U.S. bushels.

(5) in determining production ~~and marketing~~ averages and planting effort averages for information not reported in bushel measurements, the following conversion factors shall be used:

(A) 300 oysters, 400 clams, or 400 scallops equal one bushel; and

(B) 40 pounds of scallop shell, 60 pounds of oyster shell, 75 pounds of clam shell, or 90 pounds of fossil stone equal one bushel.

(6) production rate averages shall be computed irrespective of transfer of the shellfish ~~lease or franchise.~~ lease. The production rates shall be averaged for the following situations using the time periods described:

(A) for an initial shellfish bottom ~~lease or franchise,~~ lease, over the consecutive full calendar years remaining on the bottom lease ~~or franchise~~ contract after December 31 following the second anniversary of the initial bottom ~~lease or franchise;~~ lease;

(B) for a renewal shellfish bottom ~~lease or franchise,~~ lease, over the consecutive full calendar years beginning January 1 of the final year of the previous bottom lease ~~or franchise~~ term and ending December 31 of the final year of the current bottom lease ~~or franchise~~ contract;

(C) for a shellfish water column lease, over the first five-year period for an initial water column lease and over the most recent five-year period thereafter for a renewal water column lease; or

(D) for a shellfish bottom lease ~~or franchise~~ issued an extension period under Rule .0208 of this Section, over the most recent five-year period.

(7) in the event that a portion of an existing shellfish lease ~~or franchise~~ is obtained by a new lease ~~or franchise~~ holder, the production history for the portion obtained shall be a percentage of the originating lease ~~or franchise~~ production equal to the percentage of the area of lease ~~or franchise~~ site obtained to the area of the originating ~~lease or franchise.~~ lease.

(i) ~~To~~ Consistent with G.S. 113-202, G.S. 113-202.1, and G.S. 113-202.2, to be deemed eligible ~~for~~ by the Secretary to hold additional shellfish lease acreage, persons holding any acres under a shellfish lease ~~or franchise~~ shall meet the following requirements ~~established in:~~ at the time of submitting a shellfish lease application for additional shellfish lease acreage:

(1) Paragraphs (d), (e), (f), and (g) of this Rule;

(2) Rule .0204 of this Section; and

(3) Rule .0503(a) of this Subchapter.

Authority G.S. 113-134; 113-182; 113-201; 113-202; 113-202.1; 113-202.2; 113-206; 143B-289.52; S.L. 2019-37, s. 3; S.L. 2024-32, s. 5.(a).

15A NCAC 03O .0207 SHELLFISH LEASE ~~AND FRANCHISE~~ PRODUCTION REPORTS

(a) The holder or holders of a shellfish lease ~~or franchise~~ shall provide an annual production report to the Division of Marine Fisheries by March 31 of each year showing the amounts of material planted, purchased, and harvested; where and when the material was obtained; and when the material was planted in accordance with Rules .0201 and .0202 of this Section. The report shall include documentation of purchased seed in accordance with Rule .0201 of this Section.

(b) The Division shall provide reporting forms annually to each shellfish lease ~~or franchise~~ holder to be used for the annual production report.

(c) Failure by the holder or holders of the shellfish lease ~~or franchise~~ to submit the required annual production report or filing an incomplete report or a report containing false information constitutes grounds for termination as set forth in Rule .0208 of this Section.

Authority G.S. 113-134; 113-182; 113-201; 113-202; 113-202.1; 113-202.2; ~~113-206;~~ 143B-289.52.

15A NCAC 03O .0208 TERMINATION PROCEDURES FOR SHELLFISH LEASES ~~AND FRANCHISES~~

(a) Procedures for termination of shellfish leases ~~and franchises~~ are provided in G.S. 113-202.

(b) Consistent with G.S. 113-202(l1) and G.S. 113-201(b), a shellfish lease ~~or franchise~~ holder that failed to meet the requirements in G.S. 113-202, G.S. 113-202.1, G.S. 113-202.2, or the rules of this Section that govern a determination of failure to utilize the lease on a continuing basis for the commercial production of shellfish may be granted a single extension period of no more than two years per contract period upon a showing of hardship by written notice to the Fisheries Director or the Fisheries Director's designee received prior to the expiration of the lease term that documents one of the following occurrences caused or will cause the lease ~~or franchise~~ holder to fail to meet lease requirements:

(1) death, illness, or incapacity of the shellfish lease ~~or franchise~~ holder or the holder's immediate family as defined in G.S. 113-168 that prevented or will prevent the lease ~~or franchise~~ holder from working the lease;

(2) damage to the shellfish lease ~~or franchise~~ from hurricanes, tropical storms, or other severe weather events recognized by the National Weather Service;

(3) shellfish mortality caused by disease, natural predators, or parasites; or

(4) damage to the shellfish lease ~~or franchise~~ from a manmade disaster that triggers a state emergency declaration or federal emergency declaration.

(c) In the case of hardship as described in Paragraph (b) of this Rule, the notice shall state the shellfish lease ~~or franchise~~ number. In the case of hardship as described in Subparagraph (b)(1) of this Rule, the notice shall also state the name of the shellfish lease ~~or franchise~~ holder or immediate family member and either the date of death or the date of the illness or incapacity. The Fisheries Director may require a doctor's verification that the illness or incapacity occurred. In the case of hardship as described in Subparagraphs (b)(2) through (b)(4) of this Rule, the notice shall also include documentation of damage to the shellfish ~~lease or franchise.~~ lease. Written notice and supporting documentation shall be addressed to the Director of the Division of Marine Fisheries, 3441 Arendell Street, P.O. Box 769, Morehead City, NC 28557.

Authority G.S. 113-134; 113-182; 113-201; 113-202; 113-202.1; 113-202.2; 113-205; ~~113-206;~~ 143B-289.52.

15A NCAC 03O .0210 STANDARDS AND REQUIREMENTS FOR FRANCHISES

(a) A franchise holder desiring a permit from the Division of Marine Fisheries to conduct shellfish aquaculture on their franchise shall submit a Shellfish Management ~~Plans,~~ Plan, prepared in accordance with the standards for a Shellfish Lease Management Plan in Rule .0202 of this Section, ~~shall be provided~~ to the Division ~~of Marine Fisheries within 30 days~~ following formal recognition of a valid chain of title and at ten-year intervals thereafter.

(b) The Shellfish Management Plan requirements in Paragraph (a) of this Rule and all other requirements and conditions of this Section affecting management of franchises shall apply to all valid franchises.

~~(c) Commercial production requirements for franchises shall be identical to that required for shellfish bottom leases in accordance with Rules .0201 and .0207 of this Section averaged over the most recent three year period after January 1 following the second anniversary of the dates of recognition of claims as valid franchises and continuing throughout the term of Shellfish Management Plans required in Paragraph (a) of this Rule.~~

Authority G.S. 113-134; 113-182; 113-201; 113-202; 113-202.2; 113-205; 113-206; 143B-289.52.

SECTION .0500 - PERMITS

15A NCAC 03O .0501 PROCEDURES AND REQUIREMENTS TO OBTAIN PERMITS

(a) To obtain a Division of Marine Fisheries permit, an applicant, responsible party, or person holding a power of attorney shall provide the following information:

(1) the full name, physical address, mailing address, date of birth, and signature of the applicant on the application and, if the applicant is not appearing before a license agent or the designated Division of Marine Fisheries ~~contact, the applicant's signature on the application shall be notarized;~~ contact;

(2) a current picture identification of the applicant, responsible party, or person holding a power of attorney, acceptable forms of which shall include driver's license, North Carolina Identification card issued by the North Carolina Division of Motor Vehicles, military identification card, resident alien card (green

card), or passport or, if applying by mail, a copy thereof;

(3) for permits that require a list of designees, the full names and dates of birth of the designees of the applicant who will be acting pursuant to the requested permit;

(4) certification that the applicant and his or her designees do not have four or more ~~marine or estuarine resource~~ convictions for violation of any provision of Subchapter 113 of the North Carolina General Statutes under the authority of the Marine Fisheries Commission or any rule adopted by the Marine Fisheries Commission pursuant to Subchapter 113 during the previous three years; and

(5) for permit applications from business entities:

(A) the business name;

(B) the type of business entity: corporation, "educational institution" as defined in 15A NCAC 03I .0101, limited liability company (LLC), partnership, or sole proprietorship;

(C) the name, address, and phone number of responsible party and other identifying information required by this Subchapter or rules related to a specific permit;

(D) for a corporation applying for a permit in a corporate name, the current articles of incorporation and a current list of corporate officers;

(E) for a partnership that is established by a written partnership agreement, a current copy of such agreement shall be provided when applying for a permit; and

(F) for business entities other than corporations, copies of current assumed name statements if filed with the Register of Deeds office for the corresponding county and copies of current business privilege tax certificates, if applicable.

(b) A permittee shall hold a valid:

(1) Recreational Commercial Gear License, Standard Commercial Fishing License, or Retired Standard Commercial Fishing License to hold an Estuarine Gill Net Permit.

~~(1)~~(2) Standard or Retired Standard Commercial Fishing License ~~in order~~ to hold:

(A) an Atlantic Ocean Striped Bass Commercial Gear Permit;

(B) a Permit for Weekend Trawling for Live Shrimp; or

(C) a Pound Net Set Permit.

The master designated on the single vessel corporation Standard Commercial Fishing License is the individual required to hold the Permit for Weekend Trawling for Live Shrimp.

~~(2)~~(3) Fish Dealer License in the proper category ~~in order~~ to hold dealer permits for monitoring fisheries under a quota or allocation for that category.

(c) An individual who is assigned a valid Standard Commercial Fishing License with applicable endorsements shall be eligible to hold any permit that requires a Standard Commercial Fishing License except a Pound Net Set Permit.

(d) If mechanical methods to take shellfish are used, a permittee and ~~his~~ a permittee's designees shall hold a valid Standard or Retired Standard Commercial Fishing License with a Shellfish Endorsement ~~in order~~ for a permittee to hold a:

(1) Depuration Permit;

(2) Permit to Transplant Oysters from Seed Oyster Management Areas; or

(3) Permit to Use Mechanical Methods for Shellfish on Shellfish Leases or Franchises, except as provided in G.S. 113-169.2.

(e) If mechanical methods to take shellfish are not used, a permittee and ~~his~~ a permittee's designees shall hold a valid Standard or Retired Standard Commercial Fishing License with a Shellfish Endorsement or a Shellfish License ~~in order~~ for a permittee to hold a:

(1) Depuration Permit; or

(2) Permit to Transplant Oysters from Seed Oyster Management Areas.

(f) Aquaculture Operation Permit and Aquaculture Collection Permit:

(1) A permittee shall hold a valid Aquaculture Operation Permit issued by the Fisheries Director to hold an Aquaculture Collection Permit.

(2) The permittee or designees shall hold appropriate licenses from the Division of Marine Fisheries for the species harvested and the gear used under the Aquaculture Collection Permit.

(g) Atlantic Ocean Striped Bass Commercial Gear Permit:

(1) An applicant for an Atlantic Ocean Striped Bass Commercial Gear Permit shall declare one of the following types of gear for an initial permit and at intervals of three consecutive license years thereafter:

(A) a gill net;

(B) a trawl net; or

(C) a beach seine.

For the purpose of this Rule, a "beach seine" shall mean a swipe net constructed of multi-filament or multi-fiber webbing fished from the ocean beach that is deployed from a vessel launched from the ocean beach where the fishing operation takes place. Gear declarations shall be binding on the permittee for three consecutive license years without regard to subsequent annual permit issuance.

(2) A person is not eligible for more than one Atlantic Ocean Striped Bass Commercial Gear Permit regardless of the number of Standard Commercial Fishing Licenses, Retired

Standard Commercial Fishing Licenses, or assignments held by that person.

(h) Applications submitted without complete and required information shall not be processed until all required information has been submitted. Incomplete applications shall be returned within two business days to the applicant with the deficiency in the application noted.

(i) A permit shall be issued only after the application is deemed complete and the applicant certifies his or her agreement to abide by the permit general and specific conditions established under 15A NCAC 03J .0501 and .0505, 03K .0103 and .0107, Rule .0211 of this Subchapter, and Rules .0502 and .0503 of this Section, as applicable to the requested permit. The permittee's signature on the initial permit general conditions form shall be notarized. In the case of a person holding more than one permit, the permittee's signature on the permit general conditions form shall be notarized for the initial permit issued but shall not be required for subsequent permits.

(j) For permit renewals, the permittee's signature on the specific condition form shall certify all information is true and accurate. Notarized signatures on renewal permits shall not be required.

~~(j)~~(k) In determining whether to issue, modify, or renew a permit, the Fisheries Director or his or her agent shall evaluate the following factors:

(1) potential threats to public health or marine and estuarine resources regulated by the Marine Fisheries Commission;

(2) whether the permit application meets the requirements for the permit; and

(3) whether the applicant has a history of eight or more violations of any provision of Subchapter 113 of the North Carolina General Statutes under the authority of the Marine Fisheries Commission or any rule adopted by the Marine Fisheries Commission pursuant to Subchapter 113 within 10 years.

~~(k)~~(l) The Division of Marine Fisheries shall notify the applicant in writing of the denial or modification of any permit application and the reasons therefor. The applicant may submit further information or reasons why the permit application should not be denied or modified.

~~(l)~~(m) Permits are valid from the date of issuance through the expiration date printed on the permit. Unless otherwise established by rule, the Fisheries Director may establish the issuance timeframe for specific types and categories of permits based on season, calendar year, or other period based upon the nature of the activity permitted, the duration of the activity, compliance with federal or State fishery management plans or implementing rules, conflicts with other fisheries or gear usage, or seasons for the species involved. The expiration date shall be specified on the permit.

~~(m) For permit renewals, the permittee's signature on the application shall certify all information is true and accurate. Notarized signatures on renewal applications shall not be required.~~

(n) It shall be unlawful for a permit holder to fail to notify the Division of Marine Fisheries within 30 days of a change of name or address, in accordance with G.S. 113-169.2.

(o) It shall be unlawful for a permit holder to fail to notify the Division of Marine Fisheries of a change of designee prior to use of the permit by that designee.

(p) Permit applications shall be available at ~~all~~ the Division of Marine ~~Fisheries offices.~~ Fisheries; a list of permits and the location where each permit application is available is on the Division's website at https://deq.nc.gov/dmf-permit-info.

Authority G.S. 113-134; 113-169.1; 113-169.2; 113-169.3; 113-182; 113-210; 143B-289.52.

15A NCAC 03O .0502 GENERAL PERMIT CONDITIONS

(a) It shall be unlawful to violate any permit condition.

(b) The following conditions shall apply to all permits issued by the Fisheries Director:

(1) it shall be unlawful to:

(A) operate under the permit except in areas, at times, and under conditions specified on the permit.

(B) operate under a permit without having the permit or copy thereof in possession of the permittee or the permittee's designees at all times of operation and the permit or copy thereof shall be ready at hand for inspection, except for a Pound Net Set Permit.

(C) operate under a permit without having a current picture identification in possession and ready at hand for inspection.

(D) refuse to allow inspection and sampling of a permitted activity by an agent of the Division of Marine Fisheries.

(E) fail to provide complete and accurate information requested by the Division in connection with the permitted activity.

(F) provide false information in the application for initial issuance, renewal, or transfer of a permit.

(G) hold a permit issued by the Fisheries Director if not eligible to hold any license required as a condition for that permit as stated in Rule .0501 of this Section.

(H) fail to provide reports within the timeframe required by the specific permit conditions.

(I) fail to keep such records and accounts as required by the rules in this Chapter for determination of conservation policy, equitable and efficient administration and enforcement, or promotion of commercial or recreational fisheries.

(J) assign or transfer permits issued by the Fisheries Director, except for a Pound Net Set Permit as authorized by 15A NCAC 03J .0504.

(K) fail to participate in and provide accurate information for data collection in accordance with 15A NCAC 03I .0113 and for survey programs administered by the Division.

(2) the Fisheries Director or the Fisheries Director's agent may, by conditions of the permit, impose on a commercial fishing operation and for recreational purposes any of the following restrictions for the permitted purposes:

(A) specify time;
(B) specify area;
(C) specify means and methods;
(D) specify record keeping and reporting requirements;
(E) specify season;
(F) specify species;
(G) specify size;
(H) specify quantity;
(I) specify disposition of resources;
(J) specify marking requirements; and
(K) specify harvest conditions.

(3) unless specifically stated as a condition on the permit, all statutes, rules, and proclamations shall apply to the permittee and the permittee's designees.

Authority G.S. 113-134; 113-169.1; 113-170.2; 113-170.3; 113-182; 113-210; 143B-289.52.

15A NCAC 03O .0503 PERMIT CONDITIONS; SPECIFIC

(a) Aquaculture Operation Permit and Aquaculture Collection Permit:

(1) It shall be unlawful to conduct aquaculture operations using marine and estuarine resources without first securing an Aquaculture Operation Permit from the Fisheries Director.

(2) It shall be unlawful:

(A) to take marine and estuarine resources from Coastal Fishing Waters for aquaculture purposes without first obtaining an Aquaculture Collection Permit from the Fisheries Director;

(B) to sell or use for any purpose not related to North Carolina aquaculture marine and estuarine resources taken pursuant to an Aquaculture Collection Permit; or

(C) to fail to submit to the Fisheries Director an annual report, due on December 1 of each year on the form provided by the Division of Marine Fisheries, stating the amount and disposition of marine and estuarine resources collected under authority of an Aquaculture Collection Permit.

(3) Aquaculture Operation Permits and Aquaculture Collection Permits shall be issued or renewed on a calendar year basis.

(4) It shall be unlawful to fail to provide the Division with a listing of all designees acting pursuant to an Aquaculture Collection Permit at the time of application.

(b) Atlantic Ocean Striped Bass Commercial Gear Permit:

(1) It shall be unlawful to take striped bass from the Atlantic Ocean in a commercial fishing operation without first obtaining an Atlantic Ocean Striped Bass Commercial Gear Permit.

(2) It shall be unlawful to obtain more than one Atlantic Ocean Striped Bass Commercial Gear Permit during a license year, regardless of the number of Standard Commercial Fishing licenses, Retired Standard Commercial Fishing licenses, or assignments.

(c) Blue Crab Shedding Permit: It shall be unlawful to possess more than 50 blue crabs in a shedding operation without first obtaining a Blue Crab Shedding Permit from the ~~Division of Marine Fisheries.~~ Division.

(d) Coastal Recreational Fishing License Exemption Permit:

(1) It shall be unlawful for the responsible party seeking exemption from recreational fishing license requirements for eligible individuals to conduct an organized fishing event held in Joint or Coastal Fishing Waters without first obtaining a Coastal Recreational Fishing License Exemption Permit.

(2) The Coastal Recreational Fishing License Exemption Permit shall only be issued for recreational fishing activity conducted solely for the participation and benefit of one of the following groups of eligible individuals:

(A) individuals with physical or mental impairment;
(B) members of the United States Armed Forces and their dependents, upon presentation of a valid military identification card;
(C) individuals receiving instruction on recreational fishing techniques and conservation practices from employees of state or federal marine or estuarine resource management agencies or instructors affiliated with an educational ~~institutions;~~ institution as defined in 15A NCAC 03I .0101(1); and
(D) disadvantaged youths as set forth in 42 U.S. Code 12511.

~~For the purpose of this Paragraph, educational institutions include high schools and other secondary educational institutions.~~

(3) The Coastal Recreational Fishing License Exemption Permit shall be valid for the date, time, and physical location of the organized fishing event for which the exemption is granted and the duration of the permit shall not exceed one year from the date of issuance.

(4) The Coastal Recreational Fishing License Exemption Permit shall only be issued if all of the following, in addition to the information required in Rule .0501 of this Section, is submitted to the Fisheries Director, in writing, at least 30 days prior to the event:

(A) the name, date, time, and physical location of the event;

(B) documentation that substantiates local, state, or federal involvement in the organized fishing event, if applicable;

(C) the cost or requirements, if any, for an individual to participate in the event; and

(D) an estimate of the number of participants.

(e) Requirements for ~~Dealer~~ dealer permits for monitoring fisheries under a quota or allocation:

(1) All species-specific permits listed in Subparagraphs (e)(2) through (e)(6) of this Rule are subject to the requirements of this Paragraph. During ~~the~~ commercial ~~season~~ harvest of a fishery opened by proclamation or rule ~~for the fishery~~ for which a dealer permit for monitoring fisheries under a quota or allocation shall be issued, it shall be unlawful for a fish dealer issued such permit to fail to:

(A) ~~fax or send via electronic mail~~ submit by electronic means, including electronic mail, fax, or text message, by noon ~~daily, on forms provided by the Division of Marine Fisheries,~~ daily in quota monitoring logs, the previous day's landings for the permitted fishery to the Division. The form shall include the dealer's name, dealer's license number, date the fish were landed, permittee's or designee's signature, date the permittee or designee signed the form, and species-specific information as listed in Parts (e)(2)(A), (e)(3)(A), (e)(4)(A), and (e)(5)(A) of this Rule. If the dealer submits their trip tickets by electronic means, then the dealer shall submit their quota monitoring logs by electronic means. If the dealer is unable to submit by electronic means the required information, the permittee shall call in the previous day's landings to the Division of Marine Fisheries Communications Center at 800-682-2632 or 252-515-5500. Landings for Fridays or Saturdays shall be submitted no later than noon on the following ~~Monday. If the dealer is unable to fax or electronically mail the required information, the permittee shall call in the previous day's landings to the Division;~~ Monday;

(B) submit the required form set forth in Part (e)(1)(A) of this Rule to the Division upon request or no later than five days after the close of the ~~season~~ harvest in a commercial fishing operation for the fishery permitted;

(C) maintain ~~faxes and other~~ related documentation in accordance with 15A NCAC 03I .0114;

(D) contact the Division daily, regardless of whether a transaction for the fishery for which a dealer is permitted occurred; and

(E) record the permanent dealer identification number on the bill of lading or receipt for each transaction or shipment from the permitted fishery.

(2) Atlantic Ocean Flounder Dealer Permit:

(A) In addition to the information required in Part (e)(1)(A) of this Rule, the form to record the previous day's landings of Atlantic Ocean flounder shall include the permit number, number of vessels used for harvest, and ~~the~~ pounds harvested.

(B) It shall be unlawful for a fish dealer to allow vessels holding a valid License to Land Flounder from the Atlantic Ocean to land more than 100 pounds of flounder from a single transaction at their licensed location during the open season without first obtaining an Atlantic Ocean Flounder Dealer Permit. The licensed location shall be specified on the Atlantic Ocean Flounder Dealer Permit and only one location per permit shall be allowed.

(C) It shall be unlawful for a fish dealer to possess, buy, sell, or offer for sale more than 100 pounds of flounder from a single transaction from the Atlantic Ocean without first obtaining an Atlantic Ocean Flounder Dealer Permit.

(3) Black Sea Bass North of Cape Hatteras Dealer Permit:

(A) In addition to the information required in Part (e)(1)(A) of this Rule, the form to record the previous day's landings of black sea bass north of Cape

Hatteras shall include the permit number, number of vessels used for harvest, and ~~the~~ pounds harvested.

(B) It shall be unlawful for a fish dealer to purchase or possess more than 100 pounds of black sea bass taken from the Atlantic Ocean north of Cape Hatteras (35° 15.0321' N) per day per commercial fishing operation during the open season unless the dealer has a Black Sea Bass North of Cape Hatteras Dealer Permit.

(4) Estuarine Flounder Dealer Permit:

(A) In addition to the information required in Part (e)(1)(A) of this Rule, the form to record the previous day's landings of estuarine flounder shall include the permit number, number of vessels used for harvest, pounds harvested, gear category, and management area.

(B) It shall be unlawful for a fish dealer to possess, purchase, sell, or offer for sale flounder taken from estuarine waters without first obtaining an Estuarine Flounder Dealer Permit required for specific management purposes for the applicable fisheries and harvest area.

~~(4)~~(5) Spiny Dogfish Dealer Permit:

(A) In addition to the information required in Part (e)(1)(A) of this Rule, the form to record the previous day's landings of spiny dogfish shall include the permit number, number of vessels used for harvest, and ~~the~~ pounds harvested.

(B) It shall be unlawful for a fish dealer to purchase or possess more than 100 pounds of spiny dogfish per day per commercial fishing operation unless the dealer has a Spiny Dogfish Dealer Permit.

~~(5)~~(6) Striped Bass Dealer Permit:

(A) In addition to the information required in Part (e)(1)(A) of this Rule, the form to record the previous day's landings of striped bass shall include the permit number, number of tags used by area, pounds harvested by area, and for the Atlantic Ocean, type of gear used for harvest.

(B) It shall be unlawful for a fish dealer to possess, buy, sell, or offer for sale striped bass taken from the following areas without first obtaining a Striped Bass Dealer Permit validated for the applicable harvest area:

(i) the Atlantic Ocean;

(ii) the Albemarle Sound Management Area as designated in 15A NCAC 03R .0201; or

(iii) the Joint and Coastal Fishing Waters of the Central/Southern Management Area as designated in 15A NCAC 03R .0201.

(C) No permittee shall possess, buy, sell, or offer for sale striped bass taken from the harvest areas opened by proclamation without having a valid ~~Division of Marine Fisheries issued~~ Division-issued tag for the applicable area affixed through the mouth and gill cover or, in the case of striped bass imported from other states, a similar tag that is issued for striped bass in the state of origin. Division striped bass tags shall not be bought, sold, offered for sale, or transferred. Tags shall be obtained ~~at~~ from the ~~Division offices.~~ Division; office locations that provide tags can be found on the Division's website at https://www.deq.nc.gov/striped-bass-commercial-harvest-tags. The Division shall specify the quantity of tags to be issued based on historical striped bass landings. It shall be unlawful for the permittee to fail to surrender unused tags to the Division upon request.

~~(f) Horseshoe Crab Biomedical Use Permit:~~

~~(1) It shall be unlawful to use horseshoe crabs for biomedical purposes without first obtaining a permit.~~

~~(2) It shall be unlawful for persons who have been issued a Horseshoe Crab Biomedical Use Permit to fail to submit an annual report on the use of horseshoe crabs to the Division of Marine Fisheries, due on February 1 of each year. Such reports shall be filed on forms provided by the Division and shall include a monthly account of the number of crabs harvested, a statement of percent mortality up to the point of release, the harvest method, the number or percent of males and females, and the disposition of bled crabs prior to release.~~

~~(3) It shall be unlawful for persons who have been issued a Horseshoe Crab Biomedical Use Permit to fail to comply with the Atlantic States Marine Fisheries Commission Interstate Fishery Management Plan for Horseshoe Crab. The Atlantic States Marine Fisheries Commission Interstate Fishery Management Plan for Horseshoe Crab is incorporated by~~

~~reference including subsequent amendments and editions. Copies of this plan are available via the Internet from the Atlantic States Marine Fisheries Commission at http://www.asmfc.org/fisheries-management/program-overview and at the Division of Marine Fisheries, 3441 Arendell Street, P.O. Box 769, Morehead City, NC 28557, at no cost.~~

(f) Estuarine Gill Net Permit:

(1) It shall be unlawful for an individual to deploy gill nets in Internal Waters, except for runaround, strike, drop, or drift gill nets, without possessing a valid Estuarine Gill Net Permit issued by the Division.

(2) Estuarine Gill Net Permits shall be issued or renewed by the Division on a calendar year basis. For renewals, any changes in information or supporting documents shall be provided by the permit holder at the time of renewal.

(3) It shall be unlawful for a permit holder:

(A) to violate the provisions of any rules or proclamations regarding the conditions set out in the federally issued Endangered Species Act 16 U.S.C. 1539(a)(1)(B) Incidental Take Permits, for the estuarine non-exempt gill net fisheries;

(B) to refuse or deny Division employees a trip aboard the vessel the permit holder is using or observation from a Division vessel to obtain data or samples in accordance with 15A NCAC 03I .0113;

(C) and the master and crew members of the boat, to interfere with or obstruct Division employees in the course of obtaining data or samples, which shall include refusal or failure to provide information on fishing gear parameters or to relinquish any captured sturgeon or sea turtle to Division employees;

(D) to avoid or mislead Division employees by providing incorrect information on fishing activity;

(E) to fail to provide a valid phone number at which the Estuarine Gill Net Permit holder can be reached, return phone calls, or answer text messages from the Division, or fail to notify the Division of a phone number change within 14 calendar days of such change;

(F) to fail to comply with all observer notification system or call-in requirements set out by permit conditions, proclamations, or rules; and

(G) to fail to report to the Division any incidental take of sea turtle or sturgeon within 24 hours.

(g) Permit for Weekend Trawling for Live Shrimp:

(1) It shall be unlawful to take shrimp with trawls from 9:00 p.m. on Friday through 12 noon on Saturday without first obtaining a Permit for Weekend Trawling for Live Shrimp.

(2) It shall be unlawful for a holder of a Permit for Weekend Trawling for Live Shrimp to use trawls from 12:01 p.m. on Saturday through 4:59 p.m. on Sunday.

(3) It shall be unlawful for a permit holder during the timeframe specified in Subparagraph (g)(1) of this Rule to:

(A) use trawl nets to take live shrimp except from areas open to the harvest of shrimp with trawls;

(B) take shrimp with trawls that have a combined headrope length of greater than 40 feet in Internal Coastal Waters;

(C) possess more than one gallon of dead shrimp (heads on) per trip;

(D) fail to have a functioning live bait tank or a combination of multiple functioning live bait tanks, with aerators or circulating water, with a minimum combined tank capacity of 50 gallons; or

(E) fail to call or email the Division ~~of Marine Fisheries Communications Center at 800-682-2632 or 252-515-5500~~ prior to each weekend use of the permit, specifying activities and location. Calls shall be directed to the Division of Marine Fisheries Communications Center at 800-682-2632 or 252-515-5500 and emails shall be sent to the email address provided in the permit specific conditions.

(h) Pound Net Set Permit: The holder of a Pound Net Set Permit shall follow the Pound Net Set Permit conditions as set forth in 15A NCAC 03J .0505.

(i) Scientific or Educational Activity Permit:

(1) It shall be unlawful for institutions or ~~agencies~~ organizations seeking exemptions from license, rule, proclamation, or statutory requirements to collect, hold, culture, or exhibit for scientific or educational purposes any marine or estuarine species without first obtaining a Scientific or Educational Activity Permit.

(2) The Scientific or Educational Activity Permit shall only be issued for collection methods and possession allowances approved by the ~~Division of Marine Fisheries.~~ Division.

(3) The Scientific or Educational Activity Permit shall only be issued for ~~approved~~ activities

conducted by or under the direction of ~~Scientific or Educational institutions~~ educational institutions, nongovernmental conservation organizations, or scientific institutions as defined in 15A NCAC 03I ~~.0101.~~ .0101(1) and approved by the Division.

(4) It shall be unlawful for the responsible party issued a Scientific or Educational Activity Permit to fail to submit an annual report on collections and, if authorized, sales to the Division, due on December 1 of each year, unless otherwise specified on the permit. The reports shall be filed on forms provided by the Division. Scientific or Educational Activity permits shall be issued on a calendar year basis.

(5) It shall be unlawful to sell marine or estuarine species taken under a Scientific or Educational Activity Permit without:
- (A) the required license for such sale;
- (B) an authorization stated on the permit for such sale; and
- (C) providing the information required by 15A NCAC 03I .0114 if the sale is to a licensed fish dealer.

(6) It shall be unlawful to fail to provide the Division with a list of all designees acting under a Scientific or Educational Activity Permit at the time of application.

(7) The permittee or designees utilizing the permit shall call or email the Division ~~of Marine Fisheries Communications Center at 800-682-2632 or 252-515-5500~~ no later than 24 hours prior to use of the permit, specifying activities and location. Calls shall be directed to the Division of Marine Fisheries Communications Center at 800-682-2632 or 252-515-5500 and emails shall be sent to the email address provided in the permit specific conditions.

(j) Shellfish Lease Restoration Permit:

(1) It shall be unlawful to transport shellfish cultivated on a shellfish lease or franchise to a restoration site without first obtaining a Shellfish Lease Restoration Permit.

(2) The Shellfish Lease Restoration Permit shall only be issued for approved activities associated with a shellfish lease or franchise.

(3) It shall be unlawful to harvest shellfish under a Shellfish Lease Restoration Permit without being recorded on a trip ticket through a certified shellfish dealer as set forth in 15A NCAC 03I .0114.

(4) It shall be unlawful for the permittee or permit designee to fail to maintain a record of all shellfish transported for restoration purposes and to fail to submit the record annually, unless otherwise specified on the permit.

(5) The permittee or designees utilizing the permit shall call the Division of Marine Fisheries Communications Center at 800-682-2632 or 252-515-5500 no later than 24 hours prior to use of the permit, specifying activities, location, and product size.

(k) Shellfish Relocation Permit:

(1) It shall be unlawful, without first obtaining a Shellfish Relocation Permit, to relocate shellfish from an area designated by the Fisheries Director as a site where shellfish would otherwise be destroyed due to maintenance dredging, construction, or other development activities.

(2) The Shellfish Relocation Permit shall be issued by the Fisheries Director only as part of a Coastal Area Management Act Permit issued in accordance with G.S. 113A-118 and G.S. 113-229 for development projects based on the status of shellfish resources in the development area, availability of Division employees to supervise the relocation activity, and if the Division has verified that there is no other avoidance or minimization measure that can be incorporated.

~~(j)~~(l) Under Dock Oyster Culture Permit:

(1) It shall be unlawful to cultivate oysters in containers under docks for personal consumption without first obtaining an Under Dock Oyster Culture Permit.

(2) An Under Dock Oyster Culture Permit shall be issued only in accordance with provisions set forth in G.S. 113-210(c).

(3) The applicant shall complete and submit an examination, with a minimum of 70 percent correct answers, based on an educational package provided by the Division ~~of Marine Fisheries~~ pursuant to G.S. 113-210(j), demonstrating the applicant's knowledge of:
- (A) the application process;
- (B) permit criteria;
- (C) basic oyster biology and culture techniques;
- (D) shellfish harvest area closures due to pollution;
- (E) safe handling practices;
- (F) permit conditions; and
- (G) permit revocation criteria.

(4) Action by an Under Dock Oyster Culture Permit holder to encroach on or usurp the legal rights of the public to access public trust resources in Coastal Fishing Waters shall result in permit revocation.

Authority G.S. 113-134; 113-169.1; 113-169.2; 113-169.3; 113-182; 113-210; 143B-289.52.

TITLE 21 - OCCUPATIONAL LICENSING BOARDS AND COMMISSIONS

CHAPTER 16 - DENTAL EXAMINERS

Public Comments on MFC 2025-2026 Proposed Rules (9/4/2025)

Created	Name	Address: City	Address: State	Are your comments for or against the proposed rulemaking?	Please enter your comments on proposed changes to the rules and cite the rule or rules on which you are commenting.
8/5/2025 8:14	maureen welch	kill devil hills	North Carolina	Against	Hello, and thank you for taking my comment. My comment concerns the proposed Gill Net Fishing amendment. While I understand this proposal formalizes existing permits rather than creates new ones, I oppose making estuarine gill net permits permanent due to concerns about bycatch and ghost nets. This would be an ideal time to phase out rather than institutionalize these environmentally harmful fishing methods in our sensitive estuarine waters. Thank you
9/3/2025 13:02	nicole harper	nags head	North Carolina	Against	I am against the proposed amendment that would require any seafood dealer that reports electronically to report quota monitoring logs electronically. While requiring seafood dealers to report quota monitoring logs withing 24 hours electronically seems simplistic from the recipient's perspective, it is quite the contrary for the dealers. The process of packing and purchasing the fisherman's catch and entering the data within the NC Trip Ticket system involves multiple individuals at different times producing a paper trail. Because the sorting, weighing, icing and boxing tasks are performed outside in a wet and grimy environment we designed preliminary paper trip tickets to be used on site. The paper trip tickets are collected and sorted by date to be entered in the Trip Ticket program. In 2025, we entered data from as many as 56 individual trip tickets per day, but it does not end there. Each ticket must be detailed with descriptions such as fishermen name, start date and unload date. Within each ticket, inside state waters, we entered as many as 13 individual species per ticket. A single specie entry includes its own specifications; gear used, area fished, species code, quantity, price and disposition. There are a few options for default setting, however, I am only referencing choices that commonly vary. Every marine fisheries entity has its own demands and deadlines. NMFS require 24-hour submissions on bluefin tuna followed by bi-monthly updates. They also require weekly submissions on all other trip tickets within federal waters. At times, there are as many as 110 specie entries for a single trip ticket within federal waters. In comparison, NCDMF requires 24-hour submissions on 5 separate species: striped bass, flounder, ocean flounder, dogfish, and sea bass. Currently, NCDMF requests are more difficult to fulfill with a year around 24-hour time frame. Mentioned are only the data entry demands on time the marine fisheries services have imposed on an office. We also juggle other governmental entities like FDA, NDDOR, NCDES, and IRS with their stringent mandates. As you should see, it is impossible to enter data into the program as the catch is received due to other office deadlines and demands. Trip ticket entry is a part of a larger process within the daily demands of an office. A 24-hour window with a 12pm deadline is very little time to give anyone to complete this task. What is more convenient for some can unnecessarily increase the burden of others. I ask for careful and thoughtful consideration before you require dealers to report the quota monitoring log electronically.

MARINE FISHERIES COMMISSION
SUMMARY OF PUBLIC HEARING FOR PROPOSED RULES

DIVISION OF MARINE FISHERIES
CENTRAL DISTRICT OFFICE, MOREHEAD CITY, N.C.
AND VIA WEBEX
AUGUST 26, 2025, 6 P.M.

Marine Fisheries Commission:	Sarah Gardner
Division of Marine Fisheries Staff:	Jesse Bissette, Catherine Blum, Lynn Ewart, Brian Gupton, Zach Harrison, Coral Sawyer, Dave Ushakow, Jason Walsh
Public:	None
Media:	None

Marine Fisheries Commission member Sarah Gardner, serving as the hearing officer, opened the public hearing for Marine Fisheries Commission proposed rules at 6 p.m. The Marine Fisheries Commission proposed changes to nine rules and the proposed effective date of these rules will be determined by the legislative review process in the 2026 short session; all nine of these rules are automatically subject to legislative review or are related to rules that are automatically subject. Public comments on the proposed rules will be presented to the Marine Fisheries Commission at its November 2025 business meeting prior to its vote on final approval of the rules. The hearing is a formal process to receive public comments only about the proposed rules as published in the *N.C. Register*.

The reason for proposed action to these nine rules was published in Volume 40, Issue 03 of the *N.C. Register*. The comment period for these nine rules ended at 5 p.m. September 30, 2025. The public could submit comments via U.S. mail to the Division of Marine Fisheries, P.O. Box 769, Morehead City, NC 28557; written comments could also be submitted via an online form available on the Division of Marine Fisheries website, on the "2025-2026" proposed rules webpage.

Commissioner Gardner opened the floor for the public to provide comments.

Seeing no members of the public in attendance to provide public comments on the proposed rules, Commissioner Gardner closed the hearing at 6:10 p.m.

/cb

N.C. Marine Fisheries Commission
2026-2027 Annual Rulemaking Cycle

November 2025

Time of Year	Action
February 2026	MFC votes to select preferred management option
February-April 2026	Fiscal analysis of rules prepared by DMF staff and approved by Office of State Budget and Management
May 2026	MFC votes to approve Notice of Text for Rulemaking
August 2026	Publication of proposed rules in the *North Carolina Register*
August-September 2026	Public comment period held
TBD (August-September 2026)	Public hearing held via WebEx with listening station at NCDEQ Division of Marine Fisheries Central District Office at 5285 Highway 70 West, Morehead City
November 2026	MFC receives public comments and votes on final approval of permanent rules
January 2027	Rules reviewed by Office of Administrative Hearings/ Rules Review Commission
April 1, 2027	Possible effective date of rules not automatically subject to legislative review
April 1, 2027	Rulebook supplement available online
2028 legislative session	Possible effective date of rules subject to legislative review per S.L. 2019-198 and G.S. 14-4.1
2028 legislative session	Rulebook supplement available online pending legislative review process