

ASMA American Shad Season Options September 10, 2008

Background: Gill net fishermen in the Eastern Albemarle Sound Management Area (Croatan Sound to southern boundary of the ASMA) have requested that “shad” float nets (5 ¼ inch stretched mesh (ISM)) be allowed when the American shad commercial season opens by rule, January 1. The DMF has allowed “shad” nets (5 ¼ to 6 ISM) to be set by mid-February annually over the past eleven years, however during 2007 and 2008 nets were allowed February 1. The fishermen contend that American shad caught early in the season bring a “good” price per pound. Many of the fishermen that have made this request have indicated that they are only interested in shad and not being able to retain a bycatch limit of striped bass.

The MFC rule establishing the American shad commercial harvest season of January 1 – April 14 has been in effect since 1995. In an effort to provide the most “opportunity for the historical shad fishery” and manage the striped bass fishery as a bycatch fishery as mandated in the FMP, while remaining within the TAC. The ASMA commercial striped bass TAC has not been reached since 2004, even though the DMF has increased the number of harvest days and allowed bycatch. The Division in an effort to allow fishermen the opportunity to shad fish and utilize the striped bass TAC and associated discards as indicated above has allowed such gear earlier in the year.

Allowing “shad” nets January 1 could be a double-edged sword. If the striped bass TAC or the “spring” portion of the TC is reached prior to April 14 “shad” nets will have to be removed from the water. This was the case in 2004, when “shad” nets were prohibited after April 6. The 2005 year class of striped bass is extremely large and a portion of those fish will be susceptible to this gear in the spring.

The ASMFC is in the process of developing Amendment 3 to the Interstate Fishery Management Plan for Shad and River Herring. One of the issues identified in the ASMFC Public Information Document that came from the American Shad Coastwide Stock Assessment (SA) – do not increase directed fisheries for American shad. The SA also recommended that – “State’s maintain existing regulations or become more restrictive.”

The ASMFC American Shad Stock Assessment Report for Peer Review (Volume 1) (ASMFC 2007) indicates that the current abundance of American shad in the Albemarle Sound and its tributaries is well below the historic potential for these stocks. Catch-per-trip in the commercial fishery since the mid-1990s and catch-per-unit-of-effort from more recent fishery-independent sampling programs have all increased slightly suggesting a recent improvement in stocks of Albemarle Sound and the Roanoke River; although, preliminary estimates from a hydro-acoustic survey currently underway indicate that adult abundance is still low (J. Hightower, pers. comm.). High mortality rates may have affected stocks in the 1970s and 1980s but a recent stock increase suggests that mortality levels have not affected stock levels in the last 15 years. However, these improvements may be a result of artificial enhancement via the ongoing

stocking program in the Roanoke River, as mentioned below. Harvest and presumably stock levels remain very low in the historical context.

Since 1998, the NC Wildlife Resources Commission in cooperation with US Fish and Wildlife Service has conducted a “restoration/fry stocking program” in Roanoke River. The “program” from 1998 – 2003 was funded by NCDOT as mitigation for a permit violation. Since 2003, this was a requirement of the FERC relicensing for Dominion Power and funded in part by that company. Over 26.4 million American shad fry (OTC marked) have been stocked in the Roanoke system since 1998.

Options

- **Status Quo**
 - Allow float “shad” gill nets (5 ¼ - 6 ISM, maximum 1,000 yards), from early February through April 14

- **Allow “shad” gill nets – Eastern Albemarle Sound Area (south of “new” Hwy 64 Bridge) to southern boundary of ASMA**
 - January 1 – until rest of ASMA opens to shad nets
 - 5 ¼ - 6 ISM, maximum 500 yards
 - Not allow sale of striped bass bycatch
 - Striped bass bycatch/mortality excessive – nets will be prohibited

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- **Allow “shad” gill nets – Eastern Albemarle Sound Area (south of “new” Hwy 64 bridge) to southern boundary of ASMA**
 - January 1 – 31 (or until rest of ASMA open to shad nets)
 - 5 ¼ - 6 ISM, maximum of 500 yards
 - Set at least 100 yd or 200 yd from shore
 - Allow sale of up to 5 striped bass per day (bycatch)
 - Total pounds of striped bass harvest allowed for the period 10,000 pounds. Poundage reached nets must be removed from the water.

- **Allow “shad” gill nets in entire ASMA**
 - January 1 – until early February
 - 5 ¼ - 6 ISM, maximum 500 yards
 - Allow sale of striped bass bycatch (5 – 10 fish)
 - Early February – April 14 (or until striped bass TAC reached), yardage limit increase to maximum 1,000 yards
 - Striped bass TAC reached regardless of date shad nets removed from the water

- **Allow “shad” gill nets in entire ASMA**
 - January 1 – April 14 (or until striped bass TAC reached)
 - 5 ¼ - 6 ISM, maximum 1,000 yards
 - Allow sale of striped bass bycatch (5 –10 fish)
 - Striped bass TAC reached regardless of date shad nets removed from the water

Float Gill Nets (Shad Nets 5 ¼ ISM and larger) in ASMA

<u>Year</u>	<u>Dates and Gill Net Restrictions</u>
1988	Closed Batchelor Bay area to gill nets (Black Walnut Point across to mouth of Mackeys Creek)
1988 1993	5 ¼ ISM and larger unrestricted
1994	February 1 – March 13 – ASMA 2,000 yds- sunrise Monday – 4:00 pm Friday; March 14 – April 15 – ASMA 500 yds- sunrise Monday – 4:00 pm Friday
1995	NC MFC- adopted rule establishing a closed commercial season on American shad and hickory shad – April 15 – December 31. March 1 - 31- ASMA 800 yds April 1 - 14- East of NC Hwy 32 bridge, Croatan and Roanoke sounds- 500 yds West of NC Hwy 32 bridge- 800 yds
1996	February 16 – March 31 - Albemarle and Currituck sounds- 1,000 yds Croatan and Roanoke sounds- 800 yds April 1 - 14- ASMA 500 yds
1997	February 15 – March 23 - West of NC 32 bridge- 1,500 yds East of NC 32 bridge and Croatan and Roanoke sounds- 1,000 yds March 24 – April 14 - ASMA 1,000 yds
1998	February 16 – April 7 - ASMA 1,000 yds
1999	February 9 – April 14 - ASMA 1,000 yds
2000	February 13 – April 14 - ASMA 1,000 yds
2001	February 8 – April 14 - ASMA 1,000 yds
2002	February 18 – April 14 - ASMA 1,000 yds
2003	February 17 – April 14 - ASMA 1,000 yds
2004	February 16 – April 6 – ASMA 1,000 yds
2005	February 18 – April 14 – ASMA 1,000 yds
2006	February 16 – April 14 – ASMA 1,000 yds
2007	February 1 – April 14 – ASMA 1,000 yards
2008	February 1 – April 14 – ASMA 1,000 yards

Year	Croatan/Roanoke Sounds				
	Jan	Feb	Mar	Apr	Total
1972				48,038	48,038
1973			13,791	6,929	20,720
1974	5,562	12,616	10,090	*	28,268
1975		21,240	5,590	11,539	38,369
1976	1,855		3,495		5,350
1977	*				
1978				11,000	11,000
1979		*	9,850	453	10,303
1980		*	2,580	19,978	22,558
1981		1,459	3,231	1,369	6,059
1982		*	25,813	5,795	31,608
1983	*	3,095	30,241	7,999	41,335
1984	*	1,418	6,558	3,294	11,270

Albemarle Sound Area				
Jan	Feb	Mar	Apr	Total
*	3,108	41,211	34,376	78,695
1,702	4,056	29,011	17,048	51,817
1,070	18,666	33,880	25,620	79,236
923	5,992	26,371	9,795	43,081
	8,379	39,850	15,829	64,058
*	3,605	34,001	28,452	66,058
*	3,948	71,696	59,136	134,780
	1,230	44,661	25,328	71,219
1,300	2,480	22,245	15,496	41,521
*	12,770	30,360	14,363	57,493
*	9,416	46,115	25,586	81,117
691	18,752	82,862	57,617	159,922
*	11,248	13,816	116,767	141,831

Croatan/Roanoke Sounds				
Jan	Feb	Mar	Apr	Total
	671	5,565	3,306	9,542
	2,729	3,767	1,206	7,702
*	6,334	4,545	862	11,741
*	5,069	24,603	2,996	32,668
*	3,193	18,354	1,179	22,726
*	5,958	18,172	2,279	26,409
*	3,548	4,417	1,097	9,062
1,075	6,427	12,157	2,463	22,122
*	11,155	19,584	151	30,890
*	6,861	40,514	3,324	50,699
*	8,518	14,982	3,545	27,045
*	7,079	13,595	3,401	24,075
286	4,514	21,902	4,627	31,329
*	10,421	9,233	7,513	27,167

Albemarle Sound Area				
Jan	Feb	Mar	Apr	Total
651	612	39,350	10,688	51,301
*	6,633	32,461	18,497	57,591
542	12,465	31,876	6,839	51,722
*	16,872	104,220	14,336	135,428
*	7,841	31,280	8,041	47,162
*	22,791	66,691	13,464	102,946
643	19,836	54,705	10,412	85,596
1,204	20,497	104,653	26,546	152,900
1,227	20,809	190,143	37,525	249,704
*	9,714	96,273	24,324	130,311
*	10,743	67,069	21,455	99,267
179	19,131	49,154	16,145	84,609
236	17,298	137,263	29,402	184,199
111	7,040	28,967	11,994	48,112

Striped Bass landings

	<u>Croatan/Roanoke Sounds</u>					<u>Albemarle Sound Area</u>				
	<u>Jan</u>	<u>Feb</u>	<u>Mar</u>	<u>Apr</u>	<u>Total</u>	<u>Jan</u>	<u>Feb</u>	<u>Mar</u>	<u>Apr</u>	<u>Total</u>
1995			6,516	*	6,516		*	72,825	3,560	76,385
1996		4,462	7,685	2,493	14,640	*	19,522	30,927	14,628	65,077
1997		2,983	8,686	6,399	18,068		7,729	24,492	23,303	55,524
1998		973	10,724	3,609	15,306	*	10,040	53,810	21,355	85,205
1999	*	5,401	13,920	4,471	23,792	*	16,213	44,317	42,162	102,692
2000	5,315	12,460	44,538	8,748	71,061	11,380	36,505	45,361	32,005	125,251
2001	8,260	13,175	12,638	10,055	44,128	26,741	31,381	43,878	39,457	141,457
2002	24,649	21,129	11,456	3,610	60,844	18,747	27,184	40,012	19,828	105,771
2003	17,274	17,120	5,275	19,330	58,999	21,679	37,248	70,344	43,001	172,272
2004	12,106	37,125	75,507	9,108	133,846	18,468	41,145	66,224	13,627	139,464
2005	8,850	7,703	10,013	11,906	38,472	34,118	38,972	46,565	55,608	175,263
2006	14,919	3,274	3,990	2,778	24,961	26,574	13,448	39,316	29,510	108,848
2007	16,631	6,633	6,939	8,336	38,539	12,978	19,300	41,399	23,059	96,736
2008	2,790	2,088	10,988	13,089	28,955	5,784	9,394	12,961	14,588	42,727

* Denotes confidential data

