

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2009

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SENATE BILL 1275*

Short Title: Improve Success of FMPs. (Public)

Sponsors: Senators Albertson; Bingham and Swindell.

Referred to: Agriculture/Environment/Natural Resources.

May 20, 2010

A BILL TO BE ENTITLED

AN ACT TO PROVIDE THAT EACH FISHERY MANAGEMENT PLAN MUST SPECIFY TIME PERIODS FOR ENDING OVERFISHING AND ACHIEVING A SUSTAINABLE HARVEST AND INCLUDE A STANDARD OF AT LEAST FIFTY PERCENT PROBABILITY OF ACHIEVING A SUSTAINABLE HARVEST, AS RECOMMENDED BY THE JOINT LEGISLATIVE COMMISSION ON SEAFOOD AND AQUACULTURE.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 113-182.1(b) reads as rewritten:

"(b) The goal of the plans shall be to ensure the long-term viability of the State's commercially and recreationally significant species or fisheries. Each plan shall be designed to reflect fishing practices so that one plan may apply to a specific fishery, while other plans may be based on gear or geographic areas. Each plan shall:

- (1) Contain necessary information pertaining to the fishery or fisheries, including management goals and objectives, status of relevant fish stocks, stock assessments for multiyear species, fishery habitat and water quality considerations consistent with Coastal Habitat Protection Plans adopted pursuant to G.S. 143B-279.8, social and economic impact of the fishery to the State, and user conflicts.
- (2) Recommend management actions pertaining to the fishery or fisheries.
- (3) Include conservation and management measures that will provide the greatest overall benefit to the State, particularly with respect to food production, recreational opportunities, and the protection of marine ecosystems, and that will produce a sustainable harvest.
- (4) ~~Specify a time period, not to exceed 10 years from the date of the adoption of the plan, for ending overfishing and achieving a sustainable harvest. This subdivision shall only apply to a plan for a fishery that is overfished. This subdivision shall not apply to a plan for a fishery where the biology of the fish or environmental conditions make ending overfishing and achieving a sustainable harvest within 10 years impracticable.~~
- (5) Specify a time period, not to exceed two years from the date of the adoption of the plan, for ending overfishing. This subdivision shall only apply to a plan for a fishery that is not producing a sustainable harvest.
- (6) Specify a time period, not to exceed 10 years from the date of the adoption of the plan, for achieving a sustainable harvest. This subdivision shall not apply if the Fisheries Director determines that the biology of the fish, environmental conditions, or lack of sufficient data make implementing the



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1 requirements of this subdivision incompatible with professional standards
2 for fisheries management.
3 (7) Include a standard of at least fifty percent (50%) probability of achieving
4 sustainable harvest for the fishery or fisheries. This subdivision shall not
5 apply if the Fisheries Director determines that the biology of the fish,
6 environmental conditions, or lack of sufficient data make implementing the
7 requirements of this subdivision incompatible with professional standards
8 for fisheries management."

9 **SECTION 2.** This act is effective when it becomes law.