

Marine Fisheries Commission Business Meeting Minutes
Beaufort Hotel
Beaufort, North Carolina
Nov. 13-15, 2019

The commission held a business meeting Nov. 13-15 at the Beaufort Hotel in Beaufort, North Carolina.

The briefing book, presentations and audio from this meeting can be found at <http://portal.ncdenr.org/web/mf/11-2019-briefing-book>.

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

BUSINESS MEETING - MOTIONS AND ACTIONS

On November 13, a public comment session was held beginning at 6 p.m. Chairman Rob Bizzell called the meeting to order. The following individuals spoke:

Glenn Skinner, commercial fisherman and Executive Director of the North Carolina Fisheries Association, stated that in 2016 the commission adopted management measures for the blue crab fishery. That same year, the commission asked the division to review the plan again; because of that, the stock assessment does not include any of those past three years with the management measures. Update the stock assessment first. To instill confidence in the stockholders, the commission needs to stop constantly changing management measures before they've been allowed to work. Crabbers saw the most crabs they've seen in twenty years this year. If you do have to take action, look at the public comment as there are some measurement measures that the fishermen say they just can't live with. Do something that will work for the crabs and the fishermen.

Mark Ragozzino, NC resident, supports improving the NC economy, maximizing the research value of the NC national estuarine reserve and supports amendment 3 appendix 4.5 attachment 1. The North Carolina Blue Crab Fisheries Management Plan designates Masonboro and Zeke Islands as a Diamondback Terrapin Management Area; it allows for high-quality bycatch reduction technique research to ensure future sustainability of the NC crab industry. Seafoodwatch.org does not support purchasing NC crab due to decimation of Diamondback Terrapin population by crab pot fishing without bycatch reduction techniques. Large seafood purchasers follow Seafoodwatch.org recommendations. High-quality research within the NC national estuarine reserve will enable lifting the adverse recommendations of Seafood Watch; enabling an increase of demand for NC crab and an increased income for NC crabbers.

Chris Elkins, on behalf of Coastal Conservation Association of North Carolina, provided the commission with a handout and commented on habitat and water quality and on the specific issue of oysters. On the topic of oyster dredging and oyster relay, he stated that oysters are very important in water quality and habitat; fishermen are often commenting on the declining water quality. Oysters are at an all-time low because of poor water quality as well as some other factors. Over 90 species have been shown to require oyster reefs in their life cycle. Last year, there were no oyster dredging landings, however, there was no issue in getting oysters; dredging is

unnecessary. We are expanding our mariculture industry, but we should probably cap our oyster relay program to where it is now and not continuing to destroy inshore habitat. It's also a problem for Marine Patrol.

David Sneed, Executive Director of CCANC, recreational fisherman and lifelong NC resident, he stated he grew up hunting and fishing in the coastal counties of NC has love and appreciation for our wildlife resources. CCA advocates conservation of coastal fisheries, fund and build oyster reefs, restore degraded habitat, fund scholarships for students, host kids fishing tournaments, etc. Yet despite all of CCA's efforts to promote coastal conservation in the recreational fisheries, they always get pushed to the side in favor of continued maximum exploitation of finite fish stocks. We have only asked that the commission take a little pressure off the fish stocks so that they can grow and provide more abundance for all fishermen. Mother Nature helped us take some pressure off with the cold stun event in 2017 that closed the speckled trout fishing and again in 2018 with back-to-back hurricanes; let them spawn. Proactive measures by this commission to remove anchored large mesh gill nets in the Tar, Pamlico and Neuse rivers has also helped take some pressure off of our fisheries. Now we are seeing some of the best recreational fishing in eastern NC in decades. We ask that you be proactive with management to keep recreational fishermen coming back to our coast. Thank you for taking the time to hear CCA's concerns about speckled trout three weeks ago.

Stuart Creighton, has serious concerns for the new process of streamlining FMPs as we move forward with Amendment 3 on the Southern Flounder Fishery Management Plan. He states that this new process will only disenfranchise an already frustrated and distrustful recreational angling community. Limiting public comment to a two-week scoping period is unwise and holding AC style workshops over a period of several days will only serve to prevent the public from attending. The division needs more transparency and recommends opening the FMP planning team meetings to the public. Regarding the pending flounder amendment; you will not achieve the needed harvest reductions without gear removal; the division seems to be leaning towards a quota. If so, it must be strictly monitored and include paybacks for overages; gear must be kept out of the water until the designated season opens and a slot length should be included. Gill nets need to be removed. Circle hooks should be required for anyone using live or cut bait regardless of the inshore species being targeted. Additional enforcement officers with full policing powers will need to be added to ensure the reductions are being properly followed. Remove the gill nets and replace them with a commercial hook-and-line fishery as well as an appropriate slot length for speckled trout; 14-22" would work well. At the August meeting he asked the commission to start modeling their management after other states; give the commercial fishermen something successful, profitable and sustainable, but the gill nets have to come out of the water and trawlers out of the sounds.

The meeting recessed at 6:20 p.m.

Nov. 14

Chairman Rob Bizzell convened the Marine Fisheries Commission business meeting at 9 a.m. on Nov. 14 and reminded commissioners of their conflict of interest and ethics requirements.

The following commission members were in attendance: Rob Bizzell-Chairman, Mike Blanton, Cameron Boltes, Doug Cross, Tom Hendrickson, James Kornegay, Robert McNeill, Dr. Martin Posey and Sam Romano.

Motion by Doug Cross to approve agenda with leeway to adjust non-action items for time efficiency. Second by Tom Hendrickson.

Motion carries with no opposition.

Motion by Martin Posey to approve minutes from the August 2019. Second by Doug Cross. Motion carries with no opposition.

Public Comment Period

Renee Cahoon, of Nags Head and chair of the Coastal Resources Commission, stated that there is great concern to the CRC as well as coastal CAMA management regarding the proposed delineation of inland waters rule change. It would greatly impact buffer rules that are currently in place as it would take the buffer from 75' to 30' allowing a great amount of water runoff to occur in our rivers and tributaries. Water quality is already a concern, but if you change the buffer rules, it would greatly impact the water quality which would in turn impact all of our resources. Some of our mandates in coastal management are set up in state statute and cannot just be changed easily. This rule change needs more work and more cooperation from other boards and commissions; bring all the commissions and staff together to discuss this proposed rule change before we have unintended consequences. Perhaps the Coastal Habitat Protection Plan is the proper venue for taking on this issue.

Jerry Schill, of the North Carolina Fisheries Association, stated that the NCFA endorses the slate of candidates for the obligatory seat on the Mid-Atlantic Council; with Dewey Hemilright as the preferred candidate as he is the incumbent. The NCFA formally asks the commission to oppose any further action by the Wildlife Resources Commission to revise the rules on the delineation of fishing waters as well as advise the Governor. While the WRC has recommendations for changing lines, they have provided no scientific rationale for doing so. He also stated he wanted to echo what Chairman Cahoon had stated about the effect on water quality on the coast.

Chris McCaffity, as a recreational license holder he asks that the flounder fishery start being responsibly managed in a way that would avoid complete closures and reduces regulatory discards; use license fees to help fund regional stocking of larval stage flounder and other fish to create hatchery supported quotas that support more harvest. As a commercial fishing license holder, he asks that some of the license fees help regionally stock larval stage seafood and create hatchery supported quotas that support more harvest. He asked the commission to consider how this solution could help offset some of the impacts that habitat degradation has on spawning. Stocking natural seafood could help us sustainably feed a growing population while keeping fish and fishermen wild and free. As a seafood consumer and concerned citizen he asks that the managers focus more on enhancing fisheries and food supply rather than restricting the public's freedom to access it. Wise use of proven management tools that focus on enhancement will create more seafood, recreational opportunity and eco-friendly revenue while preserving our freedom to fish and access public resources. Please reopen North Carolina's historic river herring fishery, support a moratorium on farming fish in public waters and please consider options for purchasing catch-shares to create state-controlled quotas in fisheries that have been privatized to prevent foreign ownership of our public resources. Ask the South Atlantic Management Council

not to create dozens of new special management zones off of our coast as they will be an enforcement nightmare with no biological benefit. Ask the Bureau of Ocean Energy Management not to allow more rounds of secret seismic testing and require any offshore energy structures to be designed as permanent artificial reefs.

Bert Owens, of Beaufort stated that water quality is an important issue; having grown up in Kinston, he saw that hog farmers would dump their 100% untreated waste directly into the river, as did every other town on the Neuse River. You can see the abandoned pipes from Cherry Point where the military bases used to dump everything directly into the river. We've come a long way, but there is still more work to do. He asked the commission regarding oyster column leases to consider not blocking off historic duck blind areas. In the scoping document for flounder there was a question as to whether or not recreational anglers could identify various species of flounder; it would be a good idea next July or August to open the ocean to angling for flounder for a month and let Marine Patrol determine whether anglers can differentiate between species of flounder; it would give good data to move forward with.

Jess Hawkins, former Division of Marine Fisheries staff member, scientist and avid recreational angler representing himself, stated he had comments regarding WRC's delineation issue. Deputy Secretary John Nicholson laid out some very precise points for the commission as well as policy considerations to help guide your decisions. He stated that he had worked with four governors and nine directors; experience in seeing how fishery policy is developed for the state of NC. During his tenure they had meetings with WRC to discuss boundaries and see if the boundaries needed to be modified. The boundaries are a result of an agreement between the two commissions. Statutes also allow that if an agreement cannot be made between the two commissions, the Governor will be the source of the conflict resolution. During his time, they were unable to consider proposals to modify the boundaries. Since that time, the General Assembly passed a regulatory reform statute that stimulates jobs and eliminates unnecessary regulations. As your three commissioners serve on the subcommittee; you've created two disparate movements of regulatory action and creates more confusion. Regarding the science; the standards that the WRC picked are subject to review by scientist. There are scientists on this commission or there are experts within this state that could present to you as whether a 2.7 parts per thousand salinity standard is accurate to determine what are coastal waters. It is his opinion that if there is any salinity you should consider them coastal waters and in turn, they should be under the jurisdiction of this commission. The history of developing these boundaries involved the two agencies sitting down and looking at delineation based on the distribution of fish. Pass a motion to go on record opposing this action and if the WRC still continues to peruse the issue, ask for a meeting with the Governor to try to resolve this conflict as part of that motion.

Chuck Laughridge, stated that he missed the Raleigh meeting due to an appointment issue, but would like to thank every member of the senior staff, member of DMF, the law enforcement officers, Director Murphey, etc. It has been a privilege to work with those folks. He urged the public to listen to what Chairman Bizzell says before every public comment period about behavior and being asked to leave the meeting. Regarding delineation, he stated we are hammering around the edges; you are charged with managing what is now a \$4.5 billion fishery, you can not meet and manage a corporation or a business, church or CRFL grant with 36 hours a year. That's the amount of time you spend conducting business at the four quarterly business meetings every year. Beg the Governor, ask the legislators to give you additional time, and allow

the public to participate if you want to work at it. Not only in scoping meetings, but allow the public to speak to you on a one-to-one basis. Time of death 21 minutes after 9 o'clock.

Chairman's Report

Chairman Bizzell reviewed correspondence that had been sent and received by the commission since the last business meeting and the commission was reminded of their ethics education requirements and the April 15 deadline to file their Statement of Economic Interest.

Shawn Maier, the Commission's legal counsel gave a verbal update on litigation and comments on conflict of interest. The legal case of North Carolina Fisheries Association vs. Marine Fisheries Commission regarding alleged open meeting violation from a 2017 meeting. Since the August commission meeting, the NCFA has filed a voluntary dismissal in that lawsuit. The second lawsuit Fishers of Men vs. Marine Fisheries Commission and Wildlife Resources Commission is an action seeking a declaratory judgement based on both commissions' zero possession limit of striped bass in the CSMA. Shawn stated they are trying to work with opposing counsel to get our motion as well as WRC's motion to dismiss on the calendar as well as a trial date for 2020 scheduled.

Shawn, at the request of Chairman Bizzell, went over what conflicts of interest look like; various provisions of this commission's statutes say, and what the State Government Ethics Act say about what a conflict of interest is. He reminded the commissioners that if they should have individual questions, he is happy to take them or speak one-on-one.

The 2019/2020 committee assignments for commissioners was included in the briefing materials and commissioners were asked to review and let the chairman know if they had any questions or concerns.

Chairman Bizzell presented former MFC liaison, Nancy Fish, with a vase and roses in appreciation for her years of service.

Update on WRC/MFC Jointly Adopted Rules on Delineation of Fishing Waters.

Chairman Bizzell gave a verbal update on WRC/MFC to jointly adopt rules on delineation of fishing waters. He stated that they are still have discussions with Gordon Myers and several members of the WRC; trying to hash things out and have a better understanding. It was initially thought that a consensus or non-consensus about where the lines were acceptable to us was needed from us in November. However, that is not necessarily the case. In the briefing book there are several letters and a draft timeline from WRC. Not much more to report, but to let the process run its course and then report at the end.

Commissioner Cross stated that he believed the MFC needed to go back on the record and reiterate their position; we are standing behind the division with our same guidelines because he believes it is the best science they have been presented with. The WRC's model is based off of Chesapeake Bay and it doesn't make any sense for the argument they are presenting. He suggested making a motion reiterating their position.

Commissioner Posey expressed his concerns with the WRC's suggestion; both ecological and management concerns. The letter from DEQ in their briefing materials covers some of his concerns. He stated that key species utilize low salinity areas below the level indicated by the WRC; blue crab, flounder, mullet, sea trout, etc. It creates problems when you put a boundary there; having to look at

resources from two different organizations. He doesn't believe the Chesapeake Bay model is applicable in this instance for various reasons including ecosystem breaks because of their fundamental influence on our fisheries and coastal resources. He also mentioned expected saltwater intrusion; the locations will probably get saltier over time; creates an issue if we aren't going to review it every year. From a management standpoint, the WRC's suggested dividing line creates concerns related to uniform management of fisheries. Significant jurisdictional changes for several agencies; CAMA, CRC, which will in turn have impacts on setbacks and other regulatory aspects that affect water and habitat quality and storm water regulations. There will be a lot of unintended impacts and direct and obvious impacts and we should go on record as having a concern with their somewhat unilateral movement they have taken.

Commissioner Blanton added some points based on management of species used by the commercial industry in significant portions of the waterways especially in the northern part of the state. He stated that the Albemarle sound and its tributaries is probably the most used by the commercial crabber in the state; jimmy crabs come from these tributaries. We are dealing with an invasive species (blue catfish) that has expanded significantly in the last five years. These fish will be detrimental to stocks managed in an interstate plan, ASMFC, such as shad, river herring, striped bass, etc. This will become a bigger problem to the commercial sector if the boundary lines are moved up and the commercial sector not be able to harvest blue catfish.

Motion by Doug Cross that the Marine Fisheries Commission reject the N.C. Wildlife Resources Commission recommendation of a 2.6 parts per thousand delineation line as it pertains to a boundary for inland and coastal waters and that we recommend staying at status quo on our current guidelines that we are at that our rules are already in place for. Motion ruled out of order by chairman.

Motion by Martin Posey that the Marine Fisheries Commission support continuation of the joint discussion process as represented by the Wildlife Resources Commission/Marine Fisheries Commission Joint Committee on Delineation of Fishing Waters. Motion seconded by Pete Kornegay.

Motion by Martin Posey to amend the previous motion so that it reads: that the Marine Fisheries Commission supports continuation of the joint discussion process as represented by the Wildlife Resources Commission/Marine Fisheries Commission Joint Committee on Delineation of Fishing Waters. These commissions should seek input from other impacted units including the Coastal Resources Commission, the Environmental Management Commission, as well as support from staff. Motion to amend seconded by Pete Kornegay. Motion carries with two abstentions.

Committee Reports

CHPP Steering Committee

Commissioner Posey gave a verbal update of the Coastal Habitat Protection Plan Steering Committee meeting that took place on October 16. He pointed the Commissioners to the meeting summary in their briefing books written by CHPP chair Jimmy Johnson. He stated the meeting's focus was on the 2021 revision of the plan. Commissioner Posey stated that the meeting started with an update on the 2016 CHPP priorities which included; oyster restoration, metric

development, living shorelines and sedimentation. Also notable; the NC Living Shoreline Steering Committee has now been formed to further advance this method of shoreline stabilization. Commissioner Posey also touched upon the 2021 revision process and timeline using the SMART (specific, measurable, attainable relevant, and timely) approach. He also spoke about priority habitat issues which include; SAV protection and restoration with focus on water quality improvements, wetland shoreline protection and enhancement using nature-based methods and habitat condition monitoring and environmental rule compliance. He also mentioned the EO80 and its relation to the CHPP as well as the NC Climate Science Report.

Commissioner Blanton spoke of the algal blooms in the Albemarle Sound and stated he is encouraged by the work that is being done to figure out what is going on with the degrading condition of the Sound.

Nominating Committee

Division staff reported that the commission's Nominating Committee voted to forward the names of Dewey Hemilright, Brent Fulcher, and Robert Ruhle to the commission for consideration as nominees to North Carolina's obligatory seat on the Mid-Atlantic Fishery Management Council. The commission is required to submit to the governor a minimum of three candidates for consideration for each seat. Bios were reviewed for each of the potential nominees.

The commission voted to forward the names recommended by the Nominating Committee to the Governor's Office for consideration as nominees for North Carolina's Mid-Atlantic Fishery Management Council obligatory seat.

Motion by Mike Blanton to send the following names to the governor for consideration as nominees for the Mid-Atlantic Fishery Management Council obligatory seat:

- **Dewey Hemilright, a commercial fisherman from Kitty Hawk and the current N.C. obligatory member on the Mid-Atlantic Fishery Management Council**
- **Brent Fulcher, a dealer and vessel owner from New Bern**
- **Robert Ruhle, a commercial fisherman from Wanchese**

Motion seconded by Doug Cross.

Motion carries with no dissention.

Coastal Recreational Fishing License Advisory Committee

Commissioner Kornegay gave an update on the Coastal Recreational Fishing License Advisory Committee meeting that took place on October 1 to review 17 CRFL project applications. He stated that the committee advised the director to in favor of funding four fisheries applications, three habitat applications and one outreach application. The committee advised the director not to fund three fisheries applications, three habitat applications and one outreach application. Two other fisheries applications were tabled pending further information. He pointed the commission to their briefing books for details of each application.

Director's Report

Division of Marine Fisheries Director Steve Murphey introduced the Division's new Executive Assistant to Commissions and Councils, Lara Klibansky, and gave a summary of her bio and then updated the commission on division activities occurring since the August 2019 business meeting, including:

- The leaking of confidential information regarding the Hurricane Florence Commercial

Fishing Assistance online by another agency; stating that the division takes confidential information very seriously. The DMF did not disclose any of this confidential information nor did anyone at DMF or DEQ have knowledge that this information was being released to anyone outside of the state agency.

- The major concern voiced by FMP committee members, MFC advisors, NCFA and other stakeholders, about the Blue Crab Fishery Management Plan Amendment 3 was that the current stock assessment does not account for regulation changes put into effect after the May 2016 revision. We are seeing some improvement in spawning stock recruitment and adult abundance indices used in the traffic light analysis during 2018. Director Murphey gave some background information on the Blue Crab FMP and stated that the DMF will be recommending a minimum of 2.2% reduction in harvest. The division supports acting now to ensure the long-term sustainability of the most valuable fishery of NC.
- Director Murphey gave an overview of the Coastal Habitat Protection Plan and thanked Commissioner Posey for his summary of the meeting. He also gave an update on shellfish aquaculture and user conflicts, artificial reefs, oyster season, summer flounder, oyster sanctuary program, trout cold stun protocol, diamondback terrapin, NC Seafood Festival, Hurricane Dorian, DEQ awards, and CRFL projects.

Presentation – Shellfish Sanitation: Naturally Occuring Pathogens

Shellfish Sanitation Section Chief, Shannon Jenkins

This presentation can be found at:

http://portal.ncdenr.org/c/document_library/get_file?p_l_id=1169848&folderId=33374115&name=DLFE-141905.pdf

Commissioner Hendrickson requested outreach in the form of a clear set of best practices for consumers.

N.C. Wildlife Federation Officer of the Year Presentation:

Tim Gestwicki and Manley Fuller of the North Carolina Wildlife Federation honored Officer of the Year, Malcom Bryan Eure who was unable to attend the NCWF awards ceremony on September 9; the day after Hurricane Dorian.

Steve Poland, the division's representative on the South Atlantic Fisheries Management Council, gave an update on the development of the issue paper regarding recreational hook-and-line modifications.

Division staff provided an overview of recent actions from the Atlantic States Marine Fisheries Commission and the Mid- and South Atlantic Fishery Management Councils, Highly Migratory Species, along with updates on the division's Protected Resources Program.

Col. Carter Witten gave an update on the civil penalties process.

Update on act to provide further support to the shellfish aquaculture industry in North Carolina (Session Law 2019-37)

Jacob Boyd, Section Chief of the Habitat and Enhancement Section provided the commission with an.

This presentation can be found here:

http://portal.ncdenr.org/c/document_library/get_file?p_1_id=1169848&folderId=33374115&name=DLE-141904.pdf

Commissioner Hendrickson expressed a concern with the lack of maps showing the proposed setbacks. Jacob Boyd addressed his concerns by describing the plan to solicit public and stakeholder input, which will be occurring later in 2019. Described the possible options the commission has to move forward with mitigating user conflicts.

Motion by Martin Posey to accept the report regarding a study on reducing user conflicts related to shellfish cultivation leases as a guideline for moving forward. Motion seconded by Mike Blanton.

Motion carries 7-1 with one abstention.

Rob passed gavel to vice chair, Doug Cross.

Rules Suspension Annual Update

Kathy Rawls, Section Chief of Fisheries Management, provided an update on the seven rules that have been temporarily suspended by proclamation.

Commissioner Boltes asked questions about the director's report; getting federal funds to the recreational industry and mechanical harvest of oysters.

The meeting recessed for the day at 5:15 p.m.

Nov. 15

The meeting reconvened at 9 a.m.

Chairman Bizzell asked for a motion to move the FMP update to the top of the day's agenda because of impending weather.

Motion by Mike Blanton to move the Friday, 10 a.m. agenda item to 9 a.m. Motion seconded by Sam Romano.

Motion carries with no objection.

Fishery Management Plan Update

Catherine Blum, the division's Fishery Management Plan Coordinator, gave the commission an update on the status of North Carolina's ongoing fishery management plans.

Blue Crab

Blue Crab Fishery Management Plan Amendment 3 – Jason Rock and Corrin Flora

http://portal.ncdenr.org/c/document_library/get_file?p_1_id=1169848&folderId=33374115&name=DLE-141907.pdf

Motion by Sam Romano to table the vote on the draft Blue Crab Fishery Management Plan until there is an updated stock assessment through 2019 data. Motion seconded by Mike Blanton.

Motion fails 2-4 with three abstentions.

**Motion by Martin Posey to support the Division of Marine Fisheries recommendation for a minimum harvest reduction of 2.2% to achieve a sustainable harvest within ten years and end over fishing within two years in the blue crab fishery. Motion seconded by Tom Hendrickson.
Motion carries 8-1.**

**Motion by Sam Romano to accept the Blue Crab Advisory Committee recommendation for achieving sustainable harvest and ending overfishing. Motion seconded by Cameron Boltes.
Motion carries 7-1 with one abstention.**

**Motion by Mike Blanton to accept the Blue Crab Advisory Committee recommendation with the current cull ring set up and add Option 4C. Motion seconded by Doug Cross.
Motion withdrawn.**

**Motion by Martin Posey to leave in the existing rules established in 2016 and add Option 4C. Motion seconded by Mike Blanton.
Motion carries with no dissention.**

**Motion by Martin Posey to accept the Division of Marine Fisheries water quality recommendations. Motion seconded by Mike Blanton.
Motion carries with no dissention.**

**Motion by Mike Blanton to accept the Blue Crab Advisory Committee recommendation for spawning sanctuaries, with the addition of using the Division of Marine Fisheries recommendation for the Cape Fear River Inlet crab spawning sanctuary. Motion seconded by Doug Cross.
Motion carries 5-3 with one abstention.**

**Motion by Doug Cross to use science on locally specific pot funnel design to reduce terrapin interactions and identify individual areas with terrapin hotspots that would be closed to potting unless an excluder is used. Motion seconded by Sam Romano.
Motion carries 7-1 with one abstention.**

**Motion by Sam Romano to adopt the Blue Crab Advisory Committee recommendation regarding dredging. Motion seconded by Doug Cross.
Motion fails 2-5 with two abstentions.**

**Motion by Martin Posey to accept the Division of Marine Fisheries recommendation regarding crab dredging (Option 1A). Motion seconded by Pete Kornegay.
Motion carries 6-1 with two abstentions.**

Doug Cross left the meeting at 12:28.

**Motion by Martin Posey to accept Option 1D regarding oyster dredging. Motion seconded by Pete Kornegay.
Motion carries 6-1 with one abstention.**

Motion by Robert McNeil to accept Option 2A regarding crab trawls in areas where shrimp trawls are already prohibited in the Pamlico, Pungo, and Neuse Rivers. Motion seconded by Cameron Boltes.

Motion carries 5-2 with one abstention.

Motion by Mike Blanton to send the draft Blue Crab Fishery Management Plan Amendment 3 to the Department of Environmental Quality secretary for review and comment. Motion seconded by Tom Hendrickson.

Motion carries with one dissention.

Southern Flounder

Mike Loeffler and Anne Markwith gave an update on the Southern Flounder Fishery Management Plan Amendment 3.

Shrimp

Chris Stewart, Jason Rock and Kim Harding gave an update on the Shrimp Fishery Management Plan Amendment 2.

CHPP & Executive Order 80

Anne Deaton, Jimmy Johnson and Jacob Boyd gave an update and presentations on the Coastal Habitat Protection Plan Update and Executive Order 80.

Coastal Habitat Protection Plan update presentation:

http://portal.ncdenr.org/c/document_library/get_file?p_l_id=1169848&folderId=33374115&name=DLF E-141902.pdf

Executive Order 80 update presentation:

http://portal.ncdenr.org/c/document_library/get_file?p_l_id=1169848&folderId=33374115&name=DLF E-141903.pdf

Rulemaking

Catherine Blum, the division's rulemaking coordinator gave an update on:

- Update on S.L. 2019-198 – Legislative Review of Regulatory Crimes
- Periodic Review and Expiration of Existing Rules per G.S. 150B-21.3A
- 15A NCAC 03 rule readoption update
- 15A NCAC 18A Rule Readoption Schedule

Motion by Mike Blanton to Approve a four-year schedule to readopt the Marine Fisheries Commission's rules in 15A NCAC 18A by June 30, 2024, as recommended by staff.

Motion seconded by Pete Kornegay.

Motion carries with no dissention.

Issues from Commissioners

Cameron Boltes – asked how it is determined that the hurricane relief funds are confidential versus public information. Director Murphey answered that it is written in statute that all the license, landing, etc. is treated as confidential.

Sam Romano – Suggested a discussion topic for next meeting, time permitting: the decrease in effort that comes along with the rules; optimal yield.

Chairman Bizzell -

- May eliminate Wednesday night public comment.
- E-books issues that need addressing
- Looking into the possibility of holding the August 2020 meeting in Asheville.

Mike Blanton asked that the commission look into holding the quarterly business meetings in the locations of the commission members.

Lara Klibansky gave meeting assignments and preview of agenda items for the February MFC business meeting which will be held in New Bern.

Agenda Items for February Meeting:

- Recreational Hook and Line Modifications Information Paper
- Oyster Sanctuary Rule Change
- Special Secondary Nursery Areas – Shrimp FMP Amendment 1, Habitat and Water Quality AC will meet in December to provide their input on the issue.
- Vote on permanent approval of the tarpon (15A NCAC 03M .0509) and SCFL transfer (15A NCAC 03O .0108) rules
- Vote on final adoption of the Blue Crab FMP Amendment 3
- Presentation of the Southern Flounder FMP Amendment 3 timeline overview and the draft goal and objectives, which you'll be voting on. Provide input on the management strategies to be examined in Amendment 3.
- Presentation of the Shrimp FMP Amendment 2 timeline overview and the draft goal and objectives, which you'll be voting on. Provide input on the management strategies to be examined in Amendment 2.

The meeting adjourned around 1:50 p.m.