

Marine Fisheries Commission Business Meeting

AGENDA

Doubletree Hotel, New Bern, NC

February 23-25, 2022

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, February 23rd

6:00 p.m. Public Comment Period

Thursday, February 24th

9:00 a.m. Preliminary Matters

- Commission Call to Order* – Rob Bizzell, Chairman
- Moment of Silence and Pledge of Allegiance
- Conflict of Interest Reminder
- Roll Call
- **Approval of Agenda ****
- **Approval of Meeting Minutes****

9:30 a.m. Public Comment Period

10:00 a.m. Chairman's Report

- Letters and Online Comments
- Ethics Training and Statement of Economic Interest Reminder
- 2022 Meeting Schedule
- Commission Committee Assignments

10:15 a.m. Committee Reports

- Northern Regional Advisory Committee
- Southern Regional Advisory Committee
- Finfish Standing Advisory Committee
- Joint Meeting of the MFC Commercial Resources Fund Committee and the Funding Committee for the N. C. Commercial Fishing Resource Fund

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

****Probable Action Items**

Thursday, February 24th continued...

10:20 a.m. Director's Report – Kathy Rawls

- Division of Marine Fisheries Quarterly Update
- Federal Economic Assistance Programs Update – Dee Lupton
- Atlantic States Marine Fisheries Commission – Chris Batsavage
- Mid-Atlantic Fishery Management Council Update – Chris Batsavage
- South Atlantic Fishery Management Council Update – Trish Murphey
- Marine Patrol Update – Col. Carter Witten
- Latent License Information – Dee Lupton, Brandi Salmon
- Shellfish Lease Program Update – Jacob Boyd
- Diamondback Terrapin Update – Joe Facendola
- Catch-U-Later App Update – Andrew Cathey
- Coastal Habitat Protection Plan Update – Jimmy Johnson, Anne Deaton
- Southern Flounder Updates –
 - Tagging Research – Shelby White
 - 2021 Landings Update – Mike Loeffler
- Estuarine Striped Bass Update -
- Informational Materials and Memos:
 - Highly Migratory Species
 - Protected Resources Update
 - Observer Program
 - Incidental Take Permit Updates
 - Landings Updates
 - Rule Suspensions

12:00 p.m. Lunch Break

1:00 p.m. Fishery Management Plans

- Status of ongoing plans – Corrin Flora
- Amendment 2 to the Estuarine Striped Bass FMP
 - Presentation of Draft Amendment 2 – Charlton Godwin, Todd Mathes, Nathaniel Hancock
 - **Vote to approve draft Amendment 2 to the Estuarine Striped Bass FMP for review by the public and advisory committees****
- Amendment 3 to the Southern Flounder FMP
 - Public Comment Summary and Review of Recommendations – Mike Loeffler, Anne Markwith
 - **Vote to Select Preferred Management Options****
- Amendment 2 to the Shrimp FMP
 - Review comments from DEQ Secretary and legislative commission and committee – Chris Steward, Dan Zapf, Jason Rock
 - **Vote on final approval of Amendment 2 ****

Friday, February 25th

9:00 a.m. Proposed Amendment to the Mutilated Finfish Rule Issue Paper – Morgan Paris

- **Vote on management option and associated proposed language for rulemaking****

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

***Probable Action Items*

Friday, February 25th Continued...

10:00 a.m. Rulemaking

- 2020-2021 Annual Rulemaking Cycle Update– Catherine Blum
- 2021-2022 Annual Rulemaking Cycle– Catherine Blum
 - “Package A” Update (56 rules)
 - “Package B” (109 rules)

Vote on final approval of readoption and repeal through readoption of rules per G.S. 150B-21.3A and adoption and amendment of rules:

- **Highly Efficient Gears, Artificial Reefs, and Research Sanctuaries (3 rules)****
15A NCAC 03I .0109, 03J .0404, 03R .0119
- **Shellfish Leasing Regulations (9 rules) ****
15A NCAC 03K .0111, 03O .0203, .0205-.0211
- **15A NCAC 03 Rules with Conforming Changes (40 rules)****
15A NCAC 03I .0113, .0118, 03J .0101, .0110, .0302, 03K .0101, .0102, .0105, .0106, .0108, .0201, .0202, .0204, .0207, .0301, .0302, .0304, .0305, .0401, .0505, 03L .0101-.0103, .0105, 03M .0201, .0202, .0204, .0205, .0503, 03N .0104, .0105, 03O .0301-.0303, .0401-.0406
- **15A NCAC 03I, 03J, 03K, 03O, and 03R Rules for Definitions, Imported Species, Recordkeeping, Gear, Marketing Shellfish, and Licenses (18 rules)****
15A NCAC 03I .0101, .0104, .0114, 03J .0105, .0109, .0305, 03K .0205, .0507, 03O .0101-.0105, .0107, .0109, .0110, .0113, 03R .0111
- **Commercial Blue Crab Harvest and Gear Regulations (8 rules)****
15A NCAC 03J .0301, 03L .0201-.0205, 03R .0110, .0118
- **Permit and License Suspensions and Revocations and Pound Net Gears (11 rules)****
15A NCAC 03I .0105, 03J .0501-.0505, 03O .0111, .0114, .0502, .0504, 03P .0101
- **15A NCAC 03P Rules (8 rules)****
15A NCAC 03P .0102, .0201-.0203, .0301-.0304
- **15A NCAC 03K and 18A Crustacea and Shellfish Rules (12 rules)****
15A NCAC 03K .0103, .0104, .0107, .0109, .0208, .0209, 18A .0135, .0302, .0303, .0304, .0425, .0912
- Joint Rulemaking Update – Shawn Maier
 - Overview of Proposed WRC Joint Rules
 - 2021-2022 Annual Rulemaking Cycle “Package C” (9 rules)
 - **Vote on Notice of Text for readoption and repeal through readoption of 15A NCAC 03Q .0101-.0109 (9 rules) per G.S 150B-21.3A.****
- 2022-2023 Annual Rulemaking Cycle Preview

10:45 a.m. Issues from Commissioners

11:00 a.m. Meeting Assignments and Preview of Agenda Items for Next Meeting – Lara Klubansky

11:10 a.m. Adjourn

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

***Probable Action Items*