Marine Fisheries Commission Business Meeting

**AGENDA**

Teleconference via WebEx

February 25-26, 2021

*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).*

**Thursday, February 25th**

9:00 a.m. Preliminary Matters

* Commission Call to Order\* - Rob Bizzell, Chairman
* 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
* 2021 Meeting Schedule
* Commission Committee Assignments
* Civil Penalties Update – John Batherson, Col. Carter Witten

10:25 a.m. Committee Reports

* Joint Meeting of the MFC Commercial Resources Fund Committee and the Funding Committee for the N. C. Commercial Fishing Resource Fund

**Thursday, February 25th continued…**

10:30 a.m. Director’s Report – John Batherson

* + CARES Act Update – Dee Lupton
* Informational Materials:
  + Atlantic States Marine Fisheries Commission
  + Mid-Atlantic Fishery Management Council Update
  + South Atlantic Fishery Management Council Update
  + Highly Migratory Species
  + Protected Resources Update
    - Observer Program
    - Incidental Take Permit Updates
  + Landings Updates
* Rule Suspensions

11:00 a.m. Break

11:05 a.m. Hook and Line Modifications Issue Paper – Steve Poland

* **Potential vote on preferred management options and associated proposed language for rulemaking\*\***

12:30 p.m. Lunch Break

1:30 p.m. Highly Efficient Gear Restrictions on Artificial Reefs in State Ocean Waters – Jason Peters

* **Vote on preferred management option and associated proposed language for rulemaking\*\***

3:00 p.m. Break

3:05 p.m. **Shellfish Lease Regulation in High Use Areas – Jacob Boyd\*\***

4:00 p.m. Coastal Habitat Protection Plan

* Comments on CHPP Steering Committee Meeting– Commissioner Martin Posey
* 2021 CHPP Development Update – Anne Deaton, Casey Knight

**Friday, February 26th**

9:00 a.m. Discussion on “A Ten-Year Prescription for the Recovery of the Albemarle Sound/Roanoke River Striped Bass Stock” – Commissioner Kornegay

9:45 a.m. Fishery Management Plans

* Status of ongoing plans – Corrin Flora
* Amendment 3 to the Southern Flounder FMP – Mike Loeffler, Anne Markwith
  + **Vote on Commercial and Recreational Sector Harvest Allocations\*\***

**Friday, February 26th continued…**

* Amendment 2 to the Estuarine Striped Bass FMP – Charlton Godwin, Todd Mathes
  + Scoping Period Overview
  + **Vote to approve goal and objectives for Amendment 2 to the ESTB FMP\*\***
  + Input on Management Strategies
* Amendment 2 to the Shrimp FMP Update – Chris Stewart, Jason Rock, Dan Zapf

11:45 a.m. Break

11:50 a.m. Rulemaking Update – Catherine Blum

* + 2020-2021 Annual Rulemaking Cycle
    - “Package B” Update (41 rules)
    - Classification of Shellfish Growing Waters and Laboratory Procedures (14 rules)

15A NCAC 18A .0431, .0704, .0901-.0910, .0913, .0914 (readoption)

* + - Rules with minor changes relating to standards for commercial shellfish sanitation and processing procedures (21 rules)

15A NCAC 18A .0140-.0143, .0146, .0150, .0154, .0155, .0159, .0160, .0163, .0167, .0169-.0172, .0179, .0180, .0188-.0190 (readoption)

* + - Shellfish Lease User Conflicts, per S.L. 2019-37 (3 rules)

15A NCAC 03O .0201, .0202, .0204 (readoption)

* + - Shrimp FMP Amendment 1 Special Secondary Nursery Areas (2 rules)

15A NCAC 03R .0104 (amendment), .0105 (readoption)

* + - Oyster Sanctuaries (1 rule)

15A NCAC 03R .0117 (amendment)

* + **Vote on final approval of amendment and readoption of “Package B” \*\***
  + 2021–2022 Annual Rulemaking Cycle Preview
    - “Package A”
    - “Package B”

12:30 p.m. Issues from Commissioners

1:00 p.m. Meeting Assignments and Preview of Agenda Items for Next Meeting – Lara Klibansky

**1:10 p.m. Adjourn**