

MARINE FISHERIES COMMISSION BUSINESS MEETING
Doubletree by Hilton University Brownstone, Raleigh, N.C.
August 21 - 23, 2019

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).

Aug. 21

6 p.m. Public Comment Period

Aug. 22

9:00 a.m. Swearing in of New Commissioners

Call to Order*

Moment of Silence and Pledge of Allegiance

Review Ethics Evaluations of New Commissioners

Conflict of Interest Reminder

Roll Call

Approval of Agenda**

Approval of Meeting Minutes**

9:30 a.m. Public Comment Period

11:00 a.m. Petition for Rulemaking by the N.C. Wildlife Federation/SELC

- Presentation of the Petition

- Response from the Division of Marine Fisheries

– **Vote to Initiate Rulemaking Process****

12:15 p.m. Lunch Break

1:30 p.m. Chairman's Report

- **Elect Vice Chair****

- Letters

- Ethics Training and Statement of Economic Interest Reminder

- 2020 Meeting Schedule

- Senate Bill 648, S.L. 2019-37 MFC Requirements

- **Recreational hook-n-line modifications****

2:30 p.m. Committee Reports

- Southern Flounder Fishery Management Plan Advisory Committee

- Blue Crab Fishery Management Plan Advisory Committee

- Finfish, Southern, and Northern joint advisory committees

- N.C. Commercial Fishing Resource Fund Committees
- WRC/MFC Joint Committee on Delineation of Water Boundaries Update – Chairman Rob Bizzell

- 3:30 p.m. Director’s Report – Director Steve Murphey
Reports and updates on recent Division of Marine Fisheries activities
- Division of Marine Fisheries Quarterly Update
 - Update on Federal Fisheries Disaster Assistance
 - Update on Revised FMP process – Kathy Rawls
 - Use Conflicts in Public Trust Waters
 - Atlantic States Marine Fisheries Commission – Chris Batsavage
 - Mid-Atlantic Fishery Management Council Update – Chris Batsavage
 - South Atlantic Fishery Management Council Update - Steve Poland
 - Highly Migratory Species – Randy Gregory
 - Informational Materials
 - Landings Update for Red Drum and Southern Flounder
 - Protected Resources Update
 - Observer Program
 - Incidental Take Permit Updates

- 4:30 p.m. Standard Commercial Fishing License Eligibility Report/Set Eligibility Pool Cap – Capt. Garland Yopp and Stephanie McNerny
- **Vote of setting temporary cap on the number of licenses in the Eligibility Pool****

Aug. 23

- 8:30 a.m. Stock Overview Report – Lee Paramore
- 9:00 a.m. 2018 Landings Overview – Stephanie McNerny, Alan Bianchi and Chris Wilson
- 10:00 a.m. Fishery Management Plans
- Status of ongoing plans– Catherine Blum
 - 2018 Fishery Management Plan Review
 - **Vote on five-year schedule****
 - Southern Flounder Fishery Management Plan Amendment 2 – Mike Loeffler and Anne Markwith
 - Review comments from DEQ Secretary and legislative commission and committee
 - **Vote on final approval of Amendment 2****
 - Blue Crab Fishery Management Plan Amendment 3 – Jason Rock and Corrin Flora
 - Presentation
 - **Vote to send Amendment 3 out for advisory committee and public review and comment****
- 12:30 p.m. Periodic Review and Expiration of Existing Rules – Catherine Blum
- 15A NCAC 03 Rules
 - 2019/2020 rulemaking cycle
 - **Vote on 2019/2020 Notice of Text for Rulemaking to Readopt Rules per G.S. 150B-21.3A****

Review and vote on the following proposed rules and associated fiscal analyses for Notice of Text for Rulemaking to readopt rules per G.S. 150B-21.3A, Periodic Review and Expiration of Existing Rules

- Tarpon, 15A NCAC 03M .0509
- License and Commercial Fishing Vessel Registration 15A NCAC 03O .0108

- 1:00 p.m. Rule Suspension Update – Kathy Rawls
The commission must vote to continue suspension of the following rule(s):
- **Vote on continued rule suspension of portions of N.C. Marine Fisheries Commission Rule 15A NCAC 03L .0103 Prohibited Nets, Mesh Lengths and Areas ****
- 1:15 p.m. Issues from Commissioners
- 1:30 p.m. Meeting Assignments and Preview of Agenda Items for November Meeting
- 1:35 p.m. Adjourn

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