

MARINE FISHERIES COMMISSION BUSINESS MEETING
Doubletree by Hilton University Brownstone, Raleigh, N.C.
Aug. 17-19, 2016

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. 17

6 p.m.

Public Meeting

Receive public comment relative to any fisheries management issues

Aug. 18

9 a.m.

Call to Order*

Invocation

Conflict of Interest Reminder

Roll Call

Vote on Approval of Agenda**

Vote on Approval of Meeting Minutes**

9:15 a.m.

Public Comment

Receive public comment relative to any fisheries management issues

10:15 a.m.

Chairman's Report

- Letters
- Ethics Training Reminder
- 2016 Meeting Schedule Reminder
- 2017 Proposed Meeting Schedule
- **Election of Vice Chair****

10:30 a.m.

Committee Reports

- Sea Turtle Advisory Committee
- Coastal Recreational Fishing License - Director Braxton Davis
- Conservation Fund – Nancy Fish
 - **Vote on approval of grant****

10:45 a.m.

Standard Commercial Fishing License Eligibility Report/Set Eligibility Pool Cap – Stephanie McNerny and Capt. Jason Walker (Presentation)

Each year the commission must set a cap on the number of Standard Commercial Fishing Licenses in the License Eligibility Pool

- **Vote on setting cap on number of licenses in the Eligibility Pool****

11:15 a.m.

Landings Overview – Stephanie McNerny, Alan Bianchi and Doug Mumford (Presentation)

Noon

Stock Status Report – Lee Paramore (Presentation)

12:30 p.m.

Lunch Recess

2 p.m.

Central Southern Management Area Striped Bass Meeting Update – Director Braxton Davis and Charlton Godwin (Presentation)

2:30 p.m.

Fishery Management Plan Update – Catherine Blum

- Status of ongoing plans
- Fishery management plan review

3 p.m.

- **Vote on five-year schedule****
- Rulemaking Update – Catherine Blum
- July 2016 rulebook supplement
 - 2016/2017 rulemaking cycle
 - Issue paper review:
 - Establish Spotted Seatrout Rule
 - Modify Fisheries Director’s Proclamation Authority for the Protection of Public Health
 - Align Method for Commencement of License, Permit, and Certificate Suspension/Revocation Process
 - **2016/2017 Notice of Text for Rulemaking****
Review and vote on the following proposed rules and associated fiscal analyses
 - Hard Clam Fishery Management Plan Amendment 2/Oyster Fishery Management Plan Amendment 4
 - 15A NCAC 03K .0201, OYSTER HARVEST MANAGEMENT
 - 15A NCAC 03K .0202, CULLING REQUIREMENTS FOR OYSTERS
 - 15A NCAC 03K .0302, MECHANICAL HARVEST OF CLAMS FROM PUBLIC BOTTOM
 - 03O .0114, SUSPENSION, REVOCATION, AND REISSUANCE OF LICENSES
 - 03O .0201, STANDARDS AND REQUIREMENTS FOR SHELLFISH BOTTOM LEASES AND FRANCHISES AND WATER COLUMN LEASES
 - 03O .0208, TERMINATION OF SHELLFISH BOTTOM LEASES AND FRANCHISES AND WATER COLUMN LEASES
 - Permit for Weekend Trawling for Live Shrimp
 - 15A NCAC 03J .0104, TRAWL NETS
 - 15A NCAC 03L .0102, WEEKEND SHRIMPING PROHIBITED
 - 15A NCAC 03O .0501, PROCEDURES AND REQUIREMENTS TO OBTAIN PERMITS
 - 15A NCAC 03O .0503, PERMIT CONDITIONS; SPECIFIC
 - Spiny Dogfish Dealer Permit
 - 15A NCAC 03O .0503, PERMIT CONDITIONS; SPECIFIC
 - Increase Penalties for Gear Larceny
 - 15A NCAC 03O .0114, SUSPENSION, REVOCATION, AND REISSUANCE OF LICENSES
 - Wade Creek Coordinate Correction
 - 15A NCAC 03R .0103, PRIMARY NURSERY AREAS
 - Clarification of License Requirements for Leaseholder Designees
 - 15A NCAC 03O .0501, PROCEDURES AND REQUIREMENTS TO OBTAIN PERMITS
 - Modify Fisheries Director’s Proclamation Authority for Protection of Public Health
 - 15A NCAC 03H .0103, PROCLAMATIONS, GENERAL
 - 15A NCAC 03K .0110, PUBLIC HEALTH AND CONTROL OF OYSTERS, CLAMS, SCALLOPS, AND MUSSELS
 - Establish Spotted Seatrout Rule
 - 15A NCAC 03M .0522, SPOTTED SEATROUT
 - Align Method for Commencement of License, Permit, and Certificate Suspension/Revocation Process
 - 15A NCAC 03P .0101, LICENSE, PERMIT, OR CERTIFICATION DENIAL: REQUEST FOR REVIEW

4:30 p.m.

Rules Suspensions – Kathy Rawls

The commission must vote to continue suspension of the following rule(s)

- **Vote on rule suspension for 15A NCAC 03M .0516 COBIA regarding possession limits ****
- **Vote on rule suspension for a portion of 15A NCAC 03L .0201 CRAB HARVEST RESTRICTIONS regarding culling tolerance and size limits****
- **Vote on rule suspension for a portion of 15A NCAC 03L .0203 CRAB DREDGING regarding targeted crab dredging****

- **Vote on rule suspension for a portion of 15A NCAC 03M .0301 SPANISH MACKEREL regarding minimum size limit for pound nets****
- 4:45 p.m. Coastal Habitat Protection Plan Annual Report – Jimmy Johnson
- **Vote on Annual Report****
- 5 p.m. Recess

Aug. 19

- 8:30 a.m. Director's Report – Director Braxton Davis
Reports and updates on recent Division of Marine Fisheries activities
- Legislative Update
 - Division of Marine Fisheries Quarterly Update
 - Atlantic States Marine Fisheries Commission – Michelle Duval and Chris Batsavage
 - Federal Cobia Management – Michelle Duval
 - Informational Materials
 - Pound Net Permit
 - Total Allowable Landings for Pound Nets by Waterbodies for Supplement A to the Southern Flounder Fishery Management Plan Amendment 1
 - Landings Update
 - Protected Resources Update
 - Observer Program
 - Incidental Take Permit Updates
 - Mid-Atlantic Fishery Management Council Update
 - South Atlantic Fishery Management Council Update
 - Highly Migratory Species
- 10:30 a.m. Issues from Commissioners
- 11 a.m. Meeting Assignments and Preview of Agenda Items for November Meeting – Nancy Fish
- 11:15 a.m. Adjourn

2016 Meeting Dates

Feb. 17-19 Blockade Runner, Wrightsville Beach
Aug. 17-19 Hilton Brownstone, Raleigh

May 18-20 Crystal Coast Civic Center, Morehead City
Nov. 16-18 Hilton Garden Inn, Kitty Hawk

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

***Potential Action Items*