

**N.C. Marine Fisheries Commission**  
**Feb. 15-16, 2017**  
**Motions**

Approval of agenda with modification by consensus.

Motion by Joe Shute to approve minutes of the November 2016 meeting. Second by Chuck Laughridge.

Motion carries unanimously.

**Rulemaking and Final Approval of Clam and Oyster Fishery Management Plans**

Motion by Alison Willis to give final approval to Amendment 2 to the Hard Clam Fishery Management Plan; Amendment 4 to the Oyster Fishery Management Plan; and the following implementing rules:

- 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
- 15A NCAC 03O .0114, SUSPENSION, REVOCATION, AND REISSUANCE OF LICENSES
- 15A NCAC 03O .0201, STANDARDS AND REQUIREMENTS FOR SHELLFISH BOTTOM LEASES AND FRANCHISES AND WATER COLUMN LEASES
- 15A NCAC 03O .0208, TERMINATION OF SHELLFISH BOTTOM LEASES AND FRANCHISES AND WATER COLUMN LEASES

Second by Chuck Laughridge.

Motion carries unanimously.

**Periodic Review and Expiration of Existing Rules**

Motion by Mike Wicker to approve the draft report on 15A NCAC 03Q .0100 rules and to proceed to public notice, per G.S. 150B-21.3A. Second by Joe Shute.

Motion carries unanimously.

Motion by Alison Willis to approve the draft report on all other 15A NCAC 03 rules and to proceed to public notice, per G.S. 150B-21.3A. Second by Rick Smith.

Motion carries unanimously.

**Rulemaking, continued**

Motion by Mike Wicker to approve the below rules pertaining to a permit for weekend trawling for live shrimp; the spiny dogfish dealer permit; increasing penalties for gear larceny; correcting a coordinate in Wades Creek; clarifying license requirements for leaseholder designees; modifying the fisheries' director's proclamation authority for the protection of public health; establishment of a spotted seatrout rule; aligning the method for the commencement of license, permit, and certificate suspension and revocation process. Second by Chuck Laughridge.

Motion carries unanimously.

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 (with conforming changes)

#### Spiny Dogfish Dealer Permit

- 15A NCAC 03O .0503, PERMIT CONDITIONS; SPECIFIC (with conforming changes)

#### 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 (with conforming changes)

#### 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

#### **Rule Suspension**

Motion by Joe Shute to continue the suspension of portions of 15A NCAC 03J .0301 Pots regarding crab pot escape ring requirements. Second by Chuck Laughridge.  
Motion carries unanimously.

#### **Closed Session**

Motion by Chuck Laughridge to move into closed session to update the Carteret County Fishermen's Associations and others action against the commission. Second by Alison Willis.  
Motion carries unanimously.

Motion by Chuck Laughridge to come out of closed session into open session (at 3:05 p.m.) and recess until 3:15 p.m. Second by Rick Smith.  
Motion carries unanimously.

### **N.C. Wildlife Petition for Rulemaking**

Motion by Mike Wicker to grant in full the North Carolina Wildlife Federation's petition for rulemaking originally submitted on Nov. 2, 2016 and as amended by its Jan. 12, 2017 modification. Second by Rick Smith.

Motion carries 5-3 with one abstention.

#### **Roll Call Vote:**

Mark Gorges-Yes

Brad Koury-Yes

Chuck Laughridge-Yes

Janet Rose-No

Joe Shute-Abstain

Rick Smith-Yes

Mike Wicker-Yes

Alison Willis-No

Sammy Corbett-No

### **2017 Cobia Recreational Season and Management Measures**

Motion by Joe Shute to start the 2017 North Carolina cobia season May 1 and run through Aug. 31 with a 1-fish-per-day-per-person possession limit; a 4-fish-per-vessel maximum possession limit for private and charter; and a 36-inch fork length size limit, seven days per week. The charter boat limit of 4-fish-per-day includes the captain and mate, as well as customers. All cobia harvested shall be recorded and tagged at a current or future NC Citation Station location. Length and weight shall be recorded to help provide a more accurate harvest by number and weight for future reference. Second by Chuck Laughridge.

Motion carries 5-0 with 3 abstentions.

### **Central Southern Striped Bass**

Motion by Chuck Laughridge to recommend that the fisheries director by proclamation reduce the Central Southern estuarine striped bass commercial TAC to 5,000 pounds and mirror the NC Wildlife Commission's recreational limit of 2-fish-per-person-per-day and 26-inch minimum size limit, effective March 1, 2017. Second by Rick Smith.

Motion withdrawn with consent of the seconder.

Motion by Chuck Laughridge for the commission to write a letter to the DEQ secretary to take under advisement the removal of stocked fish from the N.C. Estuarine Striped Bass Fishery Management Plan. Second by Rick Smith.

Motion carries 4-2 with 2 abstentions.