

**Preliminary Matters**

February 2024 Business Meeting

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# Marine Fisheries Commission Business Meeting AGENDA

Doubletree Hotel, New Bern, NC

February 21-23, 2024

*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 21

4:00 p.m. Conservation Funding Committee – 2024 striped bass stocking supplemental funding request – Charlton Godwin, Steve Poland

6:00 p.m. Public Comment Period

## Thursday, February 22

9:00 a.m. Public Comment Period

9:30 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\*\***

9:45 a.m. Chairman's Report

- Letters and Online Comments
- Ethics Training and Statement of Economic Interest Reminder
- Committee Reports
  - Northern Regional Advisory Committee
  - Southern Regional Advisory Committee
  - Finfish Standing Advisory Committee
  - Shellfish/Crustacean Advisory Committee
  - Habitat and Water Quality Advisory Committee

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

*\*\*Probable Action Items*

## Marine Fisheries Commission Business Meeting Agenda

- Joint Meeting of the MFC Commercial Resources Fund Committee and the funding committee for the N.C. Commercial Fishing Resource Fund
- **Conservation Funding Committee Verbal Update- Doug Rader\*\***

10:30 a.m. Director's Report – Kathy Rawls

- Reports and updates on recent Division of Marine Fisheries activities
  - Atlantic States Marine Fisheries Commission – Chris Batsavage
  - Mid-Atlantic Fishery Management Council Update – Chris Batsavage
  - South Atlantic Fishery Management Council Update – Trish Murphey
  - Habitat and Enhancement Section Update – Anne Deaton
  - Shellfish Sanitation and Recreational Water Quality Section Update – Shannon Jenkins
  - Fisheries Management Section Update – Steve Poland
  - Marine Patrol Update – Col. Carter Witten
  - License and Statistics Section Update – Brandi Salmon
- Informational Materials:
  - Protected Resources Update Memo
  - Rule Suspensions Update Memo

12:00 p.m. Lunch Break

1:30 p.m. Update on Strategic Habitat Areas (SHA's) Study Report – Anne Deaton

2:00 p.m. Fishery Management Plans

- Status of ongoing plans – Corrin Flora
- **Striped Mullet FMP Amendment 2 (Draft) – Jeff Dobbs, Willow Patten\*\***
  - Review Public Comment and AC Recommendations
  - **Vote on Preferred Management Options\*\***
- **Shrimp FMP Amendment 2 Implementation Items\*\***
  - Information Paper Exploring a Shrimp Trawl Observer Program – Jason Rock
  - **Submerged Aquatic Vegetation Protection Through Shrimp Trawl Area Closures Issue Paper – Chris Stewart\*\***

## Friday, February 23

9:00 a.m. Rulemaking

- Rulemaking Issues Update – Christine Ryan
- Rulemaking – Catherine Blum
  - 2023-2024 Rulemaking Cycle Update
  - 2024-2025 Rulemaking Cycle
    - **Vote on preferred management option and associated proposed language for rulemaking for "False Albacore Management" issue paper\*\***
    - **Vote on preferred management option and associated proposed language for rulemaking for "Simplify Pot Marking Requirements" issue paper\*\***
    - Preview of additional rulemaking issues under development

10:00 a.m. Issues from Commissioners

10:30 a.m. Meeting Assignments and Preview of Agenda Items for Next Meeting – Kathy Rawls

10:45 a.m. Adjourn

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

*\*\*Probable Action Items*

**Marine Fisheries Commission Business Meeting Minutes**  
**DRAFT**  
**Islander Hotel & Resort**  
**Emerald Isle, North Carolina**  
**November 15-16, 2023**

The Marine Fisheries Commission (MFC) held a business meeting November 15-16, 2023, at the Islander Hotel & Resort in Emerald Isle, North Carolina. In addition to the public comment session, members of the public submitted public comment online or via U.S. mail. To view the public comment, go to: <https://www.deq.nc.gov/marine-fisheries/marine-fisheries-commission/november-2023/online-public-comments/open>.

The briefing materials, presentations, and full audio from this meeting are available at: <https://www.deq.nc.gov/about/divisions/marine-fisheries/marine-fisheries-commission/past-marine-fisheries-commission-meetings#QuarterlyBusinessMeeting-November15-172023-13913>.

Actions and motions from the meeting are listed in **bolded** type.

**BUSINESS MEETING - MOTIONS AND ACTIONS**

November 15, 2023

Chairman Rob Bizzell held a public comment session that began at 5:58 pm. and ended at 6:23 p.m. The following comments were received:

Public Comment Period

Maurice Mann said he is here to understand what the MFC does with mullet fishing. He has been commercial fishing his whole life, but he sees the regulations and they do not make sense to him sometimes. He said a lot of people depend on fishing every year, so he does not understand what the MFC does. Mr. Mann said the only thing he sees is the MFC closes fisheries down and he does not see anything behind it. He said mullet fishing is substantial. Mr. Mann said there are plenty of mullets, and always have been mullets. Not like some of the other fish. He has seen problems with flounder but wonders why the closure, why a moratorium, it does not make sense to him. He asked the MFC if it is here to help the commercial fishermen or some other agenda he does not know about. He said closing mullet fishing to all the other fishing is flat out wrong; he does not know how the MFC got the information, who it got it from, and he asked the MFC to explain it to him. (Chairman Bizzell said staff can explain it to him after the public meeting.)

John Rich thanked the MFC for holding the public comment period. He said about one week ago he had bait and went to South Carolina to get flounder, where the limit is five fish per day, year-round, with a 16-inch slot limit, and he caught eight flounder in two nights with three guys and all the fish were 17-19 inches. He said he heard about the mullet situation when he got home. He said the tractors (stop net fishery) caught more mullet than they have caught in 50 years; they caught 70,000 roe mullets but he said he cannot use mullet for bait. He said he knows that guy and he is a

nice guy who is working hard, but he has coolers of finger mullet that he takes to Maryland to sell them and now he has to go buy them back. He said he started a petition; he acknowledged he is just one man, but he is getting signatures by going to tackle stores, on the beach, on the web, on Facebook, in Facebook groups, and he is just getting started. He said he has loads of names, sees the problem, and has done a lot of research. Mr. Rich said part of the problem is this commission. He acknowledged the MFC works hard, and it is a complicated process and he said it is not personal, but this format in North Carolina is not working. He said the MFC has nine people: two at-large, one scientist, and six others, but there are 300,000 recreational fishing license holders and less than 3,000 commercial fishing license holders. He suggested turning over the fisheries to the wildlife agency up to four miles. He urged the MFC to work on it together. He said his heritage is gone, he has fished for 20 years here, and fished since he was three years old. Mr. Rich said he is going to stand up and fight, go to the governor, go to senators, and vote. He thanked the MFC for its time.

Sterling Singletary said he can only speak for the county he is in. He said he has true records for 10 years of every roe mullet he has caught and has personal experience. Bryan Spain, retired Division of Marine Fisheries (DMF) Marine Patrol, patrolled Pamlico County and he had 34 full-time commercial fishermen; when he retired, he had eight. Mr. Singletary said the decline of fishermen should say something. If commercial fishermen are catching too many roe mullet, if eight commercial fishermen can catch what 34 did, must be a lot of fish, or they must be supermen. He said fish is not the issue. There is a fading waterfront, in fact working waterfronts are gone, there are far less fishermen; the problem is global warming. He said he has 10 years of documentation for every catch he has made, and it shows that every year it starts three days later. He said it was the 21<sup>st</sup> last year and the 24<sup>th</sup> this year. He said the mullet is just like the shrimp, where there are more than can be pulled over the rail. Mr. Singletary said this is nothing man has done; it is global warming. He said the mullet are thicker than they have ever been. This state is too hard on its residents. He said he does not know what we have done to make everyone hate us.

Joe Romano is a commercial fisherman and one of the owners of CV Crab Company in Wilmington. He said he is a commercial fisherman, fishmonger, and a former NC Fisheries adviser. Mr. Romano said his company employs over 70 folks and they procure seafood from fishermen and fish houses up and down the coast. He said he has been coming to these meetings for over 12 years and has watched as so many fellow commercial fishermen and fish market owners have given up on this process. Mr. Romano said they have few advocates, at the DMF or on the MFC. He said he can speak for many in saying, that they feel trapped and without a voice. Mr. Romano said when he served on the flounder and blue crab committees in 2018, he watched the DMF quietly take over the messy process of stakeholder debate, motions, and votes. He stated they (DMF) basically eliminated the democratic process of inquiry, debate, and committee driven motions. He said the DMF now listens to stakeholder discussions and makes their own proposals for fisheries management. Mr. Romano said this is a dangerous, unchecked power that was never a part of the Fisheries Reform Act. He said it is a shame that we have so many intelligent, knowledgeable, and creative fishermen in this state that are consistently ignored and written off. Mr. Romano said those in the seafood industry are in a desperate place. Mr. Romano said their necks are always on the chopping block, and that they do not have the regulatory consistency needed to invest in the future, due to the constant threat of new rules every quarter. Mr. Romano said, for those of you on this committee whose livelihood and work culture are not affected by these votes, try to put yourselves in our shoes. He said, this goes way beyond fisheries politics, when unelected bureaucrats

consistently make new, unpopular, draconian emergency rules, without clear checks and balances, then food security, and their proud commercial fleet suffers unjustly. Mr. Romano pointed out his bulleted observations that he believed deserved the attention of the committee. He said, the DMF has made it illegal to possess frozen striped mullet that were legally caught and purchased this year. He stated, this is unconstitutional and egregious, not to mention sinful as they are forcing us to dump legally caught seafood in a dumpster. Mr. Romano said they had the power of discretion but opted for knee-jerk emergency rules that had unintended consequences. He stated this new striped mullet proposal is incredibly biased against fishermen in the southern part of the state. Mr. Romano said, the fishermen in his area came to this committee earlier in the year and made the case, but it fell on deaf ears. He said fishermen have historically caught most of their roe mullet after the proposed closure. He stated, the DMF is supposed to rule fairly and equally across the state, and said, this is not it. Mr. Romano said like flounder before it, the striped mullet stock assessment is clearly flawed as it does not measure up to what fishermen are bringing to the dock. Mr. Romano said he believes that the focus on graphs, charts, algorithms, and extrapolation has blinded many of the DMF scientists to the boots on the ground reality of high fecundity species. He said when one fish can lay millions of eggs, it is not humans that control its success. He stated, warming waters and weather events are the leading cause of abundance, or scarcity, but yet we make it about commercial effort. Mr. Romano said the targeting of high fecundity species is different every year. He said fish don't operate on a human calendar. It takes dedicated and committed fishermen to chase them year after year, but draconian regulation could eliminate this ability, and choke up the best boots on the ground marine scientists, the commercial fisherman. He said overregulation of seafood is coming to a head now that we have two state agencies that have competing rules and narratives. Mr. Romano said, please bring some empathy for the whole seafood industry to your discussion and remember, more rules and draconian regulations is not the answer.

Tyler Barnes said he grew up in a commercial fishing household and it put food on the table growing up. There are a lot of gentlemen and women in the room that have spent years in commercial households. They are essentially doing agricultural farming of the water. He said they make as much as they can on every set, and there is no reason for this reduction; it affects our local area businesses, like those that sell cast nets and slip corks. This was a direct finger pointing to our commercial fishermen, but it is not just about them anymore. He said people come here year after year just to come fishing here. They frequent this area for the aquaculture and what is swimming in the waters. He said there are good years and bad years. But hundreds of thousands of dollars are spent on things like motors, nets, and hanging nets. He said no young person would start a net hanging business because everything keeps getting cut and seasons get shorter and shorter. He said he is thankful his dad has a secondary job, because he does not know what his parents would do otherwise. The striped mullet fishery is Thanksgiving and Christmas money for fishermen. He wants his one-year-old to be able to go fishing with him one day. He said he hopes the fishery is not closed just because people are tired of seeing a gill net and want someone to be able to rod and reel fish. He said there is nothing but a list of what we cannot do.

Zachary Willis said he has lived here his whole life, and taking striped mullet away from fishermen is an outrage. He said part of the problem is this commission. Mr. Willis asked how many of the commissioners are from North Carolina and how many have a background in commercial fisheries. He said unless you live here and know the facts and do not just read a piece of paper, you cannot have an accurate assessment of striped mullet, flounder, or shrimp. Mr. Willis said in the past two

years, between the shrimping, flounder gigging, and especially mullet fishing this year, that he has caught more mullets this year than in years past. Mr. Willis said he doesn't even fish but about a third of the net that marine fisheries allow you to fish, and he is still catching 5,000 – 8,000 lbs. of fish a set. He said he does not know what the MFC is going to do to fix this. He said it looks like the MFC is enjoying this as much as fishermen are; he said he does not see one smiling face. Mr. Willis said the problem lies with the MFC and too many out-of-state views that are not needed here and are not in our commercial industry's best interests. He said the commercial fisherman is small compared to recreational fishers, CCA and out-of-staters who get to come here and say what they want to say and make their own rules. He said he would love to see his kids grow up and participate in commercial fishing, whether it's shrimping, striking mullets, or catching a red drum in a net. Mr. Willis said another thing with this mullet thing, you've destroyed the red drum industry in the state of North Carolina by doing this with the mullets, because now we're not allowed to have our 50 lbs. or 100 lbs. of bycatch to catch our red drum.

Cayton Daniels spoke about reductions. He asked the commissioners to look behind him to see how many fishermen in the room have gray hair. He said he can count on two hands the number of commercial fishermen. He said striped mullet needs to be looked at again and redone. He said there have been more striped mullet in the last two years than he can remember in his lifetime. Mr. Daniels said one of the main buyers would not buy mullet this year for two weeks' worth of fish, so the MFC is affecting the market by shortening the season. He urged the MFC to look at striped mullet again and make changes.

Robert Salter, a commercial fisherman for 74 years, said striped mullet are not just in North Carolina. They travel from one place to the other. He said the MFC is stopping people that need the money from striped mullet. He asked commissioners how they would like to want to work for two weeks and then just have it stop. Mr. Salter said mullet are all over the world and they travel from one place to another. He said stopping fishermen from fishing impacts them from being able to pay bills and buy groceries and said it is not right. For shrimping he said it is the same: you cannot do this, cannot do that. He said it is not right to treat people this way. He said to do unto others as you would have them do unto you. He urged the MFC to think about it.

Anthony Mendoza, a commercial fisherman for over 45 years, said all these mullets are being cast netted. He said he understands why the MFC shut it down, because maybe other people, not natives from around here, bought up the land and do not like commercial fishermen and what commercial fishermen do, like gill netting. He said he just walked in the door from fishing; that is how he makes it through the wintertime: mullet fishing. He asked the MFC to open the season earlier than December 31 so commercial fishermen can still get more fish to help over the winter. He said he hates to see it go away from commercial fishermen like this in a short amount of time because it helps him get through the wintertime. That is his job.

End 6:23 p.m.



November 16, 2023

Chairman Bizzell convened the MFC business meeting at 9:00 a.m. on November 16, 2023, with the public comment period. The public comment session began at 9:00 a.m. and ended at 9:24 a.m. and the following comments were received:

Public Comment Period

Jerry Schill, Director of Government Affairs for NCFCA, provided comments on the process and how to avoid litigation. He said as of February 2022 in the Southern Flounder FMP, the DMF has the ability to set trip limits for pound nets only after meeting the closure thresholds. He played a portion of two recordings from a previous presentation by DMF staff member Mike Loeffler regarding southern flounder management. Mr. Schill said the approved FMP does not have anything in adaptive management about reducing the days allowed; trip limits can only be used for reopening once thresholds have been met. He said this is stated in the FMP nine times. He said NCFCA Executive Director Glenn Skinner sent an email to Director Rawls about this, but she proceeded with setting trip limits anyway. Mr. Schill said the MFC can and should discuss the blatant disregard of the provisions of the FMP by the DMF. He said that is what should be done and if not, one can look at the courts or other legislative review.

Stuart Creighton, Coastal Conservation Association North Carolina (CCANC) Fisheries Committee Chairman, said he sent an email to the DMF director about new pound nets in West Bay and suggested that rules be reviewed to provide authority for the director to deny a pound net for a particular species when the fish is in recovery. Next, Mr. Creighton said there is an increasingly significant role of aquaculture in the shellfish industry. It is truly sustainable, improves water quality, and helps oyster reefs to recover. He urged the MFC to make sure this state approves these leases correctly. He said they should be a small area for true small business enterprises, and large corporations should not be allowed to lease out large chunks of State waters. Mr. Creighton said make sure they are not to use the fast-growing Chinese oysters so as to avoid the introduction of another invasive species. He said to make sure they are cited properly so that important public fishing waters do get blocked. Mr. Creighton referenced what is happening in Stump Sound and the Topsail area as being a good example of what not to do. He said it is time to stop the mechanical harvest of native oyster reefs and clamming areas. Mr. Creighton said they are reduced to less than 10 percent of historical coverage and need to be rebuilt. For recreational harvest, an appropriate license fee or stamp should be added for those that want to pick, tong, or rake by hand providing a responsible limit for harvest so fishermen can enjoy the resource without harming a given area. For striped mullet management, Mr. Creighton said this will result in a derby fishery when the short roe fishery begins. He asked the MFC not to forget about striped mullet's role as a forage fish. He said cast netting should continue without limitations.

David Sneed, Executive Director with the Coastal Conservation Association North Carolina (CCANC), provided a handout to the MFC. He said what we all need to do is relax a little bit. Some of the things said at the public comment period last night probably rattled some people. Mr. Sneed said there were attacks on the MFC and on DMF staff. Mr. Sneed said such comments were made about "there's plenty of fish", "you just don't know what you're doing because you're not from around here". He went on to say, just because you live at the coast it doesn't mean the fish belong



to you. He said the North Carolina Constitution and the North Carolina court of appeals will back him up on that. Mr. Sneed said there were a lot of comments heard about fishermen not being able to feed their families and about the system being broken, to which he did agree too. He said we need to figure out how to fix it. He encouraged the MFC to not be intimidated by the “hell raising” and concentrate on what they can do to fix it. Next, he thanked Director Rawls and DMF staff member Jordan Byrum for the DMF’s work on the Mouse Harbor artificial reef project, the second CCANC project in two years. He said they need to figure out how to do more enhancement projects next year. Regarding the CCANC lawsuit, he said the handout shows a schedule, and he encouraged the MFC to read it.

Matthew Wallin, a concerned recreational angler, thanked the MFC for what it does, but he said North Carolina’s ability to manage the fisheries for the common good is broken. He said the MFC needs the trust of the public, accountability, and enforcement in written laws, all three of which are lacking in fisheries management in North Carolina. Mr. Wallin said the angling public and commercial fishermen lack trust in the DMF’s ability for long term viability and true sustainability. He said there is a lack of accountability, standards, and deadlines in their very own FMPs, enforcement is minimal at best and there is a lack of accountability measures for both commercial and recreational fisheries for continuing to break the law; most fishermen pay the fine and go on with business as usual. He said he is frustrated with the rules and laws in place; they limit the ability to sustainably manage. He said for striped mullet harvest today, based on DMF data, 98% is commercial, so he does not see how it is necessary to close the recreational fishery for bait. He asked the MFC if a one-month recreational closure will really give the reductions needed. He said the roe fishery is the real problem; they are full of eggs and their harvest is leading to the decline. For oyster harvest, he asked why not implement a mandatory recreational permit like a deer tag, either free or with a charge where those funds could be used to create oyster reefs. Regarding speckled seatrout, Mr. Wallin said he hopes they have not forgotten, as it seems the DMF is slow walking the FMP, using a stock status from 2019. He asked how the MFC is going to allow two more harvest seasons before any management changes can be implemented. He said that will be six years ago and a lot can change in that time. He said this is a broken system and he hopes it can be fixed; until then, the future of fisheries will play out in court.

Joey Frost thanked the MFC for being here to help with what is going on with the mullet fishery. He said he thinks the whole state has heard about the 77,600 pounds of mullet he caught (in the stop net fishery). He said he has been involved with the mullet fishery since he was a toddler, and he has been in business at least 60 years. He remembers the biggest harvest he was part of in 1974 at about 92,000 pounds. He said this year was the second biggest harvest he has been involved with. He said he is part of the mullet fishery, and it is a bad time because it has been made a derby fishery with what the MFC has done. All the gill netters went fishing night and day. He is thankful the dealer he works with had the capability to handle the harvest. Mr. Frost said two weeks ago, he was baling fish but there was no capacity to handle it. He had 40,000 fish and if he let them go, two-thirds of them would die. The dealer forced himself to address this problem. He said we do not need a derby fishery. He said he was part of the FMP advisory committee for striped mullet. After this derby system, the MFC needs to direct the DMF director to do some more work on that. Mr. Frost said more people need to be involved on the committee, like adding fish house dealers. He said if the MFC does something here and the dealers cannot handle it, it does not make sense. He said this needs to go back to the committee and make sure they evaluate more ideas. He encouraged

the MFC to table this item, have more meetings, and bring this back to the DMF to bring it back for the MFC to pass.

Thomas Newman, a commercial fisherman and employee of the NCFA, spoke about changes in recreational data collection for southern flounder. He provided a handout that shows how recreational harvest changed for each updated made to the Southern Flounder FMP, and how it was measured each time. Mr. Newman explained in the original 2005 FMP, MRFSS was used to calculate hook and line estimates, a 2½-year DMF study was used to estimate recreational gig harvest, and a 2-year DMF survey was used to estimate Recreational Commercial Gear License landings to give the total recreational harvest. He said in Amendment 1, recreational hook and line harvest was again estimated by use of MRFSS, but the recreational gig harvest survey was recalculated and was set equal to the annual hook and line harvest throughout the time series. Mr. Newman said in Amendment 1 the Recreational Commercial Gear License data was deemed unreliable and was not used although it represented 97,000 lbs. of harvest annually in the original 2005 FMP. Mr. Newman said in Amendment 2 hook and line recreational harvest estimates were collected in and back calculated with MRIP estimates. He said recreational gig harvest in Amendment 2 went through yet a third estimation method change in which recreational gig harvest was calculated through a DMF mail survey. He explained a hind-casting approach was then used to recalculate gig harvest estimates prior to 2010. Mr. Newman said Recreational Commercial Gear License landings, past and present, were again disregarded and not considered for Amendment 2. He stated that none of the recreational catch estimate methods we have previously used have given us accurate results. Our current data collection method, MRIP, is not designed to monitor and track landings and pulse fisheries like our two-week flounder harvest season. Mr. Newman said it is well documented that MRIP is likely to produce highly variable estimates for short harvest seasons. He said he has been told that more changes are coming from MRIP, which will change their recreational harvest data once again. Mr. Newman said mandatory recreational harvest reporting has been passed by NC legislation. He said NCFA fully supports mandatory reporting because everyone can see that the past and current methods of collecting recreational data have failed to produce reliable estimates time and again. He stated that recreational harvest reporting has been successful in other states, and it can be successful in North Carolina as well with support from the DMF and this commission.

Glenn Skinner, NCFA Executive Director and commercial fisherman, spoke about the 2022 stock assessment for striped mullet and said no document ever produced by the DMF has been in such stark contrast with a fishery. He said he has never seen striped mullet like he has seen this year; the stock status from the assessment could not be true with the expansion occurring in the fishery. He said he is frustrated because what we are seeing does not match what is happening. This is the most visible species we see and there is very little effort needed for the DMF to verify it. He said if you sit on the beach in a beach chair you can see them; this is not flounder, it is nothing like that. Mr. Skinner said with the reproductive capability of striped mullet we are seeing expansion in the fishery. Pages 91-92 of the stock assessment report have charts that show how many fish were harvested by sector by number of fish. He said this shows that quite often the recreational fishery is harvesting more than the commercial fishery, but the data is not presented that way. He said the recreational and commercial fisheries are not having an impact on the stock because it is expanding. He is catching 10,000 – 15,000 pounds in a gill net; you cannot run the net over without catching that much. Mr. Skinner thanked Commissioner Bethea for sitting with fishermen last night after the

public comment session to see fishermen's videos of the fish. He said these are harsh actions for this fishery. He sat with Director Rawls, and she expressed her concerns about the stock assessment to us, but she has not shared those with the MFC.

Brent Fulcher, chairman of the North Carolina Fishery Association (NCFA), a commercial fisherman, and business owner provided a handout to the MFC. He said we all lost a huge resource when Jimmy Ruhle passed away in September. He kept accurate, real-time data for inshore surveys with the Virginia Institute of Marine Science. Mr. Fulcher said with his landings alone that last year he purchased 528,000 lbs. of mullet for the year. He said this year through the closure date he purchased 524,000 lbs. He said in addition to what he purchased last year, he purchased 101,000 lbs. past what is now the season closure date. He said the landings probably would have been the biggest this year if fishermen had been allowed to operate traditionally. He said buyers were forced to start earlier, and a lot of them could not handle the fish. The fish soured, so market conditions may show landings were down, but if so, it is the market, not the fishery. Mr. Fulcher said he could not take the risk of not handling the fish in a wholesome manner. If it had been one day either way, if it had been normal, look at the food source, look at the data, look at the landings last year and this year. Everyone he talked to said something must be wrong. Mr. Ruhle said no one should make more than a 10 percent change in one year because of social and economic reasons.

End 9:24 a.m.

#### Preliminary Matters

Chairman Bizzell called the business meeting to order. He began the meeting with a moment of silence, followed by the pledge of allegiance.

Chairman Bizzell reminded all commissioners of N.C. General Statute § 138A-15E, which mandates at the beginning of any meeting of a board, the Chair shall remind all members of their duties to avoid conflicts of interest under Chapter 138 and the Chair shall also inquire as to whether there is any known conflict of interest with respect to any matters coming before the board at that time. There were no stated conflicts of interest from any commissioner.

The following MFC members were in attendance: Rob Bizzell – Chairman, Ryan Bethea, Mike Blanton, Sammy Corbett, Sarah Gardner, Donald Huggins, Robert McNeill, Dr. Doug Rader, and Tom Roller. A quorum was achieved.

Chairman Bizzell noted several adjustments to be made to the agenda dealing with the rule making section, to be held day 3, November 17th, 2023. Chairman Bizzell stated they did not need to vote on the following at this time and these items could be removed and placed on the next meeting agenda:

- Vote on final approval to amend 15A NCAC 03K and 18A .0302.
- Vote on final approval to amend 15A NCAC 03I .0113, 03O .0101, .0109, .0112, .0301 for Data Collection and Harassment Prevention for the Conservation of Marine and Estuarine Resources.
- Vote on final approval to amend 15A NCAC 03R .0117 for Oyster Sanctuary Changes.

- Vote on final approval to amend or repeal 15A NCAC 03I .0101, 03K .0101, .0104, .0301, .0401, .0403, .0405, 03O .0201, .0501, .0503, 18A .0901, .0906 for Conforming Changes for Shellfish Relay Program and Shellfish Leases and Franchises.

**Motion by Commissioner Roller to approve the meeting agenda, as modified for rulemaking actions.**

**Second by Commissioner Huggins.**

**Motion passed without dissent.** (Removed 15A NCAC 03K .0110, 18A .0302 from the first subject, and removed the second, third, and fourth listed subjects.)

Chairman Bizzell asked for any corrections, additions, or deletions that need to be made to the August 2023 MFC Quarterly Business Meeting minutes. Hearing none, he called for a motion to approve the minutes.

**Motion by Commissioner Roller to approve the minutes of the August 2023 business meeting.**

**Second by Commissioner McNeil.**

**Motion passed without dissent.**

Chairman's Report

Letters and Online Comments

Chairman Bizzell referred commissioners to letters and comments provided in the briefing materials.

Ethics Training and Statement of Economic Interest Reminder

Chairman Bizzell reminded commissioners to stay up to date on their ethics training and Statement of Economic Interest.

2024 Meeting Schedule

Chairman Bizzell referred commissioners to the 2024 proposed meeting schedule provided in the briefing materials.

Commission Committee Assignments

In provided material

MFC Workplan

In provided material

Committee Reports

Nominating Committee

Commissioner Tom Roller recused himself.

Chris Batsavage presented information on the four nominees for the at-large seat for the South Atlantic Fishery Management Council (Thomas N. Roller, Christopher G. Kimrey, Michael R. Oppegaard, and E. Jot Owens), and the three nominees for the at-large seat for the Mid-Atlantic Fishery Management Council (Anna Barrios Beckwith, Stuart Creighton, and William Gorham) that were recommended to the full MFC for approval by the MFC Nominating Committee at their October meeting. Chris Batsavage stated Sara Winslow is the current at-large member from North Carolina on the Mid-Atlantic Fishery Management Council and she is completing her third consecutive term and will not be eligible for reappointment.

**Motion by Commissioner McNeill to approve the slate of nominees for the at-large seat for the South Atlantic Fishery Management Council and the at-large seat for the Mid-Atlantic Fishery Management Council.**

**Second by Commissioner Corbett.**

	ROLL CALL VOTE				
Member	Aye	Nay	Abstain	Recuse	Absent
Bethea	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Blanton	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Corbett	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Gardner	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Huggins	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
McNeill	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rader	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Roller	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Bizzell	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Motion passed without dissent, with one recusal.**

## Director's Report

Director Kathy Rawls provided an update to the MFC on recent legislative items from House Bill 600, which has impacts for many of the Department of Environmental Quality divisions, including the DMF. One of these items is the phased-in mandatory commercial reporting of harvest of all species, and recreational reporting of harvest of flounder, red drum, spotted seatrout, striped bass, and weakfish. She said the MFC is tasked with temporary and permanent rulemaking to implement the requirements beginning December 1, 2024. The rules must specify how and when all commercial fishermen will report their harvest, regardless of sale, when engaged in a commercial fishing operation, and how and when all recreational fishermen will report the harvest of the five aforementioned species. She said non-recurring funds of five-million dollars were allocated for developing a reporting application. Director Rawls discussed concerns with the time frame, as well as other challenges with the task, and the need for setting expectations.

Director Rawls highlighted key items from the budget bill from the 2023 session. State employees received a 4% increase for the 2023-2024 fiscal year and an additional 3% increase for the 2024-2025 fiscal year. There were also marine patrol increases to better align their salaries with other law enforcement agencies. The pay increases are only funded for full-time appropriated positions, which for the DEQ means about 30% of positions are covered. Funding comes from other sources for the increases for the non-appropriated positions, which comes out of operating budgets for those positions.

Director Rawls provided an update on the CCANC lawsuit. She said it has taken an extensive amount of time for staff to fulfill the requirements of the process. Information continues to be exchanged in the discovery process and the judge has set a schedule for certain steps that will occur this year.

Director Rawls touched on public comments the MFC received the night before the business meeting regarding how great flounder fishing was in South Carolina. She offered a reminder that flounder are also overfished with overfishing occurring in South Carolina because it is a multi-state stock. North Carolina is taking appropriate actions, but this is not just a North Carolina responsibility. Director Rawls said there has been significant public confusion across the state regarding the separate flounder seasons in North Carolina and where those regulations applied. The Wildlife Recourses Commission rules continue to fall out of sync with MFC rules and DMF proclamations, as well as interstate and federal management for marine and estuarine species.

Director Rawls expressed appreciation on tips and reports of fishing activity that have been received. She said the DMF only has 56 officers who are responsible for 4,000 miles of coastline and 2.5 million acres of water. Tips and reports are appreciated and investigations into illegal activity are conducted. Director Rawls said to keep in mind that something that looks illegal is not necessarily illegal, and it takes time to investigate.

Director Rawls said her report will continue to highlight section updates, not just fishery management plan items, so the MFC will hear updates from several section chiefs and senior staff.



Division of Marine Fisheries Operations Update – Deputy Director Mike Loeffler gave a Power Point presentation with an overview of DMF operations over the last year and details on the annual budget.

To view the presentation, go to: <https://www.deq.nc.gov/marine-fisheries/mfc/mfc-meetings/dmf-overview-nov-2023-mfc/open>.

Atlantic States Marine Fisheries Commission Update

Mid-Atlantic Fishery Management Council Update – Special Assistant for Councils Chris Batsavage gave updates from the August 2023 meetings of the Atlantic States Marine Fisheries Commission and the Mid-Atlantic Fishery Management Council.

South Atlantic Fishery Management Council Update – Executive Assistant for Councils Trish Murphey gave an update from the September 2023 meeting of the South-Atlantic Fishery Management Council.

Habitat and Enhancement Section Update – Habitat and Enhancement Section Chief Jacob Boyd gave an update regarding activities of the Habitat and Enhancement Section covering enhancement, habitat, and aquaculture.

Shellfish Sanitation and Recreational Water Quality Section Update – Environmental Program Supervisor Andy Haines gave an update regarding activities of the Shellfish Sanitation and Recreational Water Quality Section, including information about the opening of a new northern lab, the 2023 Interstate Seafood Seminar & Gulf and South Atlantic States Shellfish Conference held in Wilmington, NC in November 2023, and the enhancement of capabilities for monitoring coastal waters for potentially harmful phytoplankton and biotoxins.

Fisheries Management Section Update – Fisheries Management Section Chief Steve Poland gave an update regarding activities of the Fisheries Management Section, including the stock assessment program, encouraging donations of carcasses for aging, and the multispecies tagging program.

Marine Patrol Section Update – Col. Carter Witten gave an update regarding activities of the Marine Patrol Section, including the active 2023 flounder season, the filling of staff vacancies, and patrol calls.

License and Statistics Section Update – License and Statistics Section Chief Brandi Salmon gave an update regarding activities of the License and Statistics Section. She provided the MFC with the License and Statistics Annual Report (AKA "The Big Book") that provides summaries of commercial and recreational harvest and landings data along with commercial and for-hire license and permit sales statistics for the State of North Carolina.

### Informational Materials

Director Rawls referred commissioners to the informational materials in their briefing documents, including the Protected Resources Update Memo.



## Fishery Management Plans

### Status of Ongoing Plans

FMP Coordinator Corrin Flora gave a presentation on the status of ongoing fishery management plans.

To view the presentation, go to: <https://www.deq.nc.gov/marine-fisheries/mfc/mfc-meetings/status-ongoing-plans-nov-2023-mfc/open>.

### Estuarine Striped Bass FMP Amendment 2 Adaptive Management Update

DMF striped bass leads Nathaniel Hancock and Charlton Godwin gave a presentation with an update on adaptive management measures under Amendment 2, 2023 data and stocking results, and steps moving forward for striped bass in the Albemarle Sound and Roanoke River. Support for a moratorium, continued concern for the health of the stock, and the need for increased natural recruitment were briefly discussed.

To view the presentation, go to: <https://www.deq.nc.gov/marine-fisheries/mfc/mfc-meetings/estuarine-striped-bass-fmp-amendment-2-adaptive-management-update-nov-2023-mfc/open>.

### Hard Clam FMP Amendment 3 and Eastern Oyster FMP Amendment 5

DMF hard clam and oyster leads Lorena de la Garza, Jeff Dobbs, Bennett Paradis, and Joe Facendola gave a presentation on the development of Amendment 3 to the Hard Clam FMP and Amendment 5 to the Oyster FMP, including the goal and objectives and potential management strategies for each FMP. The staff summarized the results of the Sept. 11-22, 2023, public scoping period and additional public outreach efforts underway, including for the mechanical harvest fisheries. Staff are continuing to draft the first version of the amendments and will hold an FMP workshop later this year to further develop the amendments with the FMP advisory committee. Longer-term planning and outcomes for oyster reefs in Pamlico Sound, and SAV protections were briefly discussed.

To view the presentation, go to: <https://www.deq.nc.gov/hard-clam-fmp-amendment-3-and-eastern-oyster-fmp-amendment-5-nov-2023-mfc/open>

**Motion by Commissioner Roller to approve the goal and objectives for the Eastern Oyster Fishery Management Plan Amendment 5 as presented by staff, except the goal is changed from “maintain” oyster populations to “enhance” oyster populations.**

**Second by Commissioner McNeill.**

ROLL CALL VOTE					
Member	Aye	Nay	Abstain	Recuse	Absent
Bethea	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Blanton	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Corbett	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Gardner	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Huggins	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
McNeill	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rader	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Roller	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bizzell	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Motion passed unanimously.**

**Motion by Commissioner Rader to approve the goal and objectives for the Hard Clam Fishery Management Plan Amendment 3 as presented.**

**Second by Commissioner Roller.**

ROLL CALL VOTE					
Member	Aye	Nay	Abstain	Recuse	Absent
Bethea	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Blanton	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Corbett	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Gardner	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Huggins	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
McNeill	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rader	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Roller	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bizzell	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Motion passed unanimously.**

Striped Mullet FMP Amendment 2 (Draft)

DMF striped mullet leads Willow Patten and Jeff Dobbs gave a presentation that reviewed the draft amendment, including the goal and objectives, management unit, striped mullet fisheries in North Carolina, 2022 stock assessment results, the two issue papers and information paper

included in Amendment 2, and the timeline for implementation of the amendment. Potential use of drone technology for future evaluation of striped mullet as they congregate and school was briefly discussed but would be for an amendment in the future contingent on funding and staffing.

To view the presentation, go to: <https://www.deq.nc.gov/marine-fisheries/mfc/striped-mullet-fmp-amendment-2-draft-nov-2023-mfc/open>.

**Motion by Commissioner Roller to approve the draft Striped Mullet Fishery Management Plan Amendment 2 for public and MFC advisory committee review.**

**Second by Commissioner McNeill.**

Member	ROLL CALL VOTE				
	Aye	Nay	Abstain	Recuse	Absent
Betha	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Blanton	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Corbett	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Gardner	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Huggins	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
McNeill	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rader	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Roller	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bizzell	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Motion passed unanimously.**

Rulemaking

Rulemaking Issues Update

MFC Counsel Phillip Reynolds briefed the MFC on two items that relate to the MFC's rulemaking actions at its August 2023 business meeting.

15A NCAC 03M .0101, MUTILATED FINFISH

At its August 2023 business meeting, the MFC discussed objections raised by the Wildlife Resources Commission (WRC) to proposed amendments to the MFC's mutilated finfish rule. At that time, Reynolds informed the MFC he would provide proposed rule amendments to satisfy the objection at the MFC's November 2023 business meeting. Reynolds advised the MFC that since then, things have changed. Specifically, when the budget became law there were provisions about the rulemaking process and the return of rules to an agency. Previously, when the Rules Review Commission (RRC) objected to a rule, the rule stayed under review until the agency requested return of the rule, at which point the rulemaking process could begin again. However, when the budget became law, it required the RRC to return rules to agencies if the rules had not been

submitted. The MFC’s mutilated finfish rule was returned as a result of that legislative change. Reynolds said the proposed amendments to the mutilated finfish rule did not become effective, but the existing rule remains intact in the N.C. Administrative Code. Reynolds said he intends to bring proposed language to the MFC at its February 2024 business meeting so the desired outcome can be reached.

**15A NCAC 03Q .0106, APPLICABILITY OF RULES: JOINT FISHING WATERS**

Reynolds spoke about the authority to manage fisheries resources in joint fishing waters and the continuing assertion by the WRC that it has exclusive authority over hook and line fishing in joint fishing waters. Reynolds said the WRC's assertion is inconsistent with an advisory opinion by the Attorney General's office regarding the rule. In August, Reynolds recommended striking out a portion of the rule, but also to consider other amendments. Reynolds said, a further look revealed that the revision discussed in August would not be sufficient to resolve the confusion over hook and line fishing in joint fishing waters. Reynolds presented proposed amendments to 15A NCAC 03Q .0106 that would replace the existing text of the rule and said a draft regulatory impact analysis of the proposed amendments is being developed. Reynolds recommended authorizing staff to move forward with publishing the notice of text, pending OSBM approval of the regulatory impact analysis. Reynolds said he does not see any fiscal impact or required changes for operating under the revised rule because it is not impacting anything other than providing clearer conflict resolution. Reynolds said for the proposed amendments to become effective, the rule would either have to be agreed to by the WRC or resolved via the Governor’s office per G.S. 113-132(d).

**Motion by Commissioner Corbett to approve Notice of Text for Rulemaking to amend 15A NCAC 03Q .0106, pending OSBM approval of the Regulatory Impact Analysis.**

**Second by Commissioner Rader.**

Member	ROLL CALL VOTE				
	Aye	Nay	Abstain	Recuse	Absent
Bethea	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Blanton	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Corbett	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Gardner	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Huggins	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
McNeill	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rader	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Roller	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bizzell	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Motion passed unanimously.**

Rule Suspensions Update Memo

Fisheries Management Section Chief Steve Poland gave a brief verbal update regarding recent rule suspensions and requested the MFC approve additional suspensions.

**Motion by Commissioner Roller to suspend section (a) of NCMFC Rule 15A NCAC 03M .0502 MULLET and section (1) of NCMFC Rule 15A NCAC 03M .0101 MUTILATED FINFISH for an indefinite period.**

**Second by Commissioner Corbett.**

	ROLL CALL VOTE				
Member	Aye	Nay	Abstain	Recuse	Absent
Bethea	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Blanton	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Corbett	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Gardner	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Huggins	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
McNeill	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rader	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Roller	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bizzell	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Motion passed unanimously.**

Rulemaking Update

The DMF’s Rulemaking Coordinator Catherine Blum provided updates on two rulemaking cycles, including public comments received in support of the 2023-2024 rulemaking cycle. She also provided a preview of upcoming items for the 2024-2025 rulemaking cycle.

**Motion by Commissioner Rader to give final approval to readopt per G.S. 150B-21.3A and repeal and adopt 15A NCAC 18A .0301, .0305, .0401-.0424, .0426-.0430, .0432-.0439, .0501-.0504, .0601-.0621, .0701-.0713, .0801-.0806 (excluding 15A NCAC 03K .0110 and 18A .0302).**

**Second by Commissioner Huggins.**

ROLL CALL VOTE					
Member	Aye	Nay	Abstain	Recuse	Absent
Bethea	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Blanton	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Corbett	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Gardner	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Huggins	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
McNeill	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rader	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Roller	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bizzell	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Motion passed unanimously.**

Issues from Commissioners

Commissioner McNeill – reexamine potential waste of striped mullet during the closed season due to no possession allowed, balanced with enforcement concerns, if anticipating 2024 season closure

Chairman Bizzell – inquired about being removed from the DEQ email distribution list due to the volume of routine distributions

Review of MFC Workplan, Meeting Assignments, and Preview of Agenda Items for Next Meeting

Lara Klibansky reviewed meeting assignments and provided an overview of the February 2024 meeting items.

Having no further business to conduct, Chairman Bizzell adjourned the meeting at 3:23 p.m.

(The MFC Business Meeting for November 2023 was concluded in full on November 16, 2023.)