

**Motions**  
**N.C. Marine Fisheries Commission**  
**May 17-18, 2017**

Agenda approved by consensus.

Minutes approved by consensus.

**Southern Flounder Litigation**

Motion by Chuck Laughridge that pursuant to NCGA 143-318.11(a)(3), the commission go into closed session to discuss ongoing litigation pertaining to the matter of CCFA et al vs. NCDEQ et. al. Second by Alison Willis.

Motion carries unanimously.

Moved out of closed session without objection.

Motion by Rick Smith to accept the terms of the agreement reached in principle during mediation on May 11, 2017 pertaining to the matter of CCFA et al vs. NCDEQ et. al which will be finalized with a settlement agreement at a future date. Second by Joe Shute.

Motion carries 8-0 with one abstention.

**Option 3-D to the Atlantic States Marine Fisheries Commission's Draft Amendment to the Atlantic Menhaden Plan**

Motion by Chuck Laughridge to write letters to the ASMFC Atlantic Menhaden Management Board and to North Carolina's ASMFC board members in support of Option 3-D in the draft amendment to the Atlantic Menhaden Plan. Second by Joe Shute.

Motion carries unanimously.

**Transfer of Cobia Management to Atlantic States Marine Fisheries Commission**

Motion by Chuck Laughridge to send letters to the ASMFC and the SAFMC expressing support for the transfer of management of cobia to the ASMFC to provide North Carolina with a state quota allocation to be managed by the MFC and DMF. Second by Joe Shute.

Motion carries 7-0 with one abstention.

**Observer Program and Incidental Take Permits**

Motion by Chuck Laughridge that DMF provide to the MFC at its August meeting the amount of time, man hours and money spent on managing the Observer Program and to give the MFC data on how to manage this fishery to stay in compliance.

Motion withdrawn.

Motion by Chuck Laughridge to send a letter to the governor, Senate president pro-tem, Speaker of the House and all legislators asking that the industry take over management of the ITPs.

Motion withdrawn.

Motion by Chuck Laughridge to have an estimate of the unobserved interactions under the sturgeon and sea turtle ITPs.

Motion withdrawn.

### **Cobia Season Clarification**

Motion by Chuck Laughridge to close the recreational cobia fishery from Jan. 1, 2018 to April 30, 2018. Seconded by Mike Wicker.

Motion carries 8-0.

Motion by Janet Rose to extend the 2017 recreational cobia season, currently scheduled to close at 12:01 a.m. Sept. 1, to Sept. 30. Second by Brad Koury.

Motion fails 3-5.

### **Periodic Review and Expiration of Existing Rules**

Motion by Joe Shute to approve the draft report on 15A NCAC 10C .0100 rules and to proceed to public notice, per G.S. 150B-21.3A. Seconded by Chuck Laughridge.

Motion carries unanimously.

### **Rule Suspension**

Motion by Chuck Laughridge to suspend N.C. Marine Fisheries Commission Rule 15A NCAC 03M .0516 COBIA in its entirety. Seconded by Joe Shute.

Motion carries unanimously.

### **Stocked Anadromous Species**

Motion by Chuck Laughridge to ask the Division of Marine Fisheries to provide information regarding the following:

- To preserve and restore spawning stocks of anadromous species in NC coastal rivers there will be no sale of stocked striped bass and American shad from any river system where these fish are stocked to restore a naturally spawning population.
- Any large mesh and small mesh gill nets that interact with these stocked anadromous species shall be attended 24 hours a day.
- Recreational limits will be no more than one per day with restricted seasons as needed.
- Both commercial and recreational rules will remain in effect until spawning stock biomass has reached 50 percent of historic levels.

Seconded by Rick Smith

Motion carries 6-1 with one abstention.

### **Support of H-867, the Coastal Fisheries Conservation and Development Act**

Motion by Brad Koury to have the chairman send a resolution in support of House Bill 867 to the governor, Senate president pro-tem, speaker of the House and full legislative body. This shall be done by email no later than May 25, 2017 and followed by a letter sent as above by May 31, 2017. Second by Rick Smith.

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

Motion carries 5-3 with one abstention.