

Chairman's Report





NORTH CAROLINA MARINE FISHERIES COMMISSION DEPARTMENT OF ENVIRONMENTAL QUALITY

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Feb. 28, 2019

Dear Members of the North Carolina General Assembly:

At its Feb. 20-22, 2019 business meeting, the Marine Fisheries Commission voted to support requesting legislation to require reporting of (1) all catch with commercial gear, except for Recreational Commercial Gear License catch, and (2) all catch from recreational salt water fishing tournaments other than the Governor's Cup series.

Commercial fishermen may only sell their catch to or through a commercial fish dealer. The fish dealer is required to report the species and quantity of the catch to the Division of Marine Fisheries on a trip ticket. Fish donated or kept for personal consumption by a fisherman are not currently required to be reported. Likewise, recreational fishing tournaments are not obligated to report fish landed during the tournament. The proposed provision would require that fish harvested under these circumstances be reported to the Division.

113-168.2. Standard Commercial Fishing License.

...

(i) Record-Keeping Requirements. - The fish dealer shall record each transaction at the time and place of landing on a form provided by the Division. The transaction form shall include the information on the SCFL or shellfish license, the quantity of the fish, the identity of the fish dealer, and other information as the Division deems necessary to accomplish the purposes of this Subchapter. The person who records the transaction shall provide a completed copy of the transaction form to the Division and to the other party of the transaction. The Division's copy of each transaction form shall be transmitted to the Division by the fish dealer on or before the tenth day of the month following the transaction. Any person who takes fish not sold to a licensed dealer using commercial gear, and who does not otherwise comply with Recreational Commercial Gear License requirements, shall file a transaction form with the Division. The organizer of a salt water fishing tournament, excepting the Governor's Cup series, shall report the quantity of the fish taken during the tournament, and other pertinent information, to the Division. For purposes of this section, a salt water tournament is defined as any organized fishing event where participants pay an entry fee. The Marine Fisheries Commission is authorized to adopt rules to require record keeping to document harvest from commercial licenses and tournaments where the harvest is not sold to a dealer. (1997-400, s. 5.1; 1998-225, s. 4.11; 2001-213, s. 2; 2013-360, s. 14.80); 2013-384, s. 2014-100, s. 14.9(b).)

Thank you for your consideration of this request; please feel free to contact me at r.bizzell.mfc@ncdenr.gov or 252-521-1306 if I may be of assistance to you in this or any other matter.

Sincerely,

A handwritten signature in black ink, appearing to read "W. Robert Bizzell".

W. Robert Bizzell, Chairman
N.C Marine Fisheries Commission

From: Patrick White patrickwhite74@yahoo.com

Sent: Thursday, April 18, 2019 1:32 AM

To: Bizzell, Rob

Subject: [External] NC Coastal Waters

Dear sir,

With all the discussion about preserving North Carolina's fragile coast line how do we propose legislation to declare NC coastal waters a National Marine Sanctuary with all the protection that comes with this designation? For example Stellwagen National Marine Sanctuary has traffic lanes and speed limits for commercial shipping and many other clear set rules which make it clear how to navigate and operate in those fragile waters of the Gulf of Maine. At the moment we do not even have a simple traffic separation scheme and as you know the area around Cape Hatteras is known as the Graveyard of the Atlantic.

As a commercial Merchant Mariner and a North Carolina resident on the outer banks I can't understand how we haven't taken these simple steps to guard our shorelines from potential spills.

Sincerely

Patrick R White

Master 1600 Oceans, Master of Towing Unlimited Oceans

Sent from my iPhone

SOUTHERN ENVIRONMENTAL LAW CENTER

Telephone 919-967-1450

601 WEST ROSEMARY STREET, SUITE 220
CHAPEL HILL, NC 27516-2356

Facsimile 919-929-9421

April 26, 2019

Via email

Robert Bizzell, Chairman
N.C. Marine Fisheries Commission
3441 Arendell Street
Morehead City, NC 28557
r.bizzell.mfc@ncdenr.gov

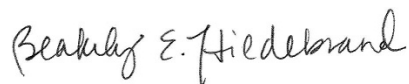
Re: Request for time on N.C. Marine Fisheries Commission Agenda on May 16

Dear Chairman Bizzell,

On behalf of the North Carolina Wildlife Federation, I am writing to request time on the N.C. Marine Fisheries Commission agenda on Thursday, May 16, 2019. The Federation wishes to present a Petition for Rulemaking to the Commission for its consideration on that date. The Federation will provide the Commission with advance copies of the Petition and all supporting documents no later than Monday, May 13.

Thank you in advance for your consideration of this request. Please do not hesitate to contact me should you have any questions or wish to discuss this request further.

Sincerely,



Blakely E. Hildebrand
Staff Attorney

CC:

Nancy Fish, Liaison to Marine Fisheries Commission
Shawn Maier, Assistant Attorney General, Counsel to Marine Fisheries Commission

Dear Rob Bizzell,

The purpose of this letter is to inform you that the Monterey Bay Aquarium Seafood Watch program has updated our recommendation for blue crab caught in pots in North Carolina and provide a channel if you'd like to share new information or technical feedback.

The Seafood Watch program raises awareness of important ocean conservation issues and helps consumers and businesses choose seafood that's fished or farmed in ways that support a healthy ocean. We provide [recommendations](#) that indicate which seafood items are Best Choices or Good Alternatives, and which ones you should Avoid until improvements are made.

A solid foundation of science and collaboration underpins our recommendations—ensuring our audiences have robust and accurate information. Each recommendation is supported by an assessment which synthesizes and analyzes the most current science against our [standards](#). Our assessments are subject to an external review process which relies upon outreach to stakeholders.

Additional information on how we develop our recommendations and our external review process can be accessed [here](#). Our standards are updated every three to four years based on input from a diversity of experts from industry and academia.

Our assessment of the blue crab caught in pots in North Carolina identified several sustainability concerns, resulting in an Avoid recommendation. The limiting factor in this assessment for blue crab is the high risk of population-level impacts to diamondback terrapins from the fishery and a lack of management measures being implemented to mitigate that impact.

The full assessment can be accessed [here](#).

We welcome any new information or technical feedback regarding this assessment and will consider new information promptly. Please share this letter with other marine resource managers or experts in your agency, as appropriate, and contact us with any questions.

Sincerely,
The Seafood Watch



NORTH CAROLINA

State Board of Elections & Ethics Enforcement

Mailing Address:
P.O. Box 27255
Raleigh, NC 27611-7255

Phone: (919) 814-0700
Fax: (919) 715-0135

Ethics & Lobbying Education

The following information applies to public servants, legislators, legislative employees, and ethics liaisons. For information on lobbying education and awareness presentations for lobbyists and lobbyist principals.

Mandatory Education. The N.C. State Board of Elections and Ethics Enforcement provides mandatory ethics and lobbying education for *public servants, legislators, legislative employees* and *ethics liaisons*. Topics covered include:

- Filing a Statement of Economic Interest ("SEI")
- Monitoring and avoiding conflicts of interest
- The gift ban and its exceptions
- Prohibition on use of public position for private gain
- Lobbying and how it affects individuals covered by the State Government Ethics Act

Ethics education is the primary way individuals subject to the State Government Ethics Act are made aware of their public duties and responsibilities as well as the consequences for violating the ethics laws.

Who Must Participate

- **Public Servants & Ethics Liaisons.** All public servants and ethics liaisons are required to attend a Commission-approved basic ethics and lobbying education presentation within six (6) months of the person's election appointment, or employment and attend a refresher presentation at least every two (2) years thereafter.
- **Legislators & Legislative Employees.** The Commission, jointly with the Legislative Ethics Committee, makes mandatory ethics education and lobbying presentations to all legislators within two (2) months of the legislator assuming his or her office. Legislative employees must also participate in ethics education within three (3) months of employment and attend a refresher at least every two (2) years.
- **Education Presentations & Schedule.** Ethics and lobbying education presentations for public servants and ethics liaisons are offered [online](#) and [live at Raleigh-only and distance education sites](#). Completing an online presentation or attending a live session meets either the basic or refresher mandatory education requirements. Visit <https://www.ncsbe.gov/Ethics/Education> to access online and live training options.

Ethics education for **legislators** is conducted in live sessions. Legislative employees may participate in ethics education online through the General Assembly.

- **Consequences for Failure to Attend.** Failure to attend an ethics and lobbying education presentation is a violation of the State Government Ethics Act and may result in the individual being recommended for removal from his or her public position or disciplined in his or her State job.

Contact Information

For education related questions, contact:
NC State Board of Elections and Ethics Enforcement
Phone: (919) 814-3600
E-mail: Education.Ethics@doa.nc.gov

2019 STATEMENT OF ECONOMIC INTEREST REMINDERS:

Completed SEIs must be filed on or before April 15, 2019. If you have already filed a 2019 SEI, do not refile. The forms and instructions can be found at <https://ethics.ncsbe.gov/sei/blankForm.aspx>.

If you filed a 2018 SEI ***and*** you have had ***no changes*** since your 2018 filing, you may file a 2019 SEI No Change Form, located on the website.

You must file a 2019 Long Form if any of the following apply to you:

- a. You filed a 2018 SEI ***but*** you have had changes since your 2018 filing;
- b. You did not file a 2018 SEI; or
- c. You are a first-time filer or have been appointed to a new or additional position/board.

This year, the State Board of Elections and Ethics Enforcement will roll out a new electronic process for filing SEIs. That electronic filing option will be available in **early February**.

You are encouraged to file your SEI electronically. However, if you want to file your SEIs before the updated electronic version is available, hard copies are available for filing now at the link above.

New commissioners will need to file a 2019 SEI; however, if you have not had any changes since you last filed, you can use the No Change Form, which is fairly easy to complete.

Please file by April 15th to avoid fines and other penalties.

SEI HELPFUL TIPS

1. PUBLIC RECORDS. The State Board of Elections and Ethics Enforcement (State Board) is required to collect and maintain disclosures from certain persons covered by the State Elections and Ethics Enforcement Act Government Ethics Act (Elections and Ethics Act). By law, the information requested is public record and available to the public upon request. As public records, Statements of Economic Interest (SEI) are available on the Commission's website. Personal contact information, however, is not.

2. CONTACT INFORMATION PAGE. The Contact Information page, which includes your personal contact information, will not be available on the Commission's website, but is a public record.

3. CHILDREN'S INITIALS. Only list minor children's INITIALS on the SEI. List each child's full legal name on the Confidential Unemancipated Children's Form. If you are filing electronically, the form will be generated at the end of the SEI from the information that you provided on your electronic SEI. The Confidential Form is not a public record, and the State Board will not make it available to the public.

4. READ EACH QUESTION CAREFULLY. Read each question carefully and pay close attention to the time periods in each question as they do vary.

5. ANSWER EACH QUESTION. It is important to answer each question, including all applicable subparts. Even if your answer is "no" or "not applicable," make certain you answer each question. Many of the questions have "yes" and "no" boxes to check for your convenience. Incomplete SEIs may cause delays and negatively impact your public service on a covered board or as an employee.

6. WHY ARE YOU FILING. You must list the complete name of the state board or state agency employer for which you are filing the SEI. Without this information, your SEI may be delayed and negatively impact your public service on a covered board or as an employee.

7. HOW TO FILE. The State Board strongly recommends electronic on-line filing as it is secure, allows easy information updates, and gives you access to your electronic SEIs previously filed. Filing your SEI on-line is easy, quick, convenient, and reduces the chance of reporting errors. Getting started is easy. Follow the simple steps to create your own account and get access today: <https://EFILE.ncsbe.gov/> To file a paper version of the SEI, you must provide the State Board with a signed, original SEI form. Each SEI includes an "affirmation" and is a legally binding document. Faxed or emailed copies of your SEI CANNOT be accepted.

SEI Helpful Tips, continued

8. INCOME. List each source of income as requested on the SEI. The actual dollar amount is not required. Be sure to list your employer as a source of income in Question # 6 of the SEI.

9. READ CAREFULLY. Read each question carefully, as the Elections and Ethics Act requires that you disclose your financial holdings and obligations, personal property, and real property and may also include your knowledge of the holdings of both your immediate family and your extended family. "Immediate family" and "extended family" are defined terms in the Elections and Ethics Act, and those definitions are included with this document.

10. REFLECT. Think carefully about WHY you are filing, and whether it has any relationship to your position. Does your board or commission license or regulate you? For many of the boards, a subject matter expert like a licensee is needed. Answering "yes" does not prohibit your service on the board, and your perspective is valued.

11. MAKE A COPY. Make a copy of the SEI for your own records, and make a note in your calendar when you submit it, whether on-line or by mail or hand delivery. When you successfully submit your SEI electronically on-line, the final screen will provide a confirmation number and will be proof that you have satisfied your filing obligation. Please print the **confirmation screen for your records.**

12. ETHICS LIAISON. Contact your Ethics Liaison to assist you in your obligations under the Elections and Ethics Act. Your Ethics Liaison is good source of information about how to fill out your SEI.

13. ON-LINE HELP. The State Board has on-line resources to answer questions you may have about your SEI. For more information, please visit the State Board website which has education offerings.

14. DEFINITIONS. As noted above, certain terms are defined in the Elections and Ethics Act (“immediate family”). These definitions may be helpful to you in completing your SEI. A complete list of all definitions used in the Elections and Ethics Act is available on the State Board’s website, under “Ethics”. Some of the more common ones are attached to this document.

15. YOUR INTERNET BROWSER. Consider using Internet Explorer or Chrome to submit your SEI. Some users have had trouble using other browsers. **16. WE ARE HERE TO HELP YOU.** In addition to on-line resources and written materials, the State Board has expert staff ready to answer any questions you might have and assist you in completing and filing your SEI. Do not hesitate to contact us at sei@ncsbee.gov (919) 814-3600.

2019 Meeting Planning Calendar

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December						
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| <ul style="list-style-type: none"> MFC ASMFC SAFMC MAFMC State Holiday Tentative Joint AC | <ul style="list-style-type: none"> Southern Regional AC Northern Regional AC Finfish AC Habitat and Water Quality AC Shellfish/Crustacean AC Tentative Special MFC |
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