

Motions
N.C. Marine Fisheries Commission Business Meeting
Nov. 18-20, 2016,
Jennette's Pier, Nags Head

Agenda approved by consensus

Approved minutes from Aug. 18-20, 2015 meeting by consensus

Motion by Chuck Laughridge for seasonal commercial southern flounder closures Oct. 1-Dec. 31 in areas A, B and C and Oct. 20- Dec. 31 in areas D-1, D-2 and E. Reopen Jan. 1. Establish a Total Allowable Landings for a 45 percent reduction in southern flounder based on the 2011-2015 landings. If the Total Allowable Landings is reached prior to those dates, the areas will close. Recreational closure Oct. 20-31 (reopen Jan. 1). Size limit 15-inches for commercial and recreational. Second by Rick Smith. Motion withdrawn.

Motion by Chuck Laughridge for the following southern flounder management measures:

- All commercial fishing and recreational fishing will observe a 15-inch minimum size limit beginning Jan. 1, 2016
- Minimum mesh size for anchored large-mesh gill nets is 6 inches effective Jan. 1, 2016.
- Anchored large mesh gill nets and trammel nets in the southern flounder fishery will close Oct. 1 – Dec. 31 in areas A, B and C. Gear removed from water.
- Anchored large mesh gill nets and trammel nets in areas D-1, D-2 and E will close Oct. 16-Dec. 31. Gear removed from water.
- Flounder pound nets will be subject to a 5 ¾-inch escape panel and will operate under a Total Allowable Landings of 40 percent reductions based on 2011-2015 pound net landings. The Total Allowable Landings will be based on the area that the pound nets are in (assumes that the Total Allowable Landings equals the Total Allowable Catch).
- Commercial giggers will be subject to a 35-fish limit per vessel per day or per trip if the trip occurs over more than one calendar day.
- Recreational hook-and-line and giggers will close Oct. 16-Dec. 31.

Second by Mike Wicker.

Roll call vote:

Joe Shute: Abstain
Rich Smith: Yes
Alison Willis: No
Mark Gorges: Yes
Chuck Laughridge: Yes
Janet Rose: No
Keith Rhodes: No
Mike Wicker: Yes
Sammy Corbett: No

Motion fails 4-4 with one abstention.

- Substitute motion by Alison Willis to amend Chuck Laughridge's motion by moving forward with Proposal 5 and requesting permission from the Department of Environmental Quality secretary to move forward with an amendment to the Southern Flounder Fishery Management Plan after completion of a peer reviewed stock assessment. Second by Janet Rose.

Motion fails 2-5 with 1 abstention.

- Substitute motion by Joe Shute to amend Alison Willis' substitute motion and adopt Proposal 3, changing closure for all fisheries date to Nov. 1- Dec. 31. Second by Rick Smith.

Motion fails 1-5 with 2 abstentions.

- Substitute motion by Alison Willis to amend Joe Shute's substitute motion for Proposal 3, changing the closure date back to Nov. 16-Dec. 31. Second by Janet Rose. Motion fails 2-5 with 2 abstentions.

- Substitute motion by Mike Wicker to amend Alison Willis' initial substitute motion and adopt a modified version of Proposal 1, as below.

Pound Net Set Permits:

- 15-inch minimum size for southern flounder
- Escape panels shall be a minimum mesh size of
 - ~~Option 1: 5 ¾ inch~~
 - ✓ Option 2: 6 inches(all other escape panel requirements remain)
- Immediately initiate a Total Allowable Catch that represents a 25 percent reduction of the 2013 landings (highest landings on record since 2005). The 2013 landings represent a 79 percent jump in landings from the 2005 Fishery Management Plan landings level of concern.
- Total Allowable Catch = 625,626 pounds (higher than all but one year between 2005-2012)
- ~~Active pound net set permits may be renewed, but no new permit applications will be processed after June 1, 2015, until the completion of the next amendment.~~
- ~~No pound net set permit transfers will occur until the completion of the next amendment except upon death of the permittee pursuant to 15NCAC 03J .0504.~~
- ~~Daily reporting as a condition of the permit for flounder pound nets.~~

Commercial Gig:

- Commercial gigging will only be allowed four days per week, beginning Monday at sunrise and ending on Friday at sunrise.
- 15-inch size limit
- Trip limit of 36 flounder per valid Standard Commercial Fishing License with maximum of one limit per operation, regardless of the number of valid Standard Commercial Fishing Licenses present.

- ✓ Option 1: A maximum of one limit per operation regardless of the number of valid Standard Commercial Fishing Licenses present.
- ~~Option 2: A maximum of two limits per operation regardless of the number of valid Standard Commercial Fishing Licenses present.~~

Anchored Large Mesh Gill Nets (commercial and recreational):

- 2015 season will remain status quo.
- Effective Jan. 1, 2016, anchored large mesh gill nets will be a prohibited gear in the taking and possession of flounder in internal waters.

Commercial harvest by other gear:

- 15-inch size limit

Motion fails for lack of second

- Motion by Janet Rose to strike the initial motion by Chuck Laughridge and ask the secretary of the Department of Environmental Quality for permission to proceed immediately with the review process known as the amendment process for the southern flounder fishery management plan following completion of a stock assessment. Second by Alison Willis. Motion fails 2-5 with one abstention.

Motion by Janet Rose to reconsider Proposal 3, as presented by Joe Shute. Second by Chuck Laughridge. Motion passes unanimously.

Reconsideration of motion by Joe Shute to adopt Proposal 3, changing closure for all fisheries date to Nov. 1- Dec. 31.

- Motion by Chuck Laughridge to amend Joe Shute's motion, changing closure dates to Oct. 16-Dec. 31. Second by Mike Wicker.

- Motion by Janet Rose to amend Chuck Laughridge's proposed amendment changing the closure date to Nov. 15 – Dec. 31. Second by Alison Willis.

- Substitute amendment by Chuck Laughridge for the following southern flounder management measures:
 - All commercial fishing and recreational fishing will observe a 15-inch minimum size limit beginning Jan. 1, 2016
 - Minimum mesh size for anchored large-mesh gill nets is 6 inches effective Jan. 1, 2016.
 - Anchored large mesh gill nets and trammel nets in the southern flounder fishery will close Oct. 16 – Dec. 31 statewide. Gear removed from water.
 - Flounder pound nets will be subject to a 5 ¾-inch escape panel and will operate under a Total Allowable Landings of 38

percent reductions based on 2011-2015 pound net landings. The Total Allowable Landings will be based on the water body where the pound nets are set, as presented by DMF by February 2016 meeting (assumes that the Total Allowable Landings equals the Total Allowable Catch).

- Commercial gig fishery will close when TAL is met.
- Recreational hook-and-line and gig fisheries will close Oct. 16-Dec. 31.

Second by Mike Wicker

Substitute motion passes 6-3

Joe Shute's motion as amended by Chuck Laughridge.

Roll call vote:

Joe Shute: Yes

Rick Smith: Yes

Alison Willis: No

Mark Gorges: Yes

Chuck Laughridge: Yes

Janet Rose: No

Keith Rhodes: Yes

Mike Wicker: Yes

Sammy Corbett: No

Motion passes 6-3

Motion by Chuck Laughridge to send the names of Jack Cox, Kenny Fex and Bernie McCants to the governor for consideration for nomination to the South Atlantic Fishery Management Council obligatory seat.

Motion by Alison Willis to amend motion to replace the name of Bernie McCants with John Haag. Second by Janet Rose.

Motion fails 4-5

Chuck Laughridge amends his original motion so that the commission send the names of Jack Cox, Kenny Fex, Bernie McCants and Jon Haag to the governor for consideration for nomination to the South Atlantic Fishery Management Plan obligatory seat. Second by Mike Wicker.

Motion passes 6-0 with three abstentions.

Motion by Chuck Laughridge to send the Oyster and Hard Clam fishery management plans to public comment. Second by Alison Willis.

Motion passes unanimously.

Motion by Alison Willis to approve the information update for the Interjurisdictional Fishery Management Plan. Second by Chuck Laughridge.
Motion passes 8-0 with one abstention.

Motion by Alison Willis to approve the information update for the Kingfish Fishery Management Plan. Second by Janet Rose.
Motion passes 8-0 with one abstention.

Motion by Chuck Laughridge to give final approval to the Striped Mullet Fishery Management Plan Amendment 1 and two associated permanent rules (15A NCAC 03J .0103 and 03R. 0112). Second by Joe Shute.
Motion passes 7-0 with one abstention

Motion by Alison Willis to give final approval to the mechanical oyster harvesting clarification rule (15A NCAC 03R .0108). Second by Chuck Laughridge.
Motion passes 7-0 with one abstention.

Motion by Chuck Laughridge to send a letter to the governor, Senate president pro-tem and speaker of the House and all members of the General Assembly requesting consideration of comments from all user groups, related to the Joint Enforcement Agreement. Second by Rick Smith.
Motion passes 5-0 with three abstentions.

Motion by Chuck Laughridge to send the Coastal Habitat Protection Plan update out for public comment. Second by Joe Shute.
Motion passes unanimously.