

# Chairman's Report







**NORTH CAROLINA MARINE FISHERIES COMMISSION  
DEPARTMENT OF ENVIRONMENTAL QUALITY**

**COMMISSIONERS**

**PAT MCCRORY**  
Governor

**DONALD VAN DER VAART**  
Secretary

**SAMMY CORBETT**  
Chairman

**MARK GORGES**  
Wrightsville Beach  
**CHUCK LAUGHRIDGE**  
Harkers Island  
**JANET ROSE**  
Moyock  
**JOE SHUTE**  
Morehead City

**RICK SMITH**  
Greenville  
**MIKE WICKER**  
Raleigh  
**ALISON WILLIS**  
Harkers Island

Aug. 24, 2016

Mr. Russ Allen, Chairman  
ASMFC Weakfish Management Board  
New Jersey Department of Fisheries and Wildlife  
P.O. Box 418  
Port Republic, New Jersey 08241-0418

Dear Chairman Allen:

The North Carolina Marine Fisheries Commission would like to request that during the next Atlantic States Marine Fisheries Commission benchmark stock assessment for weakfish, which is scheduled to take place in 2021, that the assessment model be modified to consider weakfish age 0 mortality resulting from the inshore penaeid shrimp fishery in North Carolina's Pamlico Sound.

Charging the Weakfish Technical Committee and the Weakfish Stock Assessment Subcommittee with this task now will enable them to also recommend any additional sampling needed to generate a robust estimate of weakfish bycatch in the Pamlico Sound shrimp fishery.

Thank you for your consideration of this request.

Sincerely,

A handwritten signature in black ink that reads "Sammy Corbett". The signature is written in a cursive, flowing style.

Sammy Corbett, Chairman  
N.C. Marine Fisheries Commission

cc: Joe Cimino, ASMFC Weakfish Technical Committee  
Douglas Grout, ASMFC  
Bob Beal, ASMFC  
Kirby Rootes-Murdy, ASMFC  
Katie Drew, ASMFC  
Toni Kerns, ASMFC  
Braxton Davis, North Carolina Division of Marine Fisheries  
Michelle Duval, North Carolina Division of Marine Fisheries  
Representative Bob Steinburg, North Carolina Legislator on ASMFC  
Doug Brady, North Carolina Governor's Appointee on ASMFC





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**ALISON WILLIS**  
Harkers Island

Aug. 25, 2016

Mr. Bob Lorenz  
P.O. Box 10512  
Wilmington, NC 28404

Dear Bob:

I wanted to let you know at last week's Marine Fisheries Commission meeting I announced the Sea Turtle Advisory Committee was being disbanded. I wanted to contact you directly and let you know I had taken this action and the reason why.

The commission has a multitude of committees, many of which are statutorily mandated, such as the Northern and Southern regional advisory committees and the Finfish, Shellfish/Crustacean and Habitat and Water Quality advisory committees. These committees require a great deal of attention, both in staff time and in resources. In looking for efficiencies in our committee system, I felt our regional and pertinent standing advisory committees could serve as venues to review and provide the needed input on sea turtle issues. So, after much consideration, I decided to disband the Sea Turtle Advisory Committee, because it is not statutorily required. This was a difficult decision, especially since I served on the Sea Turtle Advisory Committee prior to being appointed to the Marine Fisheries Commission.

Later this fall we will be doing our annual solicitation for advisers. If any of you are interested in serving on other committees, please let me know and I will make every effort to place you on one of these committees as openings become available.

In closing, please know how much I appreciate your dedication and service to the state. I encourage you to please stay involved in fisheries issues and I hope to see you or hear from you in the future.

Sincerely,

A handwritten signature in cursive script that reads "Sammy Corbett".

Sammy Corbett, Chairman  
N.C. Marine Fisheries Commission

cc: Chris Batsavage, Division of Marine Fisheries





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Oct. 7, 2016

The Honorable Jimmy Dixon  
N.C. House of Representatives  
16 W. Jones Street, Room 2226  
Raleigh, NC 27601-1096

Dear Representative Dixon:

It was good seeing you last week at the Marine Fisheries Commission's Standard Commercial Fishing License Criteria Committee meeting. I can't express to you how grateful we were that you took the time to travel to Morehead City and meet with us.

As promised, I have attached a copy of the committee's draft recommendations that will be presented to the full Marine Fisheries Commission at our Nov. 16-18 business meeting in Kitty Hawk for further discussion. We would love to have you join us at this meeting also if your schedule permits – we anticipate continued dialogue on these issues.

As we discussed last week, licensing our fishermen is a complex but necessary undertaking. We want to ensure that people continue to have access to recreationally and commercially harvest coastal fisheries at sustainable levels. We also want to ensure that commercial fishermen are well qualified, well informed, and experienced with sustainable fishing practices. And we want to ensure that the Division of Marine Fisheries and Marine Fisheries Commission are basing our decisions on reliable data and analyses of fishing efforts and landings from different types of fishing licenses and permits. For these reasons, I think examining our licensing system to look for potential improvements is a worthwhile initiative.

Again, thank you for your interest in our fisheries and the management of this important public trust resource. I look forward to working with you, the members of the House Select Committee on Wildlife Resources, and the N.C. General Assembly on this important issue.

Sincerely,

A handwritten signature in black ink that reads "Sammy Corbett". The signature is written in a cursive, flowing style.

Sammy Corbett, Chairman  
N.C. Marine Fisheries Commission

cc: Marine Fisheries Commission  
Members of the N.C. General Assembly  
DEQ Secretary Donald van der Vaart

**DRAFT RECOMMENDATIONS FROM THE MARINE FISHERIES COMMISSION'S  
STANDARD COMMERCIAL FISHING LICENSE CRITERIA COMMITTEE MEETING  
Sept. 30, 2016**

**Recommendations that would likely require legislative changes by the NC General Assembly:**

**Full-time Standard Commercial Fishing License Eligibility** – Modify the existing licensing laws to limit Standard Commercial Fishing License eligibility based on a certain number of fishing trips or trip tickets submitted or number of days fished within a specified time period. Must include:

- An exemption for aquaculture operations (it can take several years for these operations to produce a harvestable crop);
- A hardship clause for illness or acts of God; and
- A way to list multiple crew members on a trip ticket to document their fishing participation.

**Part-time Standard Commercial Fishing License** – Create a new part-time license that anyone could qualify for at one-half the cost of the Standard Commercial Fishing License. This license would allow the use of limited amounts of commercial gear and would require trip ticket reporting. This license could serve as a stepping stone to qualify for a full-time Standard Commercial Fishing License - have the Marine Fisheries Commission set the criteria.

**Heritage Standard Commercial Fishing License** – Create a new type of license that is an inactive license, sold at one-half the cost of the current Standard Commercial Fishing License. This license could be activated to a full-time Standard Commercial Fishing License for one time only. Active licenses would then have to maintain criteria set for full-time licenses.

**Commercial Gear Usage** – Require that all landings caught by commercial gear, regardless of the type of license held, or whether the catch is sold or caught for personal use, be recorded on trip tickets.

**Tax Exempt Status** – Set an income threshold for tax exempt status at \$10,000 for commercial fishing.

**For-Hire License** – Require holders of this license to report catch via a logbook.

**Resident Land or Sell License** – Create a new license to allow state residents to have similar opportunities as the Land or Sell License. This license would allow individuals to land and sell catch like bluefin tuna caught in federal waters. Currently the Land or Sell License is only available to non-residents.

**Recommendations that would require rule changes by the Marine Fisheries Commission:**

**Standard Commercial Fishing License Eligibility Board Criteria** – Develop rules to improve criteria used to determine who is eligible to receive a license through the Eligibility Board. Consider graduation or completion of classes from a community college in commercial fishing as an additional way to qualify.

**Transfers/Assignments** - Develop rules to limit 3<sup>rd</sup> party transfers and/or refine criteria allowing temporary assignments of Standard Commercial Fishing Licenses.

**Other**

**Recreational Catch** – Have Division of Marine Fisheries staff explore options to enhance recreational data collection; for example, using a phone app to report catch.



Board of Commissioners  
Robin V. Comer, Chair  
Mark Mansfield, Vice-Chair  
Elaine O. Crittenton  
Jimmy Farrington  
Terry Frank  
Jonathan Robinson  
Bill Smith



County Manager  
W. Russell Overman

Clerk to the Board  
Rachel B. Hammer

## **RESOLUTION OF SUPPORT OF THE OPPOSITION AGAINST THE SUPPLEMENT PROCESS TO RESTRICT SOUTHERN FLOUNDER FISHING**

**WHEREAS**, during their November 2015 meeting at Jeanette's Pier, the North Carolina Marine Fisheries Commission ("NCMFC") approved using a controversial "Supplement Process" to close down most of the State's fishing for southern flounder; and

**WHEREAS**, the established procedure for responsible fisheries governance is through the use of a Fisheries Management Plan ("FMP"), which is designed to incorporate peer reviewed science, stakeholder input, and other pertinent facts to establish fisheries policies in a deliberate, open and transparent way; and

**WHEREAS**, instead of relying on a thoroughly vetted Amendment Process to the Southern Flounder Fisheries Management Plan, the NCMFC chose instead to invoke the use of the Supplement Process in spite of the fact that there is no scientific evidence to support such a drastic measure that will have draconian consequences; and

**WHEREAS**, when the NCMFC adopted the Supplement Process, they violated and misused the statutory authority granted them in NCGS 113-182.1 which requires that the NCMFC provide a position on the supplement based on science from the Division of Marine Fisheries or from independent experts; and

**WHEREAS**, the North Carolina Marine Fisheries Commission also chose to ignore the will of the people as expressed in resolutions it received prior to their November meeting from the counties of Bertie, Camden, Carteret, Currituck, Dare, Hyde, Pasquotank, and Tyrrell opposing the use of the Supplement Process to restrict southern flounder; and

**WHEREAS**, the arbitrary and capricious action taken by NCMFC at its November 2015 meeting threatens to harm North Carolina's commercial fishermen by depriving them of a traditional source of income that is fundamental to sustaining local economies throughout North Carolina's coastal communities without cause; and

**WHEREAS**, the Carteret County Board of Commissioners approved a resolution on condemning the action of the North Carolina Marine Fisheries to use the Supplement Process to restrict southern flounder fishing; and

**WHEREAS**, since the NCMFC meeting, a group of commercial fishermen and the North Carolina Fisheries Association contemplate bringing a complaint against the NCMFC concerning the adoption by the NCMFC of the Supplement Process.

**NOW, THEREFORE, BE IT RESOLVED**, that the Carteret County Board of Commissioners are in favor of joining in as a party in the complaint against the NCMFC in the best interest of Carteret County's and surrounding counties' fishing industry.

**ADOPTED**, this the 19th of September 2016.

  
\_\_\_\_\_  
Robin V. Comer, Chairman  
Carteret County  
Board of Commissioners

**Attest:**  
  
\_\_\_\_\_  
Rachel Hammer, Clerk to the Board



# REMINDER

## MANDATORY EDUCATION REQUIREMENTS

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### MANDATORY EDUCATION.

**Public Servants and Ethics Liaisons.** The State Government Ethics Act *requires* that every public servant and ethics liaison complete an ethics and lobbying education presentation/program approved by the State Ethics Commission *within 6 months* of the person's election, reelection, appointment, or employment **and** complete a refresher ethics presentation *at least every two years thereafter*.

The willful failure of a public servant serving on a board to comply with the education requirements may subject the person to removal from the board. The willful failure of a public servant who is a State employee to comply with the education requirement may be considered a violation of a written work order permitting disciplinary action. Therefore, if there are public servants in your agency or on your covered state board or commission who are past due for completing their ethics education requirements, **those individuals should attend a live presentation, distance video-streamed presentation or complete the online education as soon as possible.**

**Legislators.** The State Government Ethics Act *requires* that every legislator complete an ethics and lobbying education presentation/program approved by the State Ethics Commission and the Legislative Ethics Committee *within 2 months* of either the convening of the General Assembly to which the legislator is elected or the legislator's appointment, whichever is later, **and** complete a refresher ethics education presentation *at least every two years thereafter*.

The willful failure of a legislator to comply with these education requirements may subject the legislator to sanctions under the Legislative Ethics Act.

**Legislative Employees.** The State Government Ethics Act *requires* that every legislative employee complete an ethics and lobbying education presentation/program approved by the State Ethics Commission and the Legislative Ethics Committee *within 3 months* of the person's employment **and** complete a refresher ethics education presentation *at least every two years thereafter*.

The willful failure of a legislative employee to comply with these education requirements may subject the person to disciplinary action by their hiring authority.

**Legislators and Legislative Employees** may check the status of their ethics education by going to the General Assembly intra-net page. Legislators and legislative employees who are past due for completing their ethics education requirements should contact Denise Adams with the Research Division of the General Assembly at [denise.adams@ncleg.net](mailto:denise.adams@ncleg.net) or 919-301-1991 to coordinate/schedule their ethics education training.

## **ETHICS AND LOBBYING EDUCATION TRAINING.**

**Public Servants and Ethics Liaisons** may complete the required basic or refresher ethics and lobbying education training by either attending a live presentation, a distance video streamed presentation or completing the online education modules.

- **Live and Distance Video-Streamed Presentation Dates.** The State Ethics Commission has scheduled live ethics and lobbying education presentations and distance video-streamlined presentations for the remainder of 2014. Dates, locations, and registration information are on the Commission's website at:  
[www.ethicscommission.nc.gov/education/eduSchedule.aspx](http://www.ethicscommission.nc.gov/education/eduSchedule.aspx).
- **Online Education.** The State Ethics Commission also offers online ethics and lobbying education. The education modules and instructions are on the Commission's website at:  
[www.ethicscommission.nc.gov/education/eduOnline.aspx](http://www.ethicscommission.nc.gov/education/eduOnline.aspx).

**Legislators** may complete the required basic or refresher ethics and lobbying education training by attending a live presentation at the beginning of the legislative session jointly provided by the Ethic Commission and the Research Division of the General Assembly.

**Legislative Employees** may complete the required basic or refresher ethics and lobbying education training by going online to the General Assembly intra-net page.

## **REGISTRATION AND QUESTIONS.**

- **Public Servants and Ethics Liaisons** please contact Sue Lundberg at (919) 715-2071 or by e-mail at [Education.Ethics@doa.nc.gov](mailto:Education.Ethics@doa.nc.gov) to register for ethics and lobbying education training or if you have ethics education questions.
- **Legislators and Legislative Employees** please contact the General Assembly ethics hotline at 919-301-1991 or email Denise Adams at [denise.adams@ncleg.net](mailto:denise.adams@ncleg.net) if you have questions about the ethics and lobbying education training or have ethics education questions.

Thank you for giving this matter your immediate attention and for sharing this information with all members of your covered board, commission or committee, all staff and employees covered under the State Government Ethics Act, and all legislators and legislative employees.

# 2017 Meeting Planning Calendar

January						
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| <ul style="list-style-type: none"> <li><span style="display: inline-block; width: 15px; height: 15px; background-color: yellow; border: 1px solid black; margin-right: 5px;"></span> MFC</li> <li><span style="display: inline-block; width: 15px; height: 15px; background-color: lightgreen; border: 1px solid black; margin-right: 5px;"></span> ASMFC</li> <li><span style="display: inline-block; width: 15px; height: 15px; background-color: lightorange; border: 1px solid black; margin-right: 5px;"></span> SAFMC</li> <li><span style="display: inline-block; width: 15px; height: 15px; background-color: lightpurple; border: 1px solid black; margin-right: 5px;"></span> MAFMC</li> <li><span style="display: inline-block; width: 15px; height: 15px; background-color: gray; border: 1px solid black; margin-right: 5px;"></span> State Holiday</li> </ul> | <ul style="list-style-type: none"> <li><span style="display: inline-block; width: 15px; height: 15px; background-color: lightcyan; border: 1px solid black; margin-right: 5px;"></span> Southern Regional AC</li> <li><span style="display: inline-block; width: 15px; height: 15px; background-color: lightblue; border: 1px solid black; margin-right: 5px;"></span> Northern Regional AC</li> <li><span style="display: inline-block; width: 15px; height: 15px; background-color: pink; border: 1px solid black; margin-right: 5px;"></span> Finfish AC</li> <li><span style="display: inline-block; width: 15px; height: 15px; background-color: darkblue; border: 1px solid black; margin-right: 5px;"></span> Habitat and Water Quality AC</li> <li><span style="display: inline-block; width: 15px; height: 15px; background-color: orange; border: 1px solid black; margin-right: 5px;"></span> Shellfish/Crustacean AC</li> </ul> |
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