



# CHAIRMAN'S REPORT

**Letters & Online Comments**

**Ethics Training & SEI Reminder**

**2021 Meeting Calendar**

**2022 Meeting Calendar**

**Commission Committee Assignments**

**From:** [Klibansky, Lara](#)  
**To:** [Gillikin, Dana](#)  
**Subject:** FW: [External] Comments on NC Shrimp Fishery Management Plan Amendment 2  
**Date:** Monday, October 18, 2021 9:48:35 AM  
**Attachments:** [image003.png](#)

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See below. These need to be included in the public comment for the Nov. meeting, please.

Lara K. J. Klibansky  
Marine Fisheries Commission Liaison  
Executive Assistant for Councils and Commissions  
NC Division of Marine Fisheries  
Department of Environmental Quality



252 515 6020 mobile (direct)  
252 726 7021 main office  
[Lara.Klibansky@ncdenr.gov](mailto:Lara.Klibansky@ncdenr.gov)

P.O. Box 769  
3441 Arendell Street  
Morehead City, NC 28557

*Email correspondence to and from this address is subject to the North Carolina Public Records Law and may be disclosed to third parties*

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**From:** Sturgill, Randy [REDACTED]  
**Sent:** Wednesday, June 30, 2021 3:49 PM  
**To:** Klibansky, Lara <[Lara.Klibansky@ncdenr.gov](mailto:Lara.Klibansky@ncdenr.gov)>  
**Subject:** [External] Comments on NC Shrimp Fishery Management Plan Amendment 2

**CAUTION:** External email. Do not click links or open attachments unless you verify. Send all suspicious email as an attachment to [Report Spam](#).



1025 Connecticut Ave. NW, Suite 200  
Washington, DC, 20036

June 30, 2021

Via [North Carolina Public Comment Portal](#)

Please note there is no area available to attach the my following comments. This is the reason for this email. Please add the following comments to the record.

North Carolina Department of Environmental Quality  
217 West Jones Street  
Raleigh, NC 27603

**Re: Comments on NC Shrimp Fishery Management Plan Amendment 2**

Dear Lara Klibansky :

Oceana is the largest international ocean conservation organization solely focused on protecting the world's oceans, with more than 1.2 million members and supporters in the United States, including over 340,000 members and supporters on the U.S. Atlantic seaboard. For nearly twenty years, Oceana has campaigned to win strategic, directed campaigns that achieve measurable outcomes to help make our oceans more biodiverse and abundant. Central to this work is Oceana's consistent effort to make all U.S. fisheries responsibly managed, end overfishing, protect habitat and reduce bycatch, especially in bottom trawl fisheries.

Oceana is enthusiastic about the Department of Marine Fisheries work on Shrimp Amendment 2. The stated goal of the amendment to "manage the shrimp fishery to provide adequate resource protection, optimize long-term harvest, and minimize ecosystem impacts" is consistent with modern responsible fisheries management. The Amendment should move forward to ensure that each of these goals are achieved by the action.

Oceana is equally enthusiastic about the specific objectives of the amendment relative to habitat conservation and bycatch reduction (emphasis added):

- **Reduce bycatch of non-target species of finfish and crustaceans, as well as protected, threatened, and endangered species.**
- **Promote the restoration, enhancement, and protection of habitat and environmental quality in a manner consistent with the Coastal Habitat Protection Plan (CHPP).**
- **Develop a strategy through the CHPP to review current nursery areas and to identify and evaluate potential areas suitable for designation.**
- Use biological, environmental, habitat, fishery, social, and economic data needed to effectively monitor and manage the shrimp fishery and its ecosystem impacts (i.e., bycatch, habitat degradation).
- Promote implementation of research and education programs designed to improve stakeholder and the general public's understanding of shrimp trawl bycatch impacts on fish population dynamics.

The North Carolina Marine Fisheries Commission ("the Commission") should take action to achieve these objectives through Amendment 2. This will produce benefits for the ecosystems of coastal North Carolina, the fisheries of the region and the full range of managed, unmanaged, and protected species that use these habitats.

**Bycatch**

Oceana has published numerous reports over the last twenty years describing the magnitude and composition of bycatch in U.S. fisheries. The most recent of these, *Wasted Catch*, used federal data to examine fisheries nationwide and found that the Southeast U.S. shrimp fishery may be discarding up to 64% of its catch, including substantial portions of weakfish, croaker, porgy and other species.<sup>[1]</sup> Additional analysis suggests that the SE U.S. shrimp fishery discards in excess of \$100 million of fish each year, including \$45 million of sea trout and \$25 million of croaker.<sup>[2]</sup> The SE U.S. shrimp fishery also catches thousands of threatened and endangered sea turtles each year. This analysis concurs with the analysis in Shrimp Amendment 2 and makes a clear call for action to reduce bycatch in the N.C. shrimp fishery.

Oceana strongly supports a strategy to reduce bycatch that avoids and then mitigates bycatch where fisheries managers close areas with high bycatch rates, areas with vulnerable species, and areas with aggregations of protected species. If areas are deemed lower risk for bycatch, managers should then use proven mitigation tools to reduce bycatch of fish and protected species such as Bycatch Reduction Devices (BRDs) and Turtle Excluder Devices (TEDs), or other gear modifications.

In the current action, to achieve the first objective, “*reduce bycatch of non-target species of finfish and crustaceans, as well as protected, threatened, and endangered species*” Oceana urges the Commission to adopt time-area management that will close areas with high bycatch rates of all species, areas with vulnerable species and those with aggregations of protected species. Oceana has campaigned for a decade to expand the use of proven bycatch reduction devices and encourages the Commission to ensure that all of its fisheries use the most effective bycatch mitigation tools if bycatch cannot first be avoided.

The Commission should accompany this bycatch management strategy with statistically accurate, precise and timely at-sea observation (either human or electronic) described in the amendment to collect information about bycatch in the N.C shrimp fishery across all areas. This will better inform future management, improve the fishery as a whole, and help achieve the goals of the action.

## **Habitat**

Different fishing gears each have effects on benthic habitats from low effects of hook-and-line fishing to significant effects of bottom-tending mobile gears like trawls and dredges that are towed across the seafloor. Studies across the world show that the effects of trawls on benthic habitats can be substantial and require many years to recover<sup>[3]</sup>. Chronic trawling is likely to exacerbate these effects.

Identifying and effectively conserving habitats that support spawning, breeding, feeding and growth to maturity is an essential component of effective fisheries management. Habitat conservation has been a statutory requirement in federal fisheries under the Magnuson-Stevens Act Essential Fish Habitat requirement since 1996 and has supported recovery of fish stocks around the country. Oceana has championed effective management of fish habitat for many years and encourages the Commission to take action on Shrimp Amendment 2 to identify and protect fish habitat for all life stages of fisheries in N.C. waters from the adverse effects of bottom trawling, particularly nursery habitats.

The Commission should take bold action on behalf of North Carolina’s coastal habitats and

close its vulnerable habitats to bottom trawling unless the impacts are proven to be minimal or short lived. This is necessary to the achieve habitat-related objectives of the Amendment.

Sustainable, responsible shrimp fisheries with low bycatch and effective habitat protection are an attainable goal. The Commission has recognized the need for action to reduce bycatch and conserve habitats in the Amendment and should follow through with the approval of Shrimp Amendment 2, including changes that are demonstrated to achieve the goals and objectives of the Amendment.

Failing to act with meaningful changes is irresponsible and unacceptable.

Thank you for your consideration of these comments,

Randy Sturgill  
Senior Field Representative  
Oceana

██████████ NC

[\[1\]](#) Cite to Wasted Catch

[\[2\]](#) Cite to Wasted Cash

[\[3\]](#) Hiddink, et al. 2017. Global analysis of depletion and recovery of seabed biota after bottom trawling disturbance. Proceedings of the National Academy of Sciences Aug 2017, 114 (31) 8301-8306.



## EDUCATION REQUIREMENTS FOR PUBLIC SERVANTS

Public Servants must complete the Ethics and Lobbying Education program provided by the N.C. State Ethics Commission within **six months** of their election, appointment, or employment. We recommend that this be completed as soon as possible, but the training must be repeated every two years after the initial session.

Since Adobe Flash was terminated on December 31, 2020, our online program is not available. A new and shorter online program will be available in the near future. The new program will be compatible with portable devices such as phones and tablets.

Live webinar presentations are being offered monthly and registration information for the live presentations can be found [here](#). These presentations are about 90 minutes long and give you the opportunity to ask questions of the speaker.

For questions or additional information concerning the Ethics Education requirements, please contact Dottie Benz at (919) 389-1383.

## **2021 STATEMENT OF ECONOMIC INTEREST REMINDERS:**

Completed SEIs must be filed on or before April 15, 2021. If you have already filed a 2021 SEI, do not refile. The forms and instructions can be found at <https://ethics.ncsbe.gov/sei/blankForm.aspx>.

If you filed a 2020 SEI **and** you have had **no changes** since your 2020 filing, you may file a 2021 SEI No Change Form, located on the website.

### **You must file a 2021 Long Form if any of the following apply to you:**

- a. You filed a 2020 SEI **but** you have had changes since your 2020 filing;
- b. You did not file a 2020 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 2021 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](mailto:sei@ncsbee.gov) (919) 814-3600.

# 2021 Meeting Planning Calendar

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| <ul style="list-style-type: none"> <li><span style="display: inline-block; width: 15px; height: 15px; background-color: #00b0f0; border: 1px solid black; margin-right: 5px;"></span> MFC</li> <li><span style="display: inline-block; width: 15px; height: 15px; background-color: #92d050; border: 1px solid black; margin-right: 5px;"></span> ASMFC</li> <li><span style="display: inline-block; width: 15px; height: 15px; background-color: #ff0000; border: 1px solid black; margin-right: 5px;"></span> SAFMC</li> <li><span style="display: inline-block; width: 15px; height: 15px; background-color: #9933cc; border: 1px solid black; margin-right: 5px;"></span> MAFMC</li> <li><span style="display: inline-block; width: 15px; height: 15px; background-color: #d9ead3; border: 1px solid black; margin-right: 5px;"></span> ASMFC/MAFMC Joint Meeting</li> <li><span style="display: inline-block; width: 15px; height: 15px; background-color: #cccccc; 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: #00ffff; border: 1px solid black; margin-right: 5px;"></span> Southern Regional AC</li> <li><span style="display: inline-block; width: 15px; height: 15px; background-color: #ffff00; border: 1px solid black; margin-right: 5px;"></span> Northern Regional AC</li> <li><span style="display: inline-block; width: 15px; height: 15px; background-color: #ffff00; border: 1px solid black; margin-right: 5px;"></span> Joint Regional AC</li> <li><span style="display: inline-block; width: 15px; height: 15px; background-color: #ff6699; border: 1px solid black; margin-right: 5px;"></span> Finfish AC</li> <li><span style="display: inline-block; width: 15px; height: 15px; background-color: #99ccff; 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: #ff9933; border: 1px solid black; margin-right: 5px;"></span> Shellfish/Crustacean AC</li> <li><span style="display: inline-block; width: 15px; height: 15px; background-color: #ff6699; border: 1px solid black; margin-right: 5px;"></span> Finfish/Shellfish/Crustacean AC</li> </ul> |
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- MFC
- ASMFC
- SAFMC
- MAFMC
- ASMFC/MAFMC Joint Meeting
- State Holiday

- Southern Regional AC
- Northern Regional AC
- Joint Regional AC
- Finfish AC
- Habitat and Water Quality AC
- Shellfish/Crustacean AC
- Finfish/Shellfish/Crustacean AC

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## 2021 Committee Assignments for Marine Fisheries Commissioners

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### **FINFISH ADVISORY COMMITTEE**

*Statutorily required standing committee comprised of commissioners and advisers that considers matters related to finfish.*

**Commissioners:** Tom Roller – chair, Sam Romano – vice chair

**DMF Staff Lead:** Lee Paramore - [lee.paramore@ncdenr.gov](mailto:lee.paramore@ncdenr.gov)

**Meeting Frequency:** Can meet quarterly, depending on assignments from MFC

### **HABITAT AND WATER QUALITY ADVISORY COMMITTEE & COASTAL HABITAT PROTECTION PLAN STEERING COMMITTEE**

*Statutorily required standing committee comprised of commissioners and advisers that considers matters concerning habitat and water quality that may affect coastal fisheries resources.*

**Commissioners:** Pete Kornegay – chair, Dr. Martin Posey – vice chair

**DMF Staff Lead:** Anne Deaton - [anne.deaton@ncdenr.gov](mailto:anne.deaton@ncdenr.gov)

**Meeting Frequency:** Committee can meet quarterly, depending on assignments from MFC. CHPP Steering Committee can meet a couple of times a year.

### **SHELLFISH/CRUSTACEAN ADVISORY COMMITTEE**

*Statutorily required standing committee comprised of commissioners and advisers that considers matters concerning oysters, clams, scallops and other molluscan shellfish, shrimp and crabs.*

**Commissioners:** Sam Romano – chair, Pete Kornegay – co-vice chair, Dr. Martin Posey – co-vice chair

**DMF Staff Lead:** Tina Moore - [tina.moore@ncdenr.gov](mailto:tina.moore@ncdenr.gov)

**Meeting Frequency:** Can meet quarterly, depending on assignments from MFC

### **CONSERVATION FUND COMMITTEE**

*Committee comprised of commissioners that makes recommendations to the MFC for administering funds to be used for marine and estuarine resources management, including education about the importance of conservation.*

**Commissioners:** Sam Romano - chair, Tom Hendrickson and Robert McNeill

**DMF Staff Lead:** Randy Gregory - [randy.gregory@ncdenr.gov](mailto:randy.gregory@ncdenr.gov)

**Meeting Frequency:** Meets as needed

### **LAW ENFORCEMENT AND CIVIL PENALTY COMMITTEE**

*Statutorily required committee comprised of commissioners that makes final agency decisions on civil penalty remission requests.*

**Commissioners:** Rob Bizzell - chair, Doug Cross and Tom Hendrickson

**DMF Staff Lead:** Col. Carter Witten – [carter.witten@ncdenr.gov](mailto:carter.witten@ncdenr.gov)

**Meeting Frequency:** Meets as needed

### **COASTAL RECREATIONAL FISHING LICENSE ADVISORY COMMITTEE**

*Committee consisting of the three recreational seats and the science seat to provide the DMF advice on the projects and grants issued using Coastal Recreational Fishing License trust funds.*

**Commissioners:** Pete Kornegay – chair, Rob Bizzell, Tom Roller, and Robert McNeill

**DMF Staff Lead:** Jamie Botinovch - [jamie.botinovch@ncdenr.gov](mailto:jamie.botinovch@ncdenr.gov)

**Meeting Frequency:** Meets as needed

## **NOMINATING COMMITTEE**

*Committee comprised of commissioners that makes recommendations to the MFC on at-large and obligatory nominees for the Mid- and South Atlantic Fishery Management Councils.*

**Commissioners:** Robert McNeill – chair, Pete Kornegay, Tom Roller and Mike Blanton

**DMF Staff Lead:** Chris Batsavage - [chris.batsavage@ncdenr.gov](mailto:chris.batsavage@ncdenr.gov)

**Meeting Frequency:** Typically meets once a year

## **STANDARD COMMERCIAL FISHING LICENSE ELIGIBILITY BOARD**

*Statutorily required three-person board consisting of DEQ, DMF and MFC designees who apply eligibility criteria to determine whether an applicant is eligible for a SCFL.*

**Commission Designee:** Mike Blanton

**DMF Staff Lead:** Marine Patrol Capt. Garland Yopp – [garland.yopp@ncdenr.gov](mailto:garland.yopp@ncdenr.gov)

**Meeting Frequency:** Meets two to three times a year, could need to meet more often depending on volume of applications

## **N.C. COMMERCIAL FISHING RESOURCE FUND COMMITTEE**

*Committee comprised of commissioners that the commission has given authority to make funding decisions on projects to develop and support sustainable commercial fishing in the state.*

**Commissioners:** Doug Cross – chair, Mike Blanton and Sam Romano

**DMF Staff Lead:** William Brantley – [william.brantley@ncdenr.gov](mailto:william.brantley@ncdenr.gov)

**Meeting Frequency:** Meets two to three times a year

## **WRC/MFC JOINT COMMITTEE ON DELINEATION OF FISHING WATERS**

*Committee formed to help integrate the work of the two commissions as they fulfill their statutory responsibilities to jointly determine the boundaries that define North Carolina's Inland, Coastal and Joint Fishing Waters as the agencies go through a statutorily defined periodic review of existing rules.*

**MFC Commissioners:** Rob Bizzell, Dr. Martin Posey and Pete Kornegay

**DMF Staff Lead:** Anne Deaton - [anne.deaton@ncdenr.gov](mailto:anne.deaton@ncdenr.gov)

**Meeting Frequency:** Meets as needed

## **SHELLFISH CULTIVATION LEASE REVIEW COMMITTEE**

*Three-member committee formed to hear appeals of decisions of the Secretary regarding shellfish cultivation leases issued under G.S. 113-202.*

**MFC Commissioners:** Rob Bizzell

**DMF Staff Lead:** Jacob Boyd – [jacob.boyd@ncdenr.gov](mailto:jacob.boyd@ncdenr.gov)

**Meeting Frequency:** Meets as needed

## **COASTAL HABITAT PROTECTION PLAN STEERING COMMITTEE**

*The CHPP Steering Committee, which consists of two commissioners from the Marine Fisheries, Coastal Management and Environmental Management commissions reviews and approves the plan, recommendations, and implementation actions.*

**MFC Commissioners:** Dr. Martin Posey, Pete Kornegay

**DMF Staff Lead:** Anne Deaton – [anne.deaton@ncdenr.gov](mailto:anne.deaton@ncdenr.gov)

**Meeting Frequency:** Meets as needed