



PROPOSED TEMPORARY RULE FOR PUBLICATION ON THE OAH WEBSITE

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Proposed Temporary Rule [G.S. 150B-21.1(a3)]

Proposed Temporary Rule simultaneously adopted as an emergency rule [G.S. 150B-21.1A(a)]

1. Rule-Making Agency: N.C. MARINE FISHERIES COMMISSION

2. Proposed Action -- Mark the appropriate box(es) and list rule citation(s) beside proposed action:

ADOPTION: 15A NCAC 03I .0123, .0124

AMENDMENT:

REPEAL:

3. Public Hearing: Date: MAY 1, 2024 **Time:** 6 P.M.

Location: VIRTUAL HEARING VIA ZOOM: REGISTRATION REQUIRED: [N.C. Marine Fisheries Commission and N.C. Wildlife Resources Commission Mandatory Harvest Reporting Temporary Rules Hearing](#)

https://gcc02.safelinks.protection.outlook.com/?url=https%3A%2F%2Fnewwildlife-org.zoomgov.com%2Fwebinar%2Fregister%2FWN_3nf_6aV8TseZYB_5Q215vQ&data=05%7C02%7Catherine.blum%40deq.nc.gov%7C719c8e92870b4cc6949508dc5fb8df29%7C7a7681dcb9d0449a85c3ecc26cd7ed19%7C0%7C0%7C638490494823643983%7CUnknown%7CTWFpbGZsb3d8eyJWljojMC4wLjAwMDAiLjQlIjojV2luMzliLjBtIl6lk1haWwiLCJXVC16Mn0%3D%7C0%7C%7C%7C&sd=HLS4Mrhl37SHDwtDzsEShhlMU7EZU5TgHbVgQuGeJkQ%3D&reserved=0

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4. Reason for agency adopting rule(s) under temporary action:

- A serious and unforeseen threat to the public health, safety or welfare.
- The effective date of a recent act of the General Assembly or of the U.S. Congress.
Cite: S.L. 2023-137, s. 6
Effective date:
- A recent change in federal or state budgetary policy.
Effective date of change:
- A recent federal regulation.
Cite:
Effective date:
- A recent court order.
Cite order:
- Other:

Explain: Session Law 2023-137, Section 6, requires that any person who recreationally harvests red drum, flounder, spotted seatrout (speckled trout), striped bass and weakfish (gray trout) from coastal fishing waters, joint fishing waters, and inland fishing waters adjacent to coastal or joint fishing waters must report that harvest to the N.C. Division of Marine Fisheries (DMF). Additionally, it requires anyone holding a commercial fishing license who is engaged in a commercial fishing operation to report all fish harvested to DMF, regardless of sale. The legislation directs the Marine Fisheries Commission and the Wildlife Resources Commission to adopt temporary rules to implement the requirements and to adopt permanent rules to replace the temporary rules; temporary rules shall remain in effect until permanent rules that replace the temporary rules become effective. Starting December 1, 2024, anglers will be required to report their harvest. The legislation enacted new requirements that will require a fiscal note pursuant to G.S. 150B-21.4(b)(1), which cannot be completed by the time the requirements become effective on December 1, 2024.

<p>5. Comments from the public shall be directed to: Name: CATHERINE BLUM Address: P.O. BOX 769 MOREHEAD CITY, NC 28557 Written comments may also be submitted via an online form available at https://deq.nc.gov/mfc-proposed-rules. Phone (optional): N/A Fax (optional): N/A E-Mail (optional): N/A</p>	
<p>6. Comment Period Starts: APRIL 22, 2024</p>	<p>Comment Period Ends: MAY 20, 2024</p>
<p>7. Rule-making Coordinator: JENNIFER EVERETT Address: 1601 MAIL SERVICE CENTER RALEIGH, NC 27699-1601 Phone: 919-707-8595 E-Mail: JENNIFER.EVERETT@DEQ.NC.GOV Agency contact, if any: CATHERINE BLUM Phone: 252-515-5520 E-mail: CATHERINE.BLUM@DEQ.NC.GOV</p>	<p>8. The Agency formally proposed the text of this rule(s) on Date: APRIL 18, 2024</p> <hr/> <p>9. Signature of Agency* Head or Rule-making Coordinator:</p> <p>_____</p> <p>*If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form.</p> <p>Typed Name: JENNIFER EVERETT Title: RULEMAKING COORDINATOR</p>