



# PRELIMINARY MATTERS

AGENDA

MAY 20, 2021 MEETING MINUTES

# Marine Fisheries Commission Business Meeting

## AGENDA

Via Webinar  
August 25-26, 2021

*N.C.G.S. 138A-15(e) mandates at the beginning of any meeting of a board, the chair shall remind all members of their duty to avoid conflicts of interest under Chapter 138. The chair also shall inquire as to whether there is any known conflict of interest with respect to any matters coming before the board at that time.*

*N.C.G.S. 143B-289.54.(g)(2) states a member of the Marine Fisheries Commission shall not vote on any issue before the Commission that would have a "significant and predictable effect" on the member's financial interest. For purposes of this subdivision, "significant and predictable effect" means there is or may be a close causal link between the decision of the Commission and an expected disproportionate financial benefit to the member that is shared only by a minority of persons within the same industry sector or gear group. A member of the Commission shall also abstain from voting on any petition submitted by an advocacy group of which the member is an officer or sits as a member of the advocacy group's board of directors. A member of the Commission shall not use the member's official position as a member of the Commission to secure any special privilege or exemption of substantial value for any person. No member of the Commission shall, by the member's conduct, create an appearance that any person could improperly influence the member in the performance of the member's official duties.*

*Commissioners having questions about a conflict of interest or appearance of conflict should consult with counsel to the Marine Fisheries Commission or the secretary's ethics liaison. Upon discovering a conflict, the commissioner should inform the chair of the commission in accordance with N.C.G.S. 138A-15(e).*

### Wednesday, August 25<sup>th</sup>

6:00 p.m. Public Comment Period

### Thursday, August 26<sup>th</sup>

9:00 a.m. Preliminary Matters

- Commission Call to Order\* - Rob Bizzell, Chairman
- Conflict of Interest Reminder
- **Approval of Agenda \*\***
- **Approval of Meeting Minutes\*\***

9:10 a.m. Public Comment Period

9:30 a.m. Chairman's Report

- Letters and Online Comments
- Ethics Training and Statement of Economic Interest Reminder
- 2021 Meeting Schedule
- 2022 Proposed Meeting Schedule
- Commission Committee Assignments
- **Elect Vice Chair\*\***
- Committee Reports
  - Regional Advisory Committees – Northern, Southern
  - Standing Advisory Committee – Finfish, Shellfish/Crustacean, Habitat and Water Quality
- **Mutilated Finfish Rule Amendment\*\***

*\* Times indicated are merely for guidance. The commission will proceed through the agenda until completed.*

*\*\*Probable Action Items*

**Thursday, August 26<sup>th</sup> continued...**

- 10:20 a.m. Director's Report – Kathy Rawls  
*Reports and updates on recent Division of Marine Fisheries activities*
- Division of Marine Fisheries Quarterly Update
  - CARES Act Update – Dee Lupton
  - Atlantic States Marine Fisheries Commission – Chris Batsavage
  - Mid-Atlantic Fishery Management Council Update – Chris Batsavage
  - South Atlantic Fishery Management Council Update – Steve Poland
  - Highly Migratory Species – Steve Poland
  - Informational Materials:
    - Protected Resources Update
      - Observer Program
      - Incidental Take Permit Updates
    - Landings Updates
  - Rule Suspensions
- 11:20 a.m. Standard Commercial Fishing License Eligibility Report/Set Eligibility Pool Cap – Capt. Garland Yopp and Brandi Salmon
- **Vote on setting temporary cap on the number of licenses in the Eligibility Pool\*\***
- 12:00 p.m. Lunch Break**
- 1:00 p.m. 2021 Amendment to the Coastal Habitat Protection Plan –Jimmy Johnson, Anne Deaton, Casey Knight
- Overview of draft plan
  - **Vote to send draft plan out for public and advisory committee review\*\***
- 2:30 p.m. Stock Overview Report – Lee Paramore
- 3:00 p.m. Fishery Management Plans
- Status of ongoing plans – Corrin Flora
  - 2020 Fishery Management Plan Review
    - **Vote on five-year schedule\*\***
  - Amendment 3 to the Southern Flounder FMP Update– Mike Loeffler, Anne Markwith
- 3:30 p.m. **Small Mesh Gill Net Rules Modification\*\*** – Steve Poland
- Overview of advisory committee review and recommendations
- 5:00 p.m. Rulemaking Update – Catherine Blum
- 2020-2021 Annual Rulemaking Cycle
    - “Package B” (9 rules)

*\* Times indicated are merely for guidance. The commission will proceed through the agenda until completed.*

*\*\*Probable Action Items*

**Thursday, August 26<sup>th</sup> continued...**

- **Vote on final approval of readoption of 15A NCAC 03Q .0101-.0109 per G.S. 150B-21.3A\*\***
- 2021-2022 Annual Rulemaking Cycle
  - “Package A” Update (56 rules)
    - Rules with no changes in 15A NCAC 03I, 03J (11 rules)
    - Interjurisdictional species (8 rules)
    - Rules with minor changes relating to standards for handling, packing, and shipping crustacea meat (34 rules)
    - Prohibit repacking of foreign crab meat in North Carolina (3 rules)
  - “Package B” (109 rules)
    - **Vote on Notice of Text for readoption and repeal through readoption of rules per G.S. 150B-21.3A and adoption and amendment of rules:**
      - **Highly Efficient Gears, Artificial Reefs, and Research Sanctuaries (3 rules)\*\***  
15A NCAC 03I .0109, 03J .0404, 03R .0119
      - **Shellfish Leasing Regulations (9 rules) \*\***  
15A NCAC 03K .0111, 03O .0203, .0205-.0211
      - **15A NCAC 03 Rules with Conforming Changes (40 rules)\*\*** 15A NCAC 03I .0113, .0118, 03J .0101, .0110, .0302, 03K .0101, .0102, .0105, .0106, .0108, .0201, .0202, .0204, .0207, .0301, .0302, .0304, .0305, .0401, .0505, 03L .0101-.0103, .0105, 03M .0201, .0202, .0204, .0205, .0503, 03N .0104, .0105, 03O .0301-.0303, .0401-.0406
      - **15A NCAC 03I, 03J, 03K, 03O, and 03R Rules for Definitions, Imported Species, Recordkeeping, Gear, Marketing Shellfish, and Licenses (18 rules)\*\***  
15A NCAC 03I .0101, .0104, .0114, 03J .0105, .0109, .0305, 03K .0205, .0507, 03O .0101-.0105, .0107, .0109, .0110, .0113, 03R .0111
      - **Commercial Blue Crab Harvest and Gear Regulations (8 rules)\*\***  
15A NCAC 03J .0301, 03L .0201-.0205, 03R .0110, .0118
      - **Permit and License Suspensions and Revocations and Pound Net Gears (11 rules)\*\***  
15A NCAC 03I .0105, 03J .0501-.0505, 03O .0111, .0114, .0502, .0504, 03P .0101
      - **15A NCAC 03P Rules (8 rules)\*\***  
15A NCAC 03P .0102, .0201-.0203, .0301-.0304
      - **15A NCAC 03K and 18A Crustacea and Shellfish Rules (12 rules)\*\***  
15A NCAC 03K .0103, .0104, .0107, .0109, .0208, .0209, 18A .0135, .0302, .0303, .0304, .0425, .0912

5:30 p.m. Issues from Commissioners

5:45 p.m. Meeting Assignments and Preview of Agenda Items for Next Meeting – Lara Klibansky

6:00 p.m. **Adjourn**

*\* Times indicated are merely for guidance. The commission will proceed through the agenda until completed.*

*\*\*Probable Action Items*

**Marine Fisheries Commission Business Meeting Minutes**  
**Virtual Meeting via WebEx**  
**May 20, 2021**

Due to COVID-19, the commission held a one-day business meeting via WebEx webinar on May 20th. In addition to the public comment session, members of the public submitted public comment online or via U.S. mail. To view the public comment, go to: <https://files.nc.gov/ncdeq/Marine-Fisheries/05-2021-mfc-meeting/Online-Public-Comment-May-2021.pdf>

The briefing book, presentations and full audio from this meeting are available at: <https://deq.nc.gov/about/divisions/marine-fisheries/marine-fisheries-commission/marine-fisheries-commission-meetings#quarterly-business-meeting---may-20,-2021>

Actions and motions from the meeting are listed in **bolded** type.

**BUSINESS MEETING - MOTIONS AND ACTIONS**

On May 20 at 9 a.m. Chairman Rob Bizzell called the meeting to order and reminded commissioners of their conflict of interest and ethics requirements.

The following commission members were in attendance: Rob Bizzell-Chairman, Mike Blanton, Doug Cross, Tom Hendrickson, James Kornegay, Robert McNeill, Dr. Martin Posey Tom Roller and Sam Romano.

**Motion by Pete Kornegay to approve the meeting agenda.**

**Second by Tom Roller.**

**Motion carries in a voice vote with no dissention.**

**Motion by Doug Cross to approve the minutes of the Feb. 25-26, 2021 business meeting and March 31, 2021 special meeting.**

**Second by Martin Posey.**

**Motion carries 9-0.**

**Public Comment Period**

A public comment session was held beginning at 9:10 a.m. The following individuals registered to speak during the public comment session:

**Stuart Creighton** – Regarding Shrimp FMP Amendment 2, I found the hot spot data particularly telling. Entire Pamlico Sound is used as a secondary nursery for species like spot, croaker, weakfish, flounders. Each species uses a different part of sound in different part of the year, but the clusters show how each has a favorite habitat found throughout Pamlico Sound. Spot, croaker, flounder cluster in the west central part of the sound near the mouth of the Neuse and Pamlico rivers. Weakfish, summer flounder and croaker also cluster in the northern areas of the sound and their movements from June to September show that all of the sound is used as a nursery area and/or a migration corridor. The area surrounding Bluff Shoal seems to serve an important function, perhaps as a central migration corridor, as it delineates deeper and more shallow habitats. So, with this proposed amendment and the myriad of management options to consider under this amendment, I found it obvious that option 3 to close Pamlico Sound to trawling is the best option. Important habitat, even though it has never been designated as such by DMF or legislature, clearly Pamlico Sound is the most important nursery areas up and down the East Coast and it needs to be protected for southern flounder. For southern flounder, Amendment 2 called for a 62% reduction in 2019 and 72% reduction in 2020. With the preliminary numbers in for both years across all user groups, it is obvious that this amendment did not reach its target reductions. The recreational harvest in 2020 of over 400,000 pounds is particularly disappointing, but none of these missed targets should come as a surprise. The approval process took too long to be effective in 2019, and the lack of a quota with paybacks, insufficient monitoring and enforcement, and a brief 45-day season led to the exact kind of derby fishing that many noted could happen during the AC & MFC meetings leading up to the approval and implementation of FMP Amendment 2. I am running out of time, so I'd like to mention the ocean flounder fishery needs to be considered and adjusted instead of made piecemeal 90 day season: it needs to be one 90 day season from July 1- Sept. 30, needs to remain open for 4 fish...sorry guys, ran out of time again.

**Bill Gorham** – ASMFC legislative proxy. Thank you for the opportunity to comment, I'll try to be as quick as possible so I can get out on the water. I would like to ask the commission to request 2020 flounder catch estimates be reviewed by DMF to determine if appropriate for future management; it was proxy data which was used to estimate those catch numbers and there may be some inconsistency due to regulatory changes. Also wanted to give public comment on possible accountability measures. If you're aware at the mid-Atlantic in conjunction with this Atlantic States, there's recreational reform initiative that's going to cover accountability measures. Part of it is the acknowledgement that it was never meant for quota monitoring. And also, recent catch estimates are causing the inability to really do anything other than closed. Or make or pass an amendment that contains accountability measures for pound for pound paybacks. Is totally inappropriate and could negatively affect other fisheries within North Carolina and our positions at federal and regional level. Also, if we're going to do pound for pound paybacks, we should be able to. Report if you have a bank account and you have withdrawal overdraft fees, you're at least allowed to look at your account balance. Past year's budget, there's 2.5 million dollars in March for to help states. Implement a smart app, or some type of reporting app for States to get better reporting data. Because there isn't acknowledgement across the board. Some of the statements that

I've heard at prior commission meetings are baffling. And inconsistent with reality and hopefully we hear more accurate things in regard to and that's all I have for today. And thank you all.

**Rick Sasser** – Good morning and thank you for allowing me the opportunity to speak. North Carolina has failed to identify Secondary Nursery Areas. Pamlico Sound is the largest such area. We have the data through extensive sampling and the p195 trawl survey to properly designate nursery areas independent because the p195 trawl survey is used to establish juvenile abundance indexes under multiple FMPs at state and intrastate level. Previous division presentations explaining the importance of our current sampling programs, clearly state that the purpose of these juveniles surveys are to produce annual recruitment indices and to identify nursery areas for fish and shellfish. We have the data. I ask this commission to excel where past commissions have failed, or refused to engage, to come to the table in good faith, have the courage to follow and use the best available science, ignore the intimidation. This commission can do what's right by correcting almost 40 years of failure that purposely protected unsustainable trawling and known yet undeclared nursery areas. the data is there to close all of the Pamlico Sound to trawling. In your briefing books on page 351, the draft FMP states that closing the entire Pamlico Sound to shrimp trawling will be a severe management measure, yet on page 352, staff writes the truth when discussing close areas to address nursery hotspots by species. No single area closures encompass the range of all species except for a complete closure. No other state with shrimp trawling from Virginia to Texas allows what North Carolina allows. Most of those states waters are closed at the inlets to trawling. Louisiana, the shrimp capital of the world allows one single 50 foot head rope or 2 combined 25 foot head rope in its inside waters. We allow 220. Closing the Pamlico Sound is what the data and science call for you to do. Short of that, you must close the sound north of Bluff Shoals on a line from Portsmouth Village and limit all western Pamlico Sound to a 50' total combined head rope length, daytime trawling Monday, Wednesday, Friday. Place the Bay and Pamlico Rivers and adjacent waters from Ball point to Outfall Canal. The Neuse River tributaries should be closed...

**David Sneed, Executive Director of CCA of NC, We would like to offer our** encouragement for your action on your next Shrimp FMP. The stated objectives with Amendment 2 include efforts to reduce bycatch of non-target species and promote the restoration and protection of habitat in a manner consistent with the CHPP. As noted by staff in their accompany memos, status quo does not meet the goal and objectives of Amendment 2. Instead, we urge you to focus on how shrimp trawl closures could be implemented to protect critical habitats and how area restrictions could reduce shrimp trawl bycatch in the nursery areas of the Pamlico Sound. Much of the presentation from DMP staff focuses on the need for more studies, but what cannot be ignored is what we already know. And I want to bring to your attention, the graphics that are provided by your scientists. If you haven't seen these, they are pretty telling pictures. All these graphs show clearly that we have been trawling for decades on top of nursery areas for spot, croaker, weak fish, flounder. These charts can be found, or these graphics can be found on page 177 of the draft Shrimp FMP in your briefing materials, if you haven't had a chance to look at them yet. These hot spots

that have been identified by DMF juvenile trawl index surveys make it crystal clear that we are allowing trawling right on top of areas within the Pamlico Sound that have been identified by DMF as nursery areas for important commercial and recreational species of fish. Now, the draft also makes it clear that money talks and they state closing the entire Pamlico Sound to shrimp trawling would be a severe management measure, essentially eliminating half of the multimillion dollar trawl fishing industry in NC. So there's your out for accepting status quo. We've already been told by staff that status quo does not meet the objectives of Amendment 2. In 1997, the combined total commercial harvest of spot, croaker and weakfish was almost 17 million pounds. 2019 it was 1.8 million lbs. This represents and 89% decline in these three species since the Fisheries Reform Act in 1997. So you cannot deny knowledge that you are allowing the depletion of important finfish and shrimp trawl bycatch. If you choose to ignore this information, you are stating clearly that the shrimp trawl fishery in NC is more important than ending the depletion of the people's fish. One note on southern flounder, I would like to request a written explanation be provided to the public for why recreational access to ocean flounder cannot or will not be open.

**David Knight, speaking on behalf of the NC Wildlife Federation** - The North Carolina Wildlife Federation would like to take this opportunity to provide comments on draft Shrimp FMP Amendment 2.

When the Marine Fisheries Commission (MFC) reviewed and rejected our petition for rulemaking at its August 2019, we were assured that our proposals will be fully vetted through the FMP process. In fact, Commissioner Posey called that assurance and I quote, "a mandate for the MFC." And as a reason for their opposition commissioners, Posey, Cross, Blanton and Romano further commented that the FMP process invites broader review of all the important science and policy components. So, here we are almost 2 years later, and the MFC is scheduled to vote on a draft amendment to go to public comment. Unfortunately, this draft ignores significant strategies proposed in the petition. The specifics of these shortcomings are outlined in our written comments. The draft raises concerns over the science and the likelihood that options will truly provide any progress towards meeting the goals of the plan. These concerns were brought up by shrimp advisory panel members, and we're ignored or dismissed. The executive summary of the fiscal note prepared by DMF states, and I quote, "how an increase in stock abundance or species important to North Carolina would affect commercial and recreational fisheries is also unknown." This statement should be of concern to the MFC as a whole and especially for you scientists. It is critical for this process and the confidence in the science that the division fully explain their intent with this confounding statement. Throughout the fiscal note, DMF staff focused on the lack of data and analysis to determine if common sense management actions of reducing bycatch is a benefit to the resource. These uncertainties seem to be the cornerstone of the agency's objections to taking any meaningful action. However, the MFC has never publicly reviewed the fiscal note or the detailed response from the NC Wildlife Federation. Since the petition should play a vital role in Amendment 2 discussions as assured to us in your August 2019 meeting, it would seem appropriate to provide a thorough review and discussion on the fiscal note and a public setting with question provided by the public and particularly the petitioner. We believe there are many technical deficiencies, incorrect assumptions and discrepancies with the current FMP Amendment that should be addressed prior to selecting options for public comment. Moving forward with the current draft provides no options for quantifiable reductions in bycatch or meaningful habitat reduction. And habitat protection. The fact that the primary method to reduce bycatch remains BRDs that have proven ineffective to reduce



bycatch at the population level, further calls for inclusion of the measures called for in opposition, but they are excluded from draft Amendment 2. We urge you to reject this draft for public comment because no substantive action can come from as the adoption as written. A delay is necessary to adequately address the petition and include options that may actually achieve the goals of your plan. Thank you very much.

**Chris Elkins** – Providing comment on Shrimp Amendment 2. I support option 3, removing trawling from the Pamlico. Clearly this is the best option for the public resources and meets shrimp plan objectives. For two long folks have looked the other way, well not anymore. Ignoring the biological impacts in favor of economic or social impacts is backwards. The conservation of this public trust resource must be the primary factor in management. Even considering the economics of NC commercial fishing its just not that important. For example, it says NC has no port in the top 45 US fishing ports. It's often stated that shrimping is the 2<sup>nd</sup> largest fishery in NC, which sounds impressive. In Texas and Louisiana, shrimp harvest dwarfs that of NC. These 2 States do not allow Oceanic trawlers in their sounds, demonstrating that you don't need to trawl in estuarine waters to have a viable shrimp fishery. Whereas NC has demonstrated that if you do trawl inside, you might not have other viable fisheries. NC residents consume 40 million pounds a year of shrimp. Yet it's paltry harvest of 10 million pounds of local shrimp just cannot satisfy this need, even if all of it stays in the state. NC shrimping has its own big lie as found on bumper stickers. The one that says friends don't let friends eat imported shrimp. Well, for us there's just not enough local shrimp to go around. Or, for that matter, flounder. Spot, croaker or weakfish. Presently, some folks are now saying we need better data before we do anything. Contrary to the scientists who say the weaker the science the more conservative the management measure should be. Yes, we should always strive for better data, but it does not absolve the commission from making substantive conservation measures, using current information. You don't have to count every fish to manage them. Going forward, the Commission and the Division must develop and implement a robust observer plan during this amendment to get better bycatch data. And for Commissioners, you will make a lot of decision. This decision on Shrimp Amendment 2 is the one you will be remembered by. And thank you for your service.

**Bruce MacLachlan – Not in attendance.**

### **Chairman's Report**

Chairman Bizzell stated that this is a one-day meeting because we did not have a lot of items that we needed to address at this time. This doesn't mean that our work is any less important. He also commented that Catherine Blum's Rulemaking Update will no longer be a presentation, but a verbal update. This will probably be our last virtual meeting and he hopes to return to in-person meetings in August; going back to the old format of Wednesday night, all day Thursday and half-day on Friday. Chairman Bizzell stated that the letters and online comments are in the briefing book for review. Commissioners were reminded they are required to take ethics training within six months of their appointment and every two years thereafter. Commissioners were also reminded of the annual requirement to submit a Statement of Economic Interest form by April 15 to the State

**Director’s Report**

Former Acting Director John Batherson thanked the MFC for working with him while he was acting director. Director Kathy Rawls gave a verbal update on recent Division of Marine Fisheries activities.

**South Atlantic Fishery Management Council Update**

Steve Poland, the Division’s Executive Assistant for Councils gave a verbal update on Dolphin Wahoo Amendment 10.

**Motion by Tom Roller for the North Carolina Marine Fisheries Commission to send a letter to the South Atlantic Fishery Management Council expressing its support to maintain the Dolphin-for-hire bag limit at 60 fish per vessel and 10 fish per person and support regional bag limits if needed to maintain the 60 fish bag limit for North Carolina for-hire vessels. We recognize that the North Carolina for-hire industry requires this consideration given the length of trips, the distance traveled, fewer target species and the higher-expenses associated with offshore fishing and the expressed incentive that this larger bag limit is needed to sell trips. We also recognize that the Annual Catch Limit is not projected to be met, there is no clear biological need for a reduction, and we recognize that the vast majority of the reduction would come from the North Carolina charter fleet causing unnecessary economic damage to a vital industry.**

**Second by Mike Blanton**

<b>ROLL CALL VOTE</b>				
<b>Commissioner</b>	<b>Aye</b>	<b>Nay</b>	<b>Abstain</b>	<b>Absent</b>
Doug Cross	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mike Blanton	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Tom Hendrickson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
James Kornegay	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Robert McNeill	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Dr. Martin Posey	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Tom Roller	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sam Romano	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Chairman Rob Bizzell	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Motion carries 9-0**

## **Southern Flounder Fishery Management Plan Update**

Mike Loeffler and Anne Markwith, the Division's Southern Flounder staff leads presented the Southern Flounder Amendment 2 Landings update. They presented a review of the commercial and recreational landings and overages since adoption of Amendment 2. Following their presentation, Director Rawls discussed the NCDMF position and coming actions to address the continuing overages in both sectors.

To view the presentation, go to:

<https://files.nc.gov/ncdeq/Marine-Fisheries/05-2021-mfc-meeting/Southern-Flounder-FMP-Landings-Update.pdf>

## **Coastal Habitat Protection Plan**

Commissioner Posey, chair of the CHPP Steering Committee, provided comments from the April 20, 2021 CHPP Steering Committee meeting.

## **Catch U Later: Citizen Science Mobile Application Update**

Andrew Cathey, Biologist Supervisor, gave an update on the Catch U Later mobile application. He provided an overview of the needs being addressed, the experimental design and the research objectives.

To view the presentation, go to:

<https://files.nc.gov/ncdeq/Marine-Fisheries/05-2021-mfc-meeting/Exploring-the-Potential-of-Citizen-Science-Catch-U-Later.pdf>

## **Fishery Management Plans**

Corrin Flora, the Division's Fishery Management Plan Coordinator provided a status update for the six ongoing FMPs which included shrimp, interjurisdictional fisheries, and estuarine striped bass.

To view the presentation, go to:

<https://files.nc.gov/ncdeq/Marine-Fisheries/05-2021-mfc-meeting/Status-of-Ongoing-FMPs.pdf>

## **Shrimp Fishery Management Plan Update**

Chris Stewart, the Division's Shrimp FMP co-lead, presented an overview of draft Amendment 2 to the Shrimp FMP. The MFC took action to approve draft Amendment 2 for public and advisory committee review.

To view the presentation, go to:

<https://files.nc.gov/ncdeq/Marine-Fisheries/05-2021-mfc-meeting/presentations/Shrimp-FMP-Amendment-2.pdf>

**Motion by Doug Cross to take the Draft Shrimp Fishery Management Plan Amendment 2 outfor public comment and Marine Fisheries Commission advisory committee review as presented.**

**Second by Mike Blanton**

<b>ROLL CALL VOTE</b>				
<b>Commissioner</b>	<b>Aye</b>	<b>Nay</b>	<b>Abstain</b>	<b>Absent</b>
Doug Cross	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mike Blanton	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Tom Hendrickson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
James Kornegay	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Robert McNeill	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Dr. Martin Posey	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Tom Roller	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sam Romano	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Chairman Rob Bizzell	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**Motion carries 5-3 with one abstention.**

**Interjurisdictional Fisheries FMP Update**

Jason Rock, staff lead for the Interjurisdictional Fishery Management Plan, gave an overview of the Interjurisdictional Fishery Management Plan. He provided an extensive overview of the various species managed under the plan and complex management structure that provides the need for the plan.

To view the presentation, go to:

<https://files.nc.gov/ncdeq/Marine-Fisheries/05-2021-mfc-meeting/Interjurisdictional-FMP-Overview.pdf>

**Estuarine Striped Bass Fishery Management Plan Update**

Charlton Godwin, the Division’s Striped Bass FMP co-lead, provided an update on the development of Amendment 2 to the Estuarine Striped Bass FMP which is currently underway. The staff species leads described the various issues being developed.

To view the presentation, go to:

<https://files.nc.gov/ncdeq/Marine-Fisheries/05-2021-mfc-meeting/Estuarine-Striped-Bass-FMP-Amendment-2.pdf>

**Rulemaking Update**

Catherine Blum, the Division’s Rulemaking Coordinator, verbally presented information and updates on the 56 rules in Package A of the 2020-2021 rulemaking cycle.

**Motion by Martin Posey to approve Notice of Text for adoption, and readoption of rules per G.S. 150B-21.3A:**

- Rules with no changes in 15A NCAC 03I, 03J: 15A NCAC 03I .0108, .0115, .0122, .03J .0103, .0104, .0106, .0111, .0202, .0208, .0401, .0402;
- Interjurisdictional species: 15A NCAC 03L .0207, .0301, .0302, 03M .0301, .0302, .0511, .0516, .0519
- Rules with minor changes relating to standards for handling, packing, and shipping crustacea meat: 15A NCAC 18A .0134, .0137-.0139, .0144, .0145, .0147-.0149, .0151-.0153, .0156-.0158, .0161, .0162, .0164-.0166, .0168, .0174-.0178, .0181-.0187, .0191; and

**Second by Doug Cross**

<b>ROLL CALL VOTE</b>				
<b>Commissioner</b>	<b>Aye</b>	<b>Nay</b>	<b>Abstain</b>	<b>Absent</b>
Doug Cross	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mike Blanton	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Tom Hendrickson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
James Kornegay	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Robert McNeill	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Dr. Martin Posey	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Tom Roller	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sam Romano	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Chairman Rob Bizzell	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Motion carries 9-0**

**Motion by Doug Cross that the DMF develop rules so that any repacked crab meat container used for sale in the State of North Carolina that does not contain 100% domestic**

crab meat have an 18 type bold permanent print or larger statement of the country of origin clearly on the lid and two sides of the cup, that a checkoff panel or stamped country of origin not be allowed.

Second by Mike Blanton

<b>ROLL CALL VOTE</b>				
<b>Commissioner</b>	<b>Aye</b>	<b>Nay</b>	<b>Abstain</b>	<b>Absent</b>
Doug Cross	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mike Blanton	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Tom Hendrickson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
James Kornegay	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Robert McNeill	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Dr. Martin Posey	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Tom Roller	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sam Romano	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Chairman Rob Bizzell	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Motion carries 9-0

Motion by Doug Cross to approve Notice of Text for the readoption of rules in 15A NCAC 18A.0136, 0173 (Sanitation) per G.S. 150B-21.3A and the adoption of 15A NCAC 03L. 0210 (Prohibit Repacking of Foreign Crab Meat in North Carolina).

Second by Martin Posey

<b>ROLL CALL VOTE</b>				
<b>Commissioner</b>	<b>Aye</b>	<b>Nay</b>	<b>Abstain</b>	<b>Absent</b>
Doug Cross	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mike Blanton	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Tom Hendrickson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
James Kornegay	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Robert McNeill	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Dr. Martin Posey	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Tom Roller	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sam Romano	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Chairman Rob Bizzell	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Motion carries 9-0**

**Issues from Commissioners**

Commissioner Roller stated during the discussion on SAFMC decisions on dolphin and wahoo, he had hoped to make a motion, but his computer failed. He emailed his motion to staff and hopes to discuss it. He is proposing the Commission draft a letter to SAFMC and express support for 10 fish per person and 60 fish per vessel limits. As justification, keep in mind for the management of the species, while FL is concerned, their proposal puts the entire reduction on the NC fleet, which is unfair, especially since there is no biological basis.

**Meeting Assignments and Preview of Agenda Items for Next Meeting**

Lara Klibansky reviewed the meeting assignments and previewed the August 2021 business meeting agenda.

The meeting adjourned at 3:22 p.m.