

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 25th

6:00 p.m. Public Comment Period

Thursday, August 26th

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 26th 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 MFC Advisory Committees review and recommendations
- 5:00 p.m. Rulemaking Update – Catherine Blum
- 2020-2021 Annual Rulemaking Cycle
 - “Package B” (9 rules)

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***Probable Action Items*

Thursday, August 26th continued...

- Update on 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 Klubansky

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

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***Probable Action Items*