

Marine Fisheries Commission Business Meeting

AGENDA

Islander Hotel

Emerald Isle, NC

November 17-19, 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, November 17th

6:00 p.m. Public Comment Period

Thursday, November 18th

9:00 a.m. Preliminary Matters

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

9:30 a.m. Public Comment Period

10:00 a.m. Chairman's Report

- Letters and Online Comments
- Ethics Training and Statement of Economic Interest Reminder
- 2022 Proposed Meeting Schedule
- Commission Committee Assignments

10:15 a.m. Committee Reports

- Nominating Committee – Chris Batsavage
 - **Vote on slate of nominees for the obligatory seat for the South Atlantic Fishery Management Council****
- Regional Advisory Committees – Northern, Southern

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

***Probable Action Items*

Thursday, November 18th continued...

- Standing Advisory Committee – Finfish, Shellfish/Crustacean, Habitat and Water Quality

- 10:35 a.m. Director's Report – Director Kathy Rawls
Reports and updates on recent Division of Marine Fisheries activities
- Division of Marine Fisheries Quarterly Update
 - Hook and Line Commercial Fishing Update
 - Catch-U-Later App Update – Andrew Cathey
 - 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
 - Marine Patrol Update – Col. Carter Witten
- Informational Materials:
 - Highly Migratory Species
 - Protected Resources Update
 - Observer Program
 - Incidental Take Permit Updates
 - Landings Updates
- 11:35 a.m. Landings Overview – Brandi Salmon
- 12:15 p.m. Lunch Break
- 1:15 p.m. Fishery Management Plans
- Status of ongoing plans – Corrin Flora
 - Amendment 2 to the Estuarine Striped Bass
 - Amendment 2 to the N.C. FMP for Interjurisdictional Fisheries
 - **Vote on approval of the Goal and Objectives****
 - Amendment 3 to the Southern Flounder FMP
 - Presentation of Draft Amendment 3 – Mike Loeffler, Anne Markwith
 - **Vote to approve draft Amendment 3 to the Southern Flounder FMP for review by the public and advisory committees****
 - Amendment 2 to the Shrimp FMP – Chris Stewart, Jason Rock, Dan Zapf
 - Public comment summary
 - Review recommendations from advisory committees and the Division of Marine Fisheries
 - **Vote to select preferred management options****
 - **Vote to send draft plan to the Department of Environmental Quality****

Friday, November 19

- 9:00 a.m. North Carolina Oyster Blueprint – Erin Fleckenstein, NC Coastal Federation
- 9:30 a.m. Coastal Habitat Protection Plan
- Public Comment Summary and Review of recommendations from Advisory Committees
 - **Vote on final approval of plan amendment****

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***Probable Action Items*

Friday, November 19 continued...

10:30 a.m. Rulemaking

- Rule Suspensions – Steve Poland
Annual review of current rule suspensions previously approved by the Commission.
- Additional Labeling Requirements for Repacked Foreign Crab Meat Issue Paper – Shannon Jenkins
 - **Vote on preferred management option and associated proposed language for rulemaking****
- 2020-2021 Rulemaking Cycle Update – Catherine Blum
- 2021-2022 Rulemaking Cycle – Catherine Blum
 - “Package A”
 - **Vote on final approval of readoption of rules per G.S. 150B-21.3A:**
 - **Rules in 15A NCAC 03I, 03J (11 rules) ****
15A NCAC 03I .0108, .0115, .0122, 03J .0103, .0104, .0106, .0111, .0202, .0208, .0401, 0402
 - **Interjurisdictional species (8 rules) ****
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 (34 rules) ****
15A NCAC 18A .0134, .0137-.0139, .0144, .0145, .0147-.0149, .0151-.0153, .0156-.0158, .0161, .0162, .0164-.0166, .0168, .0174-.0178, .0181-.0187, .0191
 - **Vote on final approval of readoption of 15A NCAC 18A .0136, .0173 per G.S. 150B-21.3A and adoption of 15A NCAC 03L .0210 (prohibit repacking of foreign crab meat in North Carolina) ****
 - “Package B” Update (109 rules)
- 2022-2023 Rulemaking Cycle Preview – Catherine Blum
 - Additional Labeling Requirements for Repacked Foreign Crab Meat
 - Mutilated Finfish Rule Development

12:00 p.m. Issues from Commissioners

12:20 p.m. Review of MFC Workplan and Meeting Assignments – Lara Klibansky

12:30 p.m. **Adjourn**

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***Probable Action Items*