MARINE FISHERIES COMMISSION BUSINESS MEETING

Clam Digger Inn, Pine Knoll Shores, N.C. Feb. 27-March 1, 2013

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).

Feb. 27

6 p.m. Public Meeting

Receive public comment relative to any fisheries management issues

Feb. 28

9 a.m. Call to Order*

Pledge of Allegiance and Invocation

Conflict of Interest Reminder

Roll Call

Vote on Approval of Agenda**

Vote on Approval of Meeting Minutes**

9:15 a.m. Public Comment

Receive public comment relative to any fisheries management issues

9:45 a.m. Issues from Commissioners

10 a.m. Chairman's Report

Review administrative actions and issues from the chair

- Letters
- Adviser Appointments
- Update of Commission Bylaws Frank Crawley
 - Vote on Approval of Updated Bylaws**
- Ethics Education Reminder
- 2013 Meeting Calendar

10:30 a.m. Committee Reports

Review and consideration of action items from committee meetings

- Sea Turtle
- Bay Scallop Fishery Management Plan
- River Herring Fishery Management Plan
- Shrimp Fishery Management Plan
- Coastal Recreational Fishing License
- Joint Coastal Recreational Fishing License Dr. Louis Daniel Review funding selections for CRFL Grant Program

10:45 a.m. Fishery Management Plan Timeline Review – Catherine Blum
11 a.m. Oyster Fishery Management Plan Amendment 3 – Mike Marshall

Review comments from DENR and JLCGO

• Vote on Sending FMP Forward for Rulemaking**

11:15 a.m. Southern Flounder Fishery Management Plan Amendment 1 – Tom Wadsworth *Review comments from DENR and JLCGO*

Vote on Final Approval of FMP**

11:30 a.m. Bay Scallop Fishery Management Plan Amendment 2 – Tina Moore (Presentation)

- Review Timeline
- Solicit Input from Commission on Issues
- Vote on Approval of Goal and Objectives

Noon Lunch Recess

1:30 p.m. River Herring Fishery Management Plan Amendment 2

- Review Stock Assessment Will Smith (Presentation)
- Review Timeline Amy Larimer (Presentation)
- Solicit Input from Commission on Issues
- Vote on Approval of Goal and Objectives
- 2:15 p.m. Shrimp FMP Amendment 1 Trish Murphey (Presentation)
 - Review Timeline
- 2:30 p.m. Rulemaking Update and Estuarine Striped Bass Fishery Management Plan Amendment 1– Catherine Blum
 - 2012/2013 Rulemaking Cycle

Review public comment and vote on final rules.

- Review of Hearing and Public Comment
- Vote on Final Approval of the N.C. Estuarine Striped Bass Fishery Management Plan Amendment 1 and Associated Permanent Rules

These three amendments implement an Albemarle Sound Management Area southern boundary coordinate change.

- 1. 15A NCAC 03J .0209 Albemarle Sound/Chowan River Herring Management Areas
- 2. 15A NCAC 03R .0112 Attended Gill Net Areas
- 3. 15A NCAC 03R .0201 Striped Bass Management Areas

These two amendments provide the potential for a commercial hook-andline estuarine striped bass fishery in the future.

- 4. 15A NCAC 03M .0201 General
- 5. 15A NCAC 03M .0202 Season, Size and Harvest Limit: Internal Coastal Waters

This amendment implements a Cashie River Joint and Coastal Waters boundary line change.

- 6. 15A NCAC 03Q .0202 Descriptive Boundaries for Coastal-Joint-Inland Waters
- Vote on Approval of Permanent Rules **
 - 1. 15A NCAC 03I .0114-Mandatory Electronic Trip Ticket Reporting for Large-scale Finfish Dealers
 - 2. 15A NCAC 03L .0105- Increasing Officer Safety with Volumetric Measurement of Shrimp
- 2013/2014 Rulemaking Cycle
 - Issue Paper Review
 - o Queens Creek Coordinate Correction
 - o Hybrid Striped Bass Rule Repeal
 - o Scientific and Educational Collection Permit Clarifications
 - New Shellfish Harvester and Dealer Requirements Patti Fowler and Steve Murphey (Presentation)
 - o Sheepshead Management Chip Collier (Presentation)

4 p.m. Rule Suspensions – David Taylor

The commission must vote to continue suspension of any rules the Division of Marine Fisheries Director has suspended by proclamation.

- Vote on Rule Suspension for Portions of 15A NCAC 03J .0103 Gill Net Yardage Restrictions**
- Vote on Rule Suspension for Portions of 15A NCAC 03O .0501 Atlantic Ocean Striped Bass Commercial Gear Permit**

4:15 p.m. Quota Monitoring Program – Grace Kemp (Presentation)

5 p.m. Recess

March 1

8:30 a.m. Director's Report

Reports and updates on recent Division of Marine Fisheries' activities

- Transition Update
- Legislative Update
 - Observer Program Funding
 - Recreational Water Quality Program Funding
- Oyster Season Update Mike Marshall (Presentation)
- Bay Scallop Update Tina Moore
- Summer Flounder Season Update Chris Batsavage
 - Quota Management Issues
- Dogfish Season Update Chris Batsavage
 - Dogfish and the European Union
- Striped Bass Season Update Kathy Rawls
- Cape Carteret Mediation David Taylor
- Highly Migratory Species Randy Gregory (Presentation)
 - Shark Status
 - N.C. Closure
 - Pelagic Longlining
- Atlantic States Marine Fisheries Commission
 - Black Drum
 - Menhaden
 - River Herring Listing
- Protected Resources Update Chris Batsavage
 - Observer Program
 - Sea Turtle
 - Atlantic Sturgeon
- Mid-Atlantic Fishery Management Council Update Chris Batsavage
- South Atlantic Fishery Management Council Update Michelle Duval
- Recurring Updates (handouts only)
 - Marine Patrol Report
 - Coastal Recreational Fishing License Sales Report
 - Coastal Angler Program Update
 - Red Drum Cap Update
 - Southern Flounder Landings Update

10:30 a.m. Issues from Commissioners

10:45 a.m. Review of Meeting Assignments – Nancy Fish

11 a.m. Adjourn

2013 Meeting Schedule:

Feb. 27- March 1 in Pine Knoll Shores May 29-31 in Morehead City Aug. 28-30 in Raleigh

Nov. 13-15 To Be Determined

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

^{**}Action Items