MARINE FISHERIES COMMISSION BUSINESS MEETING
Holiday Inn Brownstone, Raleigh, N.C.
Sept. 7-9, 2011

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).

Sept. 7

6 p.m. Public Meeting
Receive public comment relative to fisheries management issues.

Sept. 8

9 a.m. Call to Order*
Pledge of Allegiance
Invocation
Conflict of Interest Reminder
Roll Call
Approval of Agenda**
Approval of Meeting Minutes**

9:15 a.m. Public Comment
Receive public comment relative to fisheries management issues.

9:45 a.m. Issues from Commissioners

10 a.m. Chairman's Report
Review administrative actions and issues from the chair.
- Welcome to New Commissioners
- Letters
- 2012 Meeting Schedule
- **Election of Vice Chairman****

10:15 a.m. Committee Reports
Review of advisory committee and committee meetings.
- Sea Turtle
- Strategic Habitat Area - Region Two

10:30 a.m. Atlantic Ocean Striped Bass Commercial Hook-and-Line Public Meetings – Michelle Duval
Review advisory committee/public input on allowing this fishery and resolve of gear permit requirements for upcoming season.
- **Select management options for upcoming season****

11:30 a.m. Spotted Seatrout FMP – Chip Collier
Review management options to end overfishing within two years of final plan adoption and vote to send out to advisory committees/public meetings.
- **Vote to send out to advisory committee/public meetings review****

12:30 p.m. Lunch Recess

2 p.m. Estuarine Striped Bass FMP Amendment 1 – Charlton Godwin and Katy West
Review plan amendment and vote to send out to advisory committees/public meetings.
- **Vote to send out to advisory committee/public meetings review****

3 p.m. Blue Crab FMP Amendment 2 – Laura Lee, Ray Mroch and Lynn Henry
Review the Division of Marine Fisheries' stock assessment for blue crabs.

4 p.m. Stock Status Update – Kathy Rawls

Review of the Division of Marine Fisheries' annual stock status report.

4:15 p.m. Fishery Management Plan Schedule – David Taylor

- **Approval of Five-Year Schedule****

4:30 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 Spotted Seatrout****
- **Vote on Rule Suspension for Gill Net Yardage Restrictions****

4:45 p.m. Rulemaking Update

- Hearing Reminder – Sept. 14, 6 p.m., Central District Office, Morehead City

5 p.m. Temporary and Permanent Rulemaking

The commission will review proposed temporary and permanent rules for procedures for requesting a declaratory ruling and disposition of a request for a declaratory ruling.

- **Vote on Submission of Temporary Rules to OAH****
- **Vote on Approval of Notice of Text for Rulemaking****

5:30 p.m. Recess

Sept. 9

8:30 a.m. SCFL Eligibility Report/Set Eligibility Pool Cap – Rich Carpenter

Each year the commission must set a cap on the number of Standard Commercial Fishing Licenses in the License Eligibility Pool.

- **Set Eligibility Pool Cap****

8:45 a.m. Coastal Habitat Protection Plan – Jimmy Johnson

- **Approval of 2011/2013 Implementation Plan****

9:15 a.m. Director's Report

Reports and updates of recent Division of Marine Fisheries activities.

- Legislative Update
  - Review of Fisheries-Related Bills from the 2011 General Assembly
- Budget Update
  - Overview of 2011/2012 Budget for the Division of Marine Fisheries
- Shellfish Sanitation/Recreational Water Quality Section Overview – Patti Fowler
- Atlantic States Marine Fisheries Commission Update
- Protected Resources Update – Red Munden
  - Incidental Take Permit
  - Observer Program
  - Sea Turtle Settlement Agreement Modifications
- Mid-Atlantic Fishery Management Council Update – Red Munden
- South Atlantic Fishery Management Council Update – Louis Daniel

Recurring Updates

- Marine Patrol Report
- Coastal Recreational Fishing License Sales Report
- Coastal Angler Program Update
- Red Drum Quota Update
- Striped Bass Quota Update
- Annual FMP Update

10:45 a.m. Declaratory Ruling on Mechanical Harvest of Clams – Mike Marshall

11:45 a.m. Issues from Commissioners

Noon Adjourn

2011 Meeting Schedule:

Feb. 10-11	**Pine Knoll Shores**	**Sept. 7-9**	**Raleigh**
May 11-13	**Atlantic Beach**	**Nov. 2-4**	**Atlantic Beach**

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

*****Action Items***