MARINE FISHERIES COMMISSION BUSINESS MEETING
Doubletree by Hilton Hotel Brownstone, Raleigh, N.C.
Aug. 22-24, 2012

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).

Aug. 22

6 p.m. Public Meeting

Receive public comment relative to whether the state's fisheries management agencies might be reorganized to provide more efficient, productive and enjoyable uses of the state's fisheries resources; and comment relative to other fisheries management issues.

Aug. 23

9 a.m. Call to Order*
Pledge of Allegiance and 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 whether the state's fisheries management agencies might be reorganized to provide more efficient, productive and enjoyable uses of the state's fisheries resources; and comment relative to other fisheries management issues.

10:15 a.m. Issues from Commissioners

11 a.m. Chairman's Report

Review administrative actions and issues from the chair

- Swearing In of New Commissioner
- Recognition of Former Commissioner
- Letters
- Declaratory Ruling Order
- 2013 Meeting Schedule
- **Election of Vice Chair****

11:15 a.m. Committee Reports

Review and consideration of action items from committee meetings

- Finfish
- Sea Turtle
- Northern
- Southern
- Shellfish/Crustacean

11:30 a.m. Stock Status Report – Alan Bianchi

Review of the Division of Marine Fisheries stock status report

11:45 a.m. Fishery Management Plans – Catherine Blum

- Annual FMP Update
- Removing Perch and Catfish from FMP Schedule
- **Approval of Five-Year Schedule****

Noon Lunch Recess

1:30 p.m. Shrimp Fishery Management Plan Revision – Louis Daniel, Trish Murphey and Chris Stewart

Review plan revision and vote to send out for review and comment

- **Vote to send out to Public Meetings/Advisory Committee Review****

2:30 p.m. Oyster Fishery Management Plan Amendment 3 – Mike Marshall

Review plan amendment process to create new seed oyster management areas

- Review Advisory Committee and Public Comment
- **Vote on sending to Department of Environment and Natural Resources and Joint Legislative Commission on Governmental Operations****

3 p.m. Southern Flounder Fishery Management Plan Amendment 1 – Chris Batsavage

Review plan amendment and vote to send out for review and comment

- **Vote to send out to Public Meetings/Advisory Committee Review****

3:30 p.m. Rule Suspensions – David Taylor

At each meeting, 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 Gear Permit****

3:45 p.m. Rulemaking – Catherine Blum

- Rulemaking Cycle Review
- **2012-2013 Notice of Text for Rulemaking****

Review 19 proposed rules and 15 fiscal analyses and vote on items to begin the rulemaking process

- **Mandatory Electronic Trip Ticket Reporting for Large-scale Finfish Dealers**
- **Increasing Officer Safety with Volumetric Measurement of Shrimp**
- **N.C. Estuarine Striped Bass Fishery Management Plan**
  - **Albemarle Sound Management Area Southern Boundary Coordinate Change**
  - **Cashie River Joint and Coastal Waters Boundary Line Change**
  - **Allow a Commercial Hook-and-Line Estuarine Striped Bass Fishery**
- **N.C. Blue Crab Fishery Management Plan**
  - **Correct Peeler Trawl Exception Rule**
  - **Clarify Blue Crab Size Limit and Culling Tolerance Rule**
  - **Clarify Crab Dredging Rule**
  - **Incorporate the Crab Pot Escape Ring Proclamation Exemptions for Mature Females into Rule**
  - **Incorporate the Pamlico Sound Crab Trawl Mesh Size Line Proclamation into Rule**
  - **Incorporate the Lower Broad Creek Pot Area Closure Proclamation into Rule**
  - **Adaptive Management Framework for the N.C. Blue Crab Stock**
  - **Options for Escape Ring Exemptions in Hard Crab Pots to Harvest Peeler Crabs**
  - **Proclamation Authority for Terrapin Excluder Devices in Crab Pots**
  - **Reclassify Pungo River Areas as Open to Pots**

- License Suspension and Revocation Rules Reminder

4 p.m. Limited Entry System for the Commercial Ocean Striped Bass Fishery – Michelle Duval

At its November 2011 business meeting, the commission postponed discussion of a limited entry system to August 2012 in order to seek modifications to limited entry statutes from the General Assembly.

- **Potential Consideration of Management Measures for the Commercial Atlantic Ocean Striped Bass Fishery****

4:30 p.m. SCFL Eligibility Report/Set Eligibility Pool Cap – Chip Collier

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****

5 p.m. Recess

Aug. 24

8:30 a.m. Division of Marine Fisheries Public Affairs Program Overview – Patricia Smith and Kelly Odom

9:15 a.m. Coastal Habitat Protection Plan – Jimmy Johnson

Each year the commission must approve the CHPP Annual Report.

- **Vote on CHPP Annual Report****

9:30 a.m. Director's Report

Reports and updates on recent Division of Marine Fisheries activities.

- Legislative Update
- Budget Update
- Reports Update
- Atlantic States Marine Fisheries Commission
  - Atlantic Menhaden
    - Fishery Management Plan Amendment 2
    - Senate Bill 821
    - Rule Suspensions
      - **Vote on Rule Suspension for Portions of 15A NCAC 03J .0105 Purse Seines****
      - **Vote on Rule Suspension for 15A NCAC 03R .0111 Atlantic Ocean Purse Seines Prohibited****
  - Black Drum
  - Atlantic Sturgeon
- Protected Resources Update – Louis Daniel and Chris Batsavage
  - Observer Program
- Sea Turtle Incidental Take Permit
  - Atlantic Sturgeon Incidental Take Permit
  - Atlantic Sturgeon Management Options
    - Review Advisory Committee and Public Comment
    - **Vote on Management Options****
- Mid-Atlantic Fishery Management Council Update – Chris Batsavage
- South Atlantic Fishery Management Council Update – Michelle Duval

Recurring Updates

- Fishery Management Plan Review
- Marine Patrol Report
- Coastal Recreational Fishing License Sales Report
- Coastal Angler Program Update
- Red Drum Cap Update
- Striped Bass Quota Update
- Southern Flounder Update
- Highly Migratory Species

11:30 a.m. Issues from Commissioners

Noon Adjourn

2012 Meeting Schedule:

Feb. 22-24 Morehead City
May 9-11 Pine Knoll Shores
Aug. 22-24 Raleigh
Nov. 7-9 To Be Announced

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