

North Carolina Marine Fisheries Commission
Motions
Aug. 17-18, 2016 Meeting

Motion by Chuck Laughridge to approve agenda, as modified. Second by Rick Smith.
Motion carries with no opposition.

Motion by Alison Willis to approve minutes with modification. Second by Chuck Laughridge.
Motion carries with no opposition.

Election of Vice Chairman

Motion by Alison Willis to elect Joe Shute as vice chair. Second by Rick Smith.
Motion carries unanimously.

Conservation Fund

Motion by Chuck Laughridge to approve \$21,412 from the Conservation Fund for a striped bass genetic study. Second by Joe Shute.
Motion carries unanimously.

Standard Commercial Fishing License Eligibility Pool Cap

Motion by Mike Wicker to set the number of Standard Commercial Fishing Licenses available in the Eligibility Pool at 100 for the 2016-2017 fiscal year. Second by Joe Shute.
Motion carries 6-1.

Fishery Management Plan Five-Year Schedule

Motion by Alison Willis to approve the Fishery Management Plan 5-year schedule as presented by the Division of Marine Fisheries, with the exception of moving the Blue Crab Fishery Management Plan review up to 2016-2017, to include a review of 2016 data. Second by Janet Rose.
Motion carries 7-0.

Southern Flounder Fishery Management Plan Review

Motion by Janet Rose to move up the Southern Flounder Fishery Management Plan Review to begin as soon as a valid stock assessment is available. Second by Alison Willis.
Motion carries 7-0.

Rulemaking – Notice of Text

Motion by Chuck Laughridge to approve notice of text for the following proposed rules and associated fiscal analysis to implement the Hard Clam Fishery Management Plan Amendment 2/Oyster Fishery Management Plan Amendment 4:

- **15A NCAC 03K .0201, OYSTER HARVEST MANAGEMENT**
- **15A NCAC 03K .0202, CULLING REQUIREMENTS FOR OYSTERS**
- **15A NCAC 03K .0302, MECHANICAL HARVEST OF CLAMS FROM PUBLIC BOTTOM**
- **15A NCAC 03O .0114, SUSPENSION, REVOCATION, AND REISSUANCE OF LICENSES**
- **15A NCAC 03O .0201, STANDARDS AND REQUIREMENTS FOR SHELLFISH BOTTOM LEASES AND FRANCHISES AND WATER COLUMN LEASES**

- **15A NCAC 03O .0208, TERMINATION OF SHELLFISH BOTTOM LEASES AND FRANCHISES AND WATER COLUMN LEASES**

Second by Alison Willis.

Motion carries 7-0.

Motion by Alison Willis to approve notice of text for the following proposed rules and associated fiscal analysis to Establish the Permit for Weekend Trawling for Live Shrimp:

- **15A NCAC 03J .0104, TRAWL NETS**
- **15A NCAC 03L .0102, WEEKEND SHRIMPING PROHIBITED**
- **15A NCAC 03O .0501, PROCEDURES AND REQUIREMENTS TO OBTAIN PERMITS**
- **15A NCAC 03O .0503, PERMIT CONDITIONS; SPECIFIC**

Second by Chuck Laughridge.

Motion carries 7-0.

Motion by Alison Willis to approve notice of text for the following proposed rule and associated fiscal analysis to relocate a 2003 requirement for a permit for dealers transacting in spiny dogfish from proclamation into rule:

- **15A NCAC 03O .0503, PERMIT CONDITIONS; SPECIFIC**

Second by Joe Shute.

Motion carries 7-0.

Motion by Joe Shute to approve notice of text for the following proposed rule and associated fiscal analysis to increase penalties for gear larceny:

- **15A NCAC 03O .0114, SUSPENSION, REVOCATION, AND REISSUANCE OF LICENSES**

Second by Rick Smith.

Motion carries 7-0.

Motion by Alison Willis to approve notice of text for the following proposed rule and associated fiscal analysis to correct a coordinate in a boundary for Wade Creek:

- **15A NCAC 03R .0103, PRIMARY NURSERY AREAS**

Second by Mike Wicker.

Motion carries 7-0.

Motion by Chuck Laughridge to approve notice of text for the following proposed rule and associated fiscal analysis to clarify license requirements for leaseholder designees:

- **15A NCAC 03O .0501, PROCEDURES AND REQUIREMENTS TO OBTAIN PERMITS**

Second by Joe Shute.

Motion carries 7-0.

Motion by Joe Shute to approve notice of text for the following proposed rule and associated fiscal analysis to re-establish a rule delegating proclamation authority to the fisheries director to specify time, area, means and methods, season, size, and quantity of spotted seatrout harvested in North Carolina to allow for continued management under the North Carolina Spotted Seatrout Fishery Management Plan due to an Atlantic States Marine Fisheries Commission plan to remove spotted seatrout from its managed species:

- **15A NCAC 03M .0522, SPOTTED SEATROUT**

Second by Rick Smith.

Motion carries 7-0.

Motion by Alison Willis to approve notice of text for the following proposed rules and associated fiscal analysis to modify the fisheries director's proclamation authority for the protection of public health:

- **15A NCAC 03H .0103, PROCLAMATIONS, GENERAL**
- **15A NCAC 03K .0110, PUBLIC HEALTH AND CONTROL OF OYSTERS, CLAMS, SCALLOPS AND MUSSELS**

Second by Chuck Laughridge.

Motion carries 7-0.

Motion by Mark Gorges to approve notice of text for the following proposed rule and associated fiscal analysis to align the method of commencement of proceedings to suspend or revoke a fishing license, permit, or certificate with other similar administrative proceedings by the division and commission:

- **15A NCAC 03P .0101, LICENSE, PERMIT, OR CERTIFICATION DENIAL:
REQUEST FOR REVIEW**

Second by Chuck Laughridge.

Motion carries 7-0.

Rule Suspensions

Motion by Chuck Laughridge to suspend Marine Fisheries Commission rule **15A NCAC 03M .0516 COBIA** regarding possession limits. Second by Joe Shute.

Motion carries 7-0.

Motion by Alison Willis to suspend a portion of Suspend the following Marine Fisheries Commission rule **15A NCAC 03L .0201 CRAB HARVEST RESTRICTIONS** regarding culling tolerance and size limits. Second by Mike Wicker.

Motion carries 7-0.

Motion by Alison Willis to suspend a portion of Suspend the following Marine Fisheries Commission rule **15A NCAC 03L .0203 CRAB DREDGING** regarding targeted crab dredging.

Second by Mike Wicker.

Motion carries 7-0.

Motion by Rick Smith to suspend a portion of Suspend the following Marine Fisheries Commission rule **15A NCAC 03M .0301 SPANISH MACKEREL** regarding minimum size limit for pound nets. Second by Chuck Laughridge.

Motion carries 7-0.

Coastal Habitat Protection Plan

Motion by Chuck Laughridge to approve the Coastal Habitat Protection Plan Annual Report.

Second by Joe Shute.

Motion carries 7-0.

ASMFC Weakfish Management Board Letter

Motion by Mike Wicker to ask the commission chairman to send a letter (based on provided draft template) to the Atlantic States Marine Fisheries Commission's Weakfish Management Board to address weakfish age-zero bycatch mortality in the Pamlico Sound North Carolina shrimp fishery during their next assessment. Second by Rick Smith.

Motion carries 4-3 with one abstention.

False Albacore

Motion by Chuck Laughridge to ask the Division of Marine Fisheries to develop an issue paper evaluating the need for state management of false albacore, and send it to the advisory committees to provide feedback to the commission by August 2017. Second by Joe Shute.

Motion carries 6-0 with one abstention.