

**MARINE FISHERIES COMMISSION BUSINESS MEETING**  
**Blockade Runner Hotel, Wrightsville Beach N.C.**  
**Feb. 17-19, 2016**

*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. 17**

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

**Feb. 18**

9 a.m. Call to Order \*  
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*

10:15 a.m. South Atlantic Fishery Management Council Nominations  

- **Vote on replacement candidate(s) for obligatory seat\*\***

10:30 a.m. Petition for Declaratory Ruling  
*The commission must vote to grant or deny consideration of a petition for a declaratory ruling from American Eel Farm and the Division of Marine Fisheries regarding 15A NCAC 03M .0510*  

- Declaratory Ruling Process Overview – Phillip Reynolds
- Presentation of Request – Louis Daniel
  - **Vote to grant or deny consideration of the merits of the petition\*\***

11:15 a.m. 2015 Coastal Habitat Protection Plan Update – Jimmy Johnson (Presentation)  

- Review public input
- **Vote on final approval of plan update \*\***

11:45 a.m. Chairman's Report  

- Letters
- Advisory Committee Appointments
- Ethics Training Reminder
- 2016 Meeting Schedule Reminder

Noon Lunch Recess

1:30 p.m. Issues from Commissioners  

- Standard Commercial Fishing Licensing Criteria

2:30 p.m. Committee Reports  

- Northern
- Southern

- Shellfish/Crustacean
  - Habitat and Water Quality
  - Oyster and Hard Clam Fishery Management Plans
  - Commercial Fishing Resource Fund
    - **Vote to delegate authority to the commission’s Coastal Fishing Resource Fund Committee to develop and implement a memorandum of understanding with the Funding Committee\*\***
  - Coastal Recreational Fishing License – Louis Daniel
- 2:45 p.m. Fishery Management Plan Update – Catherine Blum
- Status of ongoing plans
- 3 p.m. Recommendations for Total Allowable Landings for Pound Nets by Waterbodies for Supplement A to the Southern Flounder Fishery Management Plan Amendment 1 – Louis Daniel
- 3:30 p.m. Oyster Fishery Management Plan Amendment 4 and Hard Clam Fishery Management Plan Amendment 2 – Tina Moore (Presentation)
- Review advisory committee and public input
  - **Select preferred management options for each plan\*\***
  - **Vote on approval of draft plans to send to the Department of Environmental Quality and the Joint Legislative Commission on Governmental Operations for review and comment\*\***
- 5 p.m. Recess

**Feb. 19**

- 8:30 a.m. Rules Suspensions – Kathy Rawls  
*The commission must vote to continue suspension of the following rule(s):*
- **Vote on rule suspension for 15A NCAC 03J .0501 (e)(2) regarding flounder pound net escape panels\*\***
- 8:45 a.m. Director’s Report  
*Reports and updates on recent Division of Marine Fisheries activities*
- Atlantic States Marine Fisheries Commission
  - South Atlantic Fishery Management Council Update – Michelle Duval
    - **Vote on possible changes to cobia harvest restrictions\*\***
  - Shrimp Trawl Industry Workgroup Update – Kevin Brown
  - Informational Materials
    - Rule Suspension Notices/No Action Required
    - Quota Update
    - Landings Update
      - Red Drum
      - Southern Flounder
    - Protected Resources Update
      - Observer Program
      - Incidental Take Permit Updates
    - Mid-Atlantic Fishery Management Council Update
    - Highly Migratory Species Update
- 10 a.m. Issues from Commissioners
- 10:15 a.m. Meeting Assignments and Preview of Agenda Items for May Meeting – Nancy Fish
- 10:30 a.m. Adjourn

**2016 Meeting Dates**

**Feb. 17-19 Blockade Runner, Wrightsville Beach**  
**Aug. 17-19 Hilton Brownstone, Raleigh**

**May 18-20 Crystal Coast Civic Center, Morehead City**  
**Nov. 16-18 Hilton Garden Inn, Kitty Hawk**

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

**\*\*Potential Action Items**