

NORTH CAROLINA MARINE FISHERIES COMMISSION

# February 2026

Business Meeting Briefing Materials



February 18-19, 2026

Kitty Hawk, N.C.

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February 2026 Quarterly Business Meeting

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# Preliminary Matters

February 2026 Quarterly Business Meeting

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Draft November 2025 Meeting Minutes

# Marine Fisheries Commission Business Meeting

## MEETING AGENDA

Hilton Garden Inn; Kitty Hawk, NC

February 18-19, 2026

*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).*

### **Wednesday, February 18, 2026**

6:00 p.m.      Public Comment Period

### **Thursday, February 19, 2026**

9:00 a.m.      Public Comment Period

9:30 a.m.      Preliminary Matters

- Commission Call to Order\* – *Sammy Corbett, Chairman*
- Moment of Silence and Pledge of Allegiance
- Conflict of Interest Reminder
- Roll Call
- **Approval of Meeting Minutes \*\***

9:45 a.m.      Chairman's Report

- Letters and Online Comments
- Ethics Training and Statement of Economic Interest Reminder
- 2026 Proposed Meeting Schedule

10:00 a.m.      Director's Report – *Kathy Rawls*

- Red Snapper EFP Update – *Trish Murphey*

10:45 a.m.      Rulemaking – *Catherine Blum*

- 2024-2025 Rulemaking Cycle Update
- 2025-2026 Rulemaking Cycle Update

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

\*\*Probable Action Items

## Marine Fisheries Commission Business Meeting Agenda

- 2026-2027 Rulemaking Cycle
  - **Vote to select preferred management option and associated proposed language for rulemaking for Atlantic Bonito Management issue paper \*\***

11:30 a.m.	Fishery Management Plan Updates – <i>Dan Zapf, Jeff Dobbs</i> <ul style="list-style-type: none"><li>• Implementation of Adopted FMPs</li><li>• Upcoming FMPs<ul style="list-style-type: none"><li>○ Red Drum FMP Amendment 2</li><li>○ Kingfishes FMP Amendment 1</li></ul></li></ul>
11:45 a.m.	2025 Spotted Seatrout Cold Stun Update – <i>Lucas Pensinger</i>
12:00 p.m.	Information on the ESA Section 10 Incidental Take Permit – <i>Jason Rock</i>
12:30 p.m.	Lunch Break
2:00 p.m.	Periodic Review and Expiration of Existing Rules – <i>Catherine Blum</i> <ul style="list-style-type: none"><li>• <b>Vote to approve initial determination of rules and proceed to public notice, per N.C.G.S. 150B-21.3A:</b><ul style="list-style-type: none"><li>○ <b>15A NCAC 03Q .0100 **</b></li><li>○ <b>All other rules in 15A NCAC 03 **</b></li><li>○ <b>15A NCAC 10C .0100 **</b></li><li>○ <b>15A NCAC 18A .0100, .0300-.0900, and .3400 **</b></li></ul></li></ul>
2:30 p.m.	Update on Mandatory Harvest Reporting – <i>Jesse Bissette</i>
2:45 p.m.	Issues from Commissioners
3:15 p.m.	Meeting Assignments and Preview of Agenda Items for Next Meeting – <i>Jesse Bissette</i>
3:30 p.m.	Adjourn

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

\*\*Probable Action Items

## Marine Fisheries Commission Business Meeting Minutes

**DRAFT**

**Holiday Inn Resort Lumina**

**Wrightsville Beach, North Carolina**

**November 19-20, 2025**

The Marine Fisheries Commission (MFC) held a business meeting November 19-20, 2025, at the Holiday Inn Resort Lumina in Wrightsville Beach, North Carolina. In addition to the public comment sessions, members of the public submitted public comment online or via U.S. mail. The written comments, briefing materials, presentations, and full audio from this meeting are available [here](#).

Actions and motions from the business meeting are listed in **bold** type.

### **BUSINESS MEETING**

**Wednesday, November 19, 2025**

#### Preliminary Matters

Chairman Corbett called the November 19-20, 2025, business meeting to order.

Chairman Corbett began the meeting with a moment of silence, followed by the pledge of allegiance.

Next, Chairman Corbett reminded all commissioners of N.C. General Statute § 138A-15(e), which 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. There were no stated conflicts of interest from any commissioner.

The following MFC members were in attendance: Sammy Corbett – Chairman, Mike Blanton, Willie Closs, Sarah Gardner, Alfred Hobgood, John Mallette, Doug Rader, Tom Roller, and William Service.

Chairman Corbett asked for any corrections or additions to the meeting agenda and then requested a motion to approve the agenda.

**Motion by Commissioner Mallette to approve the meeting agenda.**

**Second by Commissioner Gardner.**

ROLL CALL VOTE					
Member	Aye	Nay	Abstain	Recuse	Absent
Blanton	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Closs	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Gardner	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Hobgood	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mallette	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rader	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Roller	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Service	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Corbett	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Motion passed 6-1, with 2 abstentions.**

Chairman Corbett asked for any corrections, additions or deletions that need to be made to the August 2025 MFC Quarterly Business Meeting minutes.

**Motion by Commissioner Rader to approve the August 2025 business meeting minutes.**

**Second by Commissioner Hobgood.**

ROLL CALL VOTE					
Member	Aye	Nay	Abstain	Recuse	Absent
Blanton	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Closs	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Gardner	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Hobgood	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mallette	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rader	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Roller	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Service	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Corbett	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Motion passed unanimously.**

[View the video recording of the motions and surrounding discussion.](#)

[Chairman's Report](#)

### Letters and Online Comments

Chairman Corbett referred commissioners to letters and comments provided in the briefing materials.

### Ethics Training and Statement of Economic Interest Reminder

Chairman Corbett reminded commissioners to work with MFC Liaison Jesse Bissette to stay up to date on their ethics training and Statement of Economic Interest.

### Committee Reports

Chairman Corbett referred commissioners to the committee reports provided in the briefing materials.

### MFC Nominating Committee

Division of Marine Fisheries (DMF) Assistant to Mid-Atlantic Fisheries Management Council (MAFMC) Chris Batsavage gave a presentation of the slate of nominees for the MAFMC obligatory seat.

After the presentation, Chairman Corbett opened the floor to commissioners for comments and questions.

**Motion by Commissioner Roller to approve the slate of nominees for the obligatory seat for the Mid-Atlantic Fisheries Management Council as presented in the November 2025 MFC business meeting materials: Robert Ruhle, Mary Ellon Ballance, and Thomas Newman.**

**Second by Commissioner Rader.**

ROLL CALL VOTE					
Member	Aye	Nay	Abstain	Recuse	Absent
Blanton	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Closs	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Gardner	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Hobgood	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mallette	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rader	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Roller	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Service	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Corbett	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Motion passed unanimously.**

[View the video recording of the motion and surrounding discussion.](#)

**Director's Report**

Director Rawls began her report with an update on the Red Snapper Exempted Fishing Permit (EFP), noting that public comment will be open for 45 days, with an application response expected in January and details by February. She emphasized that this effort is focused on managing resources within the Division's capacity, and noted a potential two-month season with one fish per person per day, hook-and-line only. The Director provided a sheepshead management update, highlighting proposed changes including pound net trip limits, size limit increases, and bag limit reductions. A meeting with the public provided supportive feedback, and a proclamation is planned for December. Director Rawls thanked staff for their efforts surrounding Mandatory Harvest Reporting, scheduled to go into effect December 1, 2025.

Director Rawls provided an update on the ongoing CCA lawsuit, noting that the trial is scheduled to begin on January 20, 2026. She recognized the Habitat & Enhancement section for receiving the Pelican Award from the North Carolina Coastal Federation for their work on oyster sanctuary protection and restoration.

She highlighted heroic action on September 4, when staff sampling on the Perquimans River assisted a fisherman who was struggling in the water, safely returning him to his vessel. She thanked staff for their efforts and reminded the Commission of the inherent dangers of working on the water. Director Rawls solemnly noted the passing of DMF employee Marc Hamric on September 10 in a boating incident, remembering his 28 years of service. The Division continues to keep his family and coworkers in their thoughts and prayers. Finally, Director Rawls announced that Colonel Witten will be retiring on January 1 after more than 20 years of service, having served in all three Districts and made significant contributions to the Division.

[View the video recording of the Director's Report and surrounding discussion.](#)

**License & Statistics Annual Report**

DMF License & Statistics Section Chief Brandi Salmon gave a presentation demonstrating the new interactive License & Statistics annual report.

After the presentation, Chairman Corbett opened the floor to commissioners for comments and questions.

[View the video recording of the presentation and surrounding discussion.](#)

### Information about the R/V Carolina Coast/Program 195

DMF Fisheries Management Section Chief Jason Rock gave a presentation about the R/V Carolina Coast and Program 195.

After the presentation, Chairman Corbett opened the floor to commissioners for comments and questions.

[View the video recording of the presentation and surrounding discussion.](#)

### Stock Assessments 101

DMF Stock Assessment Biologist Matt Damiano gave a presentation on Stock Assessments, explaining how they work and the rationale behind the methodologies used.

After the presentation, Chairman Corbett opened the floor to commissioners for comments and questions.

[View the video recording of the presentation and surrounding discussion.](#)

### Fishery Management Plan Updates

DMF Biologists Dan Zapf and Jeff Dobbs gave a presentation providing updates and recent activity related to recently reviewed Fishery Management Plans.

After the presentation, Chairman Corbett opened the floor to commissioners for comments and questions.

[View the video recording of the presentation and surrounding discussion.](#)

### Mandatory Harvest Reporting Demonstration

MFC Liaison Jesse Bissette gave a presentation demonstrating how members of the recreational fishing public may report their harvest in compliance with the Mandatory Harvest Reporting regulations scheduled to take effect on December 1, 2025.

After the presentation, Chairman Corbett opened the floor to commissioners for comments and questions.

[View the video recording of the presentation and surrounding discussion.](#)

### Public Comment Period

Chairman Sammy Corbett held a public comment session that began at 6:00 p.m. The following members of the public provided comments to the commission: Jerry Payer. With no one else wishing to speak, Chairman Corbett ended the public comment period at 6:04 p.m.

[View the video recording of the November 19, 2025, 6:00 p.m. public comment session.](#)

Thursday, November 20, 2025

Chairman Corbett convened the MFC business meeting at 9:00 a.m. on November 20, 2025.

Public Comment Period

Chairman Sammy Corbett held a public comment session that began at 9:00 a.m. The following members of the public provided comments to the commission: Lauren Burch, Jake Griffin, Sam Romano, Joe Romano, Donald Warren, Jot Owens, Stuart Creighton. With no one else wishing to speak, Chairman Corbett ended the public comment period at 9:23 a.m.

[View the video recording of the November 20, 2025, 9:00 a.m. public comment session.](#)

Comments from DEQ Secretary Reid Wilson

The DEQ Secretary Reid Wilson thanked the Marine Fisheries Commission for its service and commitment to managing North Carolina's fisheries and natural resources. He acknowledged the professionalism of DEQ's employees and expressed appreciation for the Division of Marine Fisheries and the Commission for carrying out their work in a challenging and often contentious environment, encouraging continued reliance on staff expertise.

The Secretary outlined DEQ's three primary priorities: recovery efforts in western North Carolina following Hurricane Helene, water quality, and resilience. He noted that Marine Patrol played an early role in storm response and that approximately \$685 million in federal disaster recovery funding has been allocated to North Carolina to support repairs and improvements to wastewater infrastructure. He emphasized the importance of protecting water quality, including efforts to prevent the discharge of harmful chemicals such as PFAS. He described DEQ's leadership role in resilience initiatives under Governor Stein, including the Flood Resilience Blueprint and related project funding.

Secretary Wilson also discussed ongoing state and federal budget uncertainties, noting staffing vacancies, reduced operational funding, and challenges with recruiting and retaining employees, particularly in coastal areas. He referenced the North Carolina Collaboratory's report on fisheries management, stating that the final report is expected later this year or early next year and will be reviewed for potential recommendations. The Secretary concluded by encouraging respectful public discourse and thanked the Commission for its time and dedication.

[View the video recording of the Remarks from DEQ Secretary.](#)

## Rulemaking

DMF Rulemaking Coordinator Catherine Blum provided updates on the 2024-2025 rulemaking cycle, 2025-2026 rulemaking cycle, and 2026-2027 rulemaking cycle.

After the presentation, Chairman Corbett opened the floor to commissioners for comments and questions.

**Motion by Commissioner Roller to give final approval to amend:**

- 15A NCAC 03I .0101, .0114, 03O .0501-0503 for permit requirements; and
- 15A NCAC 03I .0101, 03O .0201, .0207, .0208, .0210 for conforming changes to franchise and shellfish lease requirements.

**Second by Commissioner Hobgood.**

ROLL CALL VOTE					
Member	Aye	Nay	Abstain	Recuse	Absent
Blanton	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Closs	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Gardner	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Hobgood	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mallette	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rader	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Roller	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Service	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Corbett	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Motion passed unanimously.**

[View the video recording of the presentation and surrounding discussion.](#)

## Coastal Habitat Protection Plan Update

DMF Biologists Charlie Deaton and Derek Detweiler gave a presentation on the Coastal Habitat Protection Plan.

After the presentation, Chairman Corbett opened the floor to commissioners for comments and questions.

[View the video recording of the presentation and surrounding discussion.](#)

## History of Southern Flounder Management through Amendment 5

DMF Biologists Jeff Dobbs and Anne Markwith gave a presentation on the history of North Carolina's Southern Flounder management through the Southern Flounder FMP Amendment 5.

After the presentation, Chairman Corbett opened the floor to commissioners for comments and questions.

[View the video recording of the presentation and surrounding discussion.](#)

#### Indicators for the North Carolina Southern Flounder Stock

DMF Stock Assessment Biologist Matt Damiano gave a presentation on the stock indicators for the Southern Flounder stock.

After the presentation, Chairman Corbett opened the floor to commissioners for comments and questions.

[View the video recording of the presentation and surrounding discussion.](#)

#### Estuarine Striped Bass Fishery Management Plan Amendment 2 Adaptive Management

DMF Biologists Todd Mathes and Charlton Godwin gave a presentation on the Estuarine Striped Bass Tar-Pamlico/Neuse Rivers Harvest Management Plan.

After the presentation, Chairman Corbett opened the floor to commissioners for comments and questions.

[View the video recording of the presentation and surrounding discussion.](#)

#### Issues from Commissioners

Chairman Corbett opened the floor to commissioners for comments, questions, and other discussion.

[View the video recording of the Issues from Commissioners.](#)

#### Meeting Assignments and Preview of Agenda Items for Next Meeting

The DMF's MFC Liaison Jesse Bissette reviewed meeting assignments and provided an overview of the February 2026 meeting items.

Having no further business to conduct, Chairman Corbett adjourned the meeting at 1:10 p.m.

# **Chairman's Report**

**February 2026 Quarterly Business Meeting**

## **Documents**

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State Ethics Education Reminder

2026 Annual Meeting Calendar

MFC Workplan



## EDUCATION REQUIREMENTS FOR PUBLIC SERVANTS

Public Servants must complete the Ethics and Lobbying Education program provided by the N.C. State Ethics Commission within **six months** of their election, appointment, or employment. We recommend that this be completed as soon as possible, but the training must be repeated every two years after the initial session.

Our new 90-minute on-demand online program is available on our website under the Education tab. For your convenience, here is the [link](#). The new program is compatible with portable devices such as phones and tablets.

Live webinar presentations are also offered every month. These presentations are 90 minutes in length and give the opportunity to ask questions of the speaker. Registration information for those can be found [here](#).

For questions or additional information concerning the Ethics Education requirements, please contact Tracey Powell at (919) 814-3600.

# Marine Fisheries Commission 2026 Calendar

\*Dates are subject to change\*

January						
Su	Mo	Tu	We	Th	Fr	Sa
					2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18		20	21	22	23	24
25	26	27	28	29	30	31

February						
Su	Mo	Tu	We	Th	Fr	Sa
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28

March						
Su	Mo	Tu	We	Th	Fr	Sa
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

April						
Su	Mo	Tu	We	Th	Fr	Sa
			1	2		4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30		

May						
Su	Mo	Tu	We	Th	Fr	Sa
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24		26	27	28	29	30
31						

June						
Su	Mo	Tu	We	Th	Fr	Sa
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30				

July						
Su	Mo	Tu	We	Th	Fr	Sa
			1	2		4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

August						
Su	Mo	Tu	We	Th	Fr	Sa
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					

September						
Su	Mo	Tu	We	Th	Fr	Sa
		1	2	3	4	5
6		8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30			

October						
Su	Mo	Tu	We	Th	Fr	Sa
			1	2	3	
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

November						
Su	Mo	Tu	We	Th	Fr	Sa
1	2	3	4	5	6	7
8	9	10		12	13	14
15	16	17	18	19	20	21
22	23	24	25			28
29	30					

December						
Su	Mo	Tu	We	Th	Fr	Sa
			1	2	3	4
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23			26
27	28	29	30	31		

## 2026 MFC Meeting Dates

MFC Business Meetings	Northern Regional AC	Southern Regional AC
February 18-19	March 10	March 11
May 20-21	June 9	June 10
August 19-20	September 8	September 9
November 18-19		
Shellfish/Crustacean	Finfish Standing AC	Habitat and Water Quality
March 17	March 12	March 18
June 16	June 11	June 17
September 15	September 10	September 16

## Calendar Key

<span style="background-color: #336699; border: 1px solid black; display: inline-block; width: 15px; height: 15px;"></span>	MFC	<span style="background-color: #336699; border: 1px solid black; display: inline-block; width: 15px; height: 15px;"></span>	Shellfish/Crustacean Standing AC
<span style="background-color: #996633; border: 1px solid black; display: inline-block; width: 15px; height: 15px;"></span>	Northern Regional AC	<span style="background-color: #99CC66; border: 1px solid black; display: inline-block; width: 15px; height: 15px;"></span>	Habitat and Water Quality Standing AC
<span style="background-color: #0070C0; border: 1px solid black; display: inline-block; width: 15px; height: 15px;"></span>	Southern Regional AC	<span style="background-color: #CCCCCC; border: 1px solid black; display: inline-block; width: 15px; height: 15px;"></span>	State Holiday
<span style="background-color: #FF9933; border: 1px solid black; display: inline-block; width: 15px; height: 15px;"></span>	Finfish Standing AC	<span style="background-color: #FFFF00; border: 1px solid black; display: inline-block; width: 15px; height: 15px;"></span>	Federal Commission or Council Meeting
<span style="background-color: #FF0000; border: 1px solid black; display: inline-block; width: 15px; height: 15px;"></span>	Joint Meeting of ACs for MFC Review and Presentation of Action Items		
<span style="background-color: #FF0000; border: 1px solid black; display: inline-block; width: 15px; height: 15px;"></span>	Joint Meeting of Northern, Southern, and Finfish AC		

# Marine Fisheries Commission Workplan - February 2026

Orange = Action Item		Green = No Action Necessary				
Topic	Nov 2025	Feb 2026	May 2026	Aug 2026	Nov 2026	Feb 2027
<b>Active Management Plans</b>						
Southern Flounder FMP Amendment 5	Information Presented	In Progress	In Progress	In Progress	Send Draft for AC/Public Review	
Kingfish FMP Amendment 1	Preliminary Information Presented	In Progress	Stock Assessment Report			
Red Drum FMP	Preliminary Information Presented					
<b>Rulemaking</b>						
Permit-Related Rules	Final Approval					
Franchises and Shellfish Leases	Final Approval					
Atlantic Bonito Management	Rule Language Presented	Select Preferred Option	Notice of Text	In Progress	Final Approval	
		Approve Initial Determination	In Progress	Approve Final Determination	In Progress	In Progress

# Director's Report

February 2026 Quarterly Business Meeting

## Documents

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Mid-Atlantic Fishery Management  
Council December 2025 Meeting Report

South Atlantic Fishery Management  
Council December 2025 Meeting Report

South Atlantic Fishery Management  
Council January 2026 Meeting Report

Rule Suspensions Memo



## December 2025 Council Meeting Summary

The Mid-Atlantic Fishery Management Council met December 16-18, 2025, in Washington, D.C. The following is a summary of actions taken and issues considered during the meeting. Presentations, briefing materials, motions, and webinar recordings are available on the Council's [December 2025 meeting page](#).

### HIGHLIGHTS

During this meeting, the Council:

- Adopted a revised rebuilding plan and 2026-2027 specifications for the Atlantic mackerel fishery
- Revised a component of previously proposed changes to spiny dogfish accountability measures to align with the New England Fishery Management Council's final action
- Adopted status quo recreational summer flounder management measures for 2026-2027\*
- Adopted status quo recreational scup management measures for 2026-2027\*
- Approved a 20% liberalization in recreational harvest of black sea bass in 2026-2027\*
- Reviewed and provided guidance on revised draft alternatives for the Recreational Sector Separation Amendment\*
- Reviewed a draft range of alternatives for the Recreational Tilefish Reporting Framework and recommended several modifications
- Approved a 2026 Implementation Plan
- Received an overview of governance-related IRA projects across the three East Coast Councils

*\* Items denoted with an asterisk (\*) were undertaken during joint meetings with the Atlantic States Marine Fisheries Commission's Summer Flounder, Scup, Black Sea Bass Management Board or Interstate Fisheries Management Program Policy Board*

### Atlantic Mackerel Rebuilding and Specifications Framework

The Council adopted a revised rebuilding plan and 2026-2027 specifications for the Atlantic mackerel fishery. Based on a 2025 assessment showing improved stock trends, the revised plan will allow higher catches while continuing to rebuild the stock by 2032. This action reflects the Council's efforts to expand fishing opportunities where stock conditions allow, consistent with the Executive Order on Restoring American Seafood Competitiveness.

Under the modified rebuilding plan, commercial quotas would increase to 11,237 metric tons (24.8 million pounds) for 2026 and 13,210 metric tons (29.1 million pounds) for 2027. Once approved and implemented by NOAA Fisheries, the new commercial quotas will allow substantially higher initial Atlantic mackerel trip limits, including a 200,000-pound trip limit for Tier 1 permitted vessels. While the higher quota may be implemented relatively quickly, associated trip limit changes may take longer to clear various NOAA regulatory processes.

The Council also voted to increase the federal recreational possession limit to 25 fish for private boats and 50 fish for for-hire patrons (currently 20 fish for all). The higher for-hire possession limit responds to industry comments that customers are discouraged from booking trips at lower possession limits. States may or may not increase their possession limits, and boats are subject to state rules whenever in state waters.

Atlantic mackerel assessments have regularly overestimated the number of fish entering the population in the assessment's last year of data, referred to as the "terminal year recruitment." To ensure the stock remains on track to rebuild even if a future assessment concludes that 2024 recruitment was lower than initially estimated,

the Council's Scientific and Statistical Committee (SSC) replaced the assessment's very high estimate of 2024 recruitment (1.3 billion) with a much lower value based on the median recruitment from 2009 to 2023 (91 million).

The Council did not recommend any modifications to the existing 129-metric-ton (284,396 pounds) cap on incidental catch of river herring and shad (RH/S). To fully utilize the Atlantic mackerel quota, the fishery must stay below a combined RH/S bycatch rate of about 0.75% (i.e., less than one percent) on typical mackerel trips. From 2015 through 2023, this threshold was exceeded in 3 of 9 years, resulting in fishery closures in two of those years. Accordingly, the current cap continues to provide a strong incentive to avoid RH/S bycatch. The Council has also sponsored development of a [RH/S bycatch risk prediction tool](#) that will help industry identify areas where RH/S are more likely to be encountered. This tool will be available to the fleet starting in early 2026.

The Council will work with NOAA Fisheries to facilitate timely implementation of the revised quotas and trip limits. Details on pending trip limit changes and updates on the implementation process may be found on the [action page](#) for this framework.

## Spiny Dogfish Accountability Measures and Specifications Framework

The Council revisited the joint spiny dogfish framework action following action taken by the New England Fishery Management Council (NEFMC). The spiny dogfish fishery is jointly managed by the two Councils, and any framework measures must be adopted by both.

The framework addresses modifications to fishery's accountability measures and sets 2026–2027 specifications for the fishery. The Mid-Atlantic Council selected preferred alternatives and approved the framework for submission to NOAA Fisheries at its October 2025 meeting. During that meeting, the NOAA Fisheries Greater Atlantic Regional Fisheries Administrator raised concerns that aspects of the combined accountability measure approach could result in insufficient catch accountability, particularly related to the treatment of commercial landings overages. Despite these concerns, the Mid-Atlantic Council concluded that the full suite of adopted measures was appropriate to conserve and manage the fishery.

At the NEFMC's December 2025 meeting, the Regional Administrator provided additional clarification, noting that the combination of not always paying back commercial landings overages and closing the fishery at 105 percent of the commercial quota could allow for repeated uncorrected overages. The Regional Administrator indicated that removing one of these two measures would alleviate major concerns. NEFMC ultimately adopted the same framework measures as the Mid-Atlantic Council with one exception: it did not adopt the 105 percent fishery closure provision, instead voting for no action on that measure.

Given NEFMC's action and the requirement for consistent measures under a joint framework, the Mid-Atlantic Council reconsidered the action at its December meeting. The Council voted to align with NEFMC by not adopting the 105 percent closure measure, thus allowing the remaining elements of the framework to move forward jointly. Additional information on the final joint action is available in the Councils' press release: [Mid-Atlantic and New England Councils Take Joint Action on Spiny Dogfish Framework](#).

## 2026-2027 Recreational Management Measures for Summer Flounder, Scup, and Black Sea Bass

The Council met jointly with the Atlantic States Marine Fisheries Commission's Summer Flounder, Scup, and Black Sea Bass Management Board (Board) to discuss 2026 and 2027 recreational management measures (i.e., bag, size, and season limits) for summer flounder, scup, and black sea bass. For all three species, the Council and Board followed the Percent Change Approach as outlined in [Framework 19/Addendum XXXVI](#). The first step of the Percent Change Approach is to compare the upcoming two-year average recreational harvest limit (RHL) to a

confidence interval around an estimate of expected harvest in the upcoming two years if the current measures were to remain in place. The Recreation Demand Model developed by the Northeast Fisheries Science Center was used to calculate the estimates of harvest under current measures and the associated confidence intervals. The Percent Change Approach also requires consideration of biomass compared to the target level when determining the required overall percent change in expected harvest.

### ***Summer Flounder***

The Council and Board agreed the Percent Change Approach requires no change in recreational harvest of summer flounder in 2026 and 2027. This is because the 2026-2027 RHL (8.79 million pounds) falls above the confidence interval around estimated harvest for these years, and stock biomass is greater than 50% but less than 90% of the target level.

The Council and Board approved the use of regional conservation equivalency in 2026 and 2027. Non-preferred coastwide measures, which are written into the federal regulations but waived in favor of state measures, include an 18.5-inch minimum size, 3 fish possession limit, and open season from May 8-September 30.

Precautionary default measures include a 20-inch minimum size, 2 fish possession limit, and open season from July 1-August 31. These measures are only intended to be used for states/regions which do not comply with the conservation equivalency process.

Under the no change in harvest outcome, the [current measures](#) are expected to remain in place for states/regions in 2026. Measures for 2027 will be reviewed in 2026 but are expected to remain unchanged unless new information suggests a major change in the expected impacts of those measures on the stock or the fishery. If states/regions would like to make minor changes to their 2026 measures (e.g., to maintain a Saturday opening), those changes will need to be approved through the Commission process in early 2026.

### ***Scup***

The Council and Board agreed the Percent Change Approach requires no change in recreational harvest of scup in 2026 and 2027. This is because the average 2026-2027 RHL (12.38 million pounds) falls below the confidence interval around estimated harvest for these years, and the stock is greater than 150% of the target level.

Under the no change in harvest outcome, the Council and Board agreed to status quo federal water measures. [Status quo state water measures](#) are also expected to remain in place in 2026. Measures for 2027 will be reviewed in 2026 but are expected to remain unchanged unless new information suggests a major change in the expected impacts of those measures on the stock or the fishery. If states would like to make minor changes to their 2026 measures (e.g., to maintain a Saturday opening), those changes will need to be approved through the Commission process in early 2026.

### ***Black Sea Bass***

The Council and Board discussed application of the Percent Change Approach for setting 2026 and 2027 recreational measures for black sea bass, including consideration of the appropriate confidence interval. When viewed as a percentage range around the median, the updated confidence interval for black sea bass is much wider than those for summer flounder and scup. It is also wider than the confidence intervals used in the past for all three species. The degree of this difference was not anticipated prior to the availability of updated Recreation Demand Model results but can be explained by differences in the input data. Specifically, the black sea bass stock assessment recently transitioned to the Woods Hole Assessment Model (WHAM), which characterizes uncertainty differently than the assessment model structure used for black sea bass in the past and currently used for summer flounder and scup.

Council and Board members emphasized that Framework 19/Addendum XXXVI calls for consideration of the appropriate confidence interval methodology each specifications cycle. In addition, the Recreation Demand Model, as well as stock assessment models and projections, continue to evolve and improve over time. The Council and Board tasked staff to plan a more comprehensive review of confidence interval methods for all three species to better inform future decision-making.

The Council and Board discussed that use of the prior confidence interval method would have resulted in no liberalization for black sea bass in 2026 and 2027, while a slightly narrower interval would have resulted in a 39 percent liberalization. The Council and Board ultimately approved a 20 percent liberalization. They agreed this is appropriately precautionary, especially as harvest would still be expected to be below the 2026-2027 RHL and biomass has been increasing and has been well above the target level for more than a decade. Consistent with the Percent Change Approach, the 20 percent liberalization will be implemented in 2026, with 2027 measures remaining unchanged unless new information suggests a major change in the expected impacts of those measures on the stock or the fishery.

The Council and Board also agreed to waive federal waters measures in favor of state waters measures, as has been done for black sea bass since 2022. They adopted non-preferred coastwide measures consisting of a 14-inch minimum size, a 5-fish possession limit, and a May 15–September 30 open season. These measures are intended to be waived in favor of state waters measures. Precautionary default measures remain unchanged at a 16 inch minimum size, a 2-fish possession limit, and an open season of June 1 – August 31. These measures will only be implemented if needed for states/regions which do not follow the conservation equivalency process. Measures in individual states/regions will be determined in early 2026 through the Commission process.

## Recreational Sector Separation Amendment

The Council met jointly with the Commission’s Interstate Fisheries Management Program (ISFMP) Policy Board to review and provide guidance on revised draft alternatives for the Recreational Sector Separation Amendment for summer flounder, scup, black sea bass, and bluefish. This amendment considers two main issues: 1) recreational mode management (separate for-hire and private mode management measures or strategies), and 2) for-hire permitting and reporting requirements.

The Council and Policy Board discussed [questions and areas of feedback](#) identified by the Fishery Management Action Team/Plan Development Team (FMAT/PDT). While some of these questions were addressed, the Council and Board recognized that additional stakeholder input and discussion among managers is needed in order to continue development of alternatives. The groups delayed development of a draft amendment/public hearing document in order to hold a workshop in 2026 to further refine the draft alternatives. Staff will prepare draft workshop objectives and logistics for review by the Council and Policy Board in early 2026.

In addition, the Council and Policy Board removed from consideration an option that would have required states to consider or implement state-level mode management during the recreational measures setting process. This option was removed due to concerns about potential administrative burden and stakeholder confusion. However, they intend to further explore an option that would adopt uniform guidelines and best practices for implementing mode management at the state and/or federal levels. Additional guidance is needed on guidelines and best practices that may be included, which will receive further discussion at the workshop. The workshop will also cover the remaining options related to a for-hire Letter of Authorization (LOA) program, as well as for-hire permitting and reporting requirements.

The groups also discussed, but did not approve, removing bluefish from the amendment and pursuing further development of the LOA options only for summer flounder and black sea bass. Some members also expressed concern that mode management approaches using separate allocations had been removed from the document

in August and discussed whether these types of options should be discussed at the planned workshop, but rejected a motion to do so.

### Recreational Tilefish Reporting Framework

The Council reviewed a modified range of alternatives for the Recreational Tilefish Reporting Framework. This action considers options to modify or eliminate the permitting and reporting requirements for private recreational tilefish anglers with the goals of reducing the reporting burden, increasing enforceability of regulations, and improving the accuracy and reliability of self-reported data.

The range of alternatives presented to the Council includes options that would either 1) eliminate the current permit and/or reporting requirements or (2) modify the required reporting fields and/or submission timeframe. An initial range of alternatives was presented to the Council during the October 2025 meeting and further refined based on Council discussion.

The Council discussed the importance of the reporting program given the current data limitations for both blueline and golden tilefish, noting that improved recreational catch data remains a major data gap. However, the Council acknowledged that the existing reporting program has not functioned as intended and that the complexity of the requirements has likely contributed to low participation and poor data quality. As a result, the Council emphasized the need to simplify reporting requirements to improve compliance and increase the likelihood of obtaining usable catch data. The Council also discussed enforceability as a key consideration, recognizing that reporting requirements that are easier to understand and enforce may improve program performance.

Several Council members expressed continued interest in obtaining tilefish length data as well as information on fishing location; however, Council members agreed that the mandatory reporting fields need to be made as simple as possible. To avoid adding complexity, the Council agreed to consider making these fields optional rather than required. The Council noted that optional reporting fields could provide opportunities to collect additional biological or spatial information without increasing the regulatory burden.

Final action by the Council is tentatively planned for April 2026. Updates on this action can be found [here](#).

### 2026 Implementation Plan

The Council approved a draft 2026 Implementation Plan after making several revisions. The plan outlines anticipated work for the upcoming year in the context of the Council's 5-year strategic plan. First, the Council added an action to evaluate and provide guidance on the use of confidence intervals and the role of uncertainty in the Percent Change Approach. The Council also agreed to add development and implementation of a mesh selectivity study for the directed Atlantic mackerel fishery to the "Possible Additions" section of the plan, which includes tasks the Council may work on if time and resources allow. In addition, the Council moved review of revised MRIP Fishing Effort Survey data (including associated allocation changes) to the Possible Additions section. Finally, the Council removed a potential action related to development of an omnibus framework for ACL specification regulations and instead requested that the Greater Atlantic Regional Fisheries Office Regional Administrator address this issue through Magnuson-Stevens Act Section 305(d) rulemaking.

### Inflation Reduction Act (IRA) Governance Projects

The Council received an overview of the governance-related IRA projects across the three East Coast Councils. The New England, Mid-Atlantic, and South Atlantic Councils all have at least one IRA project that will review, evaluate, and potentially recommend modifications to cross-jurisdictional governance processes, advisory body structure and use, and cooperative management agreements. Many of these projects are underway with

Mid-Atlantic Fishery Management Council  
Council Meeting Summary – December 16-18, 2025

contractors conducting the work on most project components. A significant amount of work is anticipated in 2026 and Council members, advisors, and staff will be involved in a variety of activities throughout the year to offer their feedback and perspectives to help address the project objectives.

## Next Council Meeting

The next Council meeting will be held by webinar **February 10-11, 2026**. A complete list of upcoming meetings can be found at <https://www.mafmc.org/council-events>.



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# Council Receives Updates on Red Snapper State Management Efforts; Approves Black Sea Bass and Blueline Tilefish Measures During December Meeting

December 18, 2025



## ***Council meeting planned in January for Oculina Shrimp Access Area***

Cold winds continued to blow across the Outer Banks as members of the South Atlantic Fishery Management Council met this past week in Kitty Hawk, North Carolina. The Council addressed federal fishery management issues in the South Atlantic region, including measures to reduce the harvest of Black Sea Bass and changes to catch limits for Blueline Tilefish. Council members also received updates on Exempted Fishing Permit applications designed to test state management of Red Snapper in Federal waters.

The Council discussed options for approval of a joint amendment to establish a Shrimp Fishery Access Area in the Oculina Bank Habitat Area of Concern off the east coast of Florida, continued working on measures affecting species managed within the Snapper Grouper Fishery Management Unit, and provided guidance for its Citizen Science Program, including research priorities.

## **State Management of Recreational Red Snapper**

Representatives from each of the South Atlantic states presented information to the Council on their Exempted Fishing Permit (EFP) applications for Red Snapper. The applications, submitted to the Secretary of Commerce on November 10, 2025, would explore state management of the recreational (private angler and for-hire) Red Snapper fishery. Copies of the individual EFPs are available in the December meeting briefing book materials.

The Council also received a presentation summarizing results of Year 1 of the Red Snapper EFP that was awarded to the Florida Fish and Wildlife Conservation Commission in 2024. Following discussion, Council members drafted comments that



will be used to develop a Council letter providing recommendations in response to the Red Snapper EFPs. NOAA Fisheries and the Secretary determines the approval or disapproval of all EFPs after taking public comment. Public comment on the Red Snapper EFPs will be solicited by NOAA Fisheries in 2026, after the EFPs are determined complete, according to Andy Strelchek, NOAA Fisheries Regional Administrator.

## Black Sea Bass Reductions

After reviewing public comment and recommendations from its Snapper Grouper Advisory Panel, the Council approved Regulatory Amendment 37 to the Snapper Grouper Fishery Management Plan. If approved by the Secretary of Commerce, the Amendment would implement measures to reduce harvest and address the continuing decline in the Black Sea Bass stock in the South Atlantic.

The regulatory amendment would reduce the recreational bag limit from 7 fish per person per day to 3 fish per person per day and establish an annual two-month spawning season closure (February 1 – March 31) for both commercial and recreational sectors. No changes to the minimum size limit are being proposed. Regulatory Amendment 37 would establish recreational and commercial annual catch targets (ACTs) equal to 50% of the average landings from 2019–2023. The Council would reconsider the ACTs and associated measures two years after implementation. Additional actions will be considered through Amendment 56 to the Snapper Grouper Fishery Management Plan.

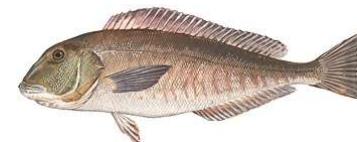


## Blueline Tilefish Catch Limits

The Council approved Abbreviated Framework Amendment 5 to update the Annual Catch Limit (ACL) for Blueline Tilefish in the South Atlantic region. The amendment was developed following the latest stock assessment for Atlantic Blueline Tilefish (SEDAR 92), completed in March 2025, and recommendations from the Council's Scientific and Statistical Committee. The stock assessment includes Blueline Tilefish found within both the Mid-Atlantic and South Atlantic Fishery Management Councils' jurisdictions.

The Council's intent is to implement the new catch limits for Blueline Tilefish for the 2026 fishing season. The total ACL will be equal to 314,058 pounds whole weight upon approval of the Framework Amendment by the Secretary of Commerce. In the South Atlantic region, the fishery is divided between sectors with the commercial fishery allocated 50.07% and the recreational sector 49.93% of the catch limit. The recreational fishery opens annually May 1st, with NOAA Fisheries determining the length of the season based on the recreational ACL. The commercial fishing year begins January 1st, with a trip limit of 100 pounds, and closes once the commercial ACL is projected to be met.

Jurisdictional apportionment between the Mid-Atlantic and South Atlantic regions and other management measures will be addressed in a future amendment.



## Shrimp Fishery Access Area – Oculina Bank HAPC

The Council reviewed the final draft amendment (Coral Amendment 11 and Shrimp Amendment 12) that would create a Shrimp Fishery Access Area along the eastern boundary of the northern extension of the Oculina Habitat Area of Particular Concern. The area is where the rock shrimp fishery historically operated. The Council was not able to approve the amendment at this meeting because several sections were not updated as planned due to the government shutdown earlier this fall.

The Council will hold a meeting via webinar on Friday, January 23, 2026 from 10 a.m. until 12 p.m. to address the necessary updates to the amendment before approving it for consideration by the Secretary of Commerce. Public comment will be accepted. Meeting materials, including an online public comment form, will be available one week prior to the January meeting.



### Additional Information

Additional information about the Council's December 2025 meeting, including individual reports from committee meetings and meetings of the Full Council, are available from the Council's website at: <https://safmc.net/events/december-2025-council-meeting/>. The next meeting of the South Atlantic Fishery Management Council is scheduled for March 2-6, 2026, in Jekyll Island, GA.

**South Atlantic Fishery  
Management Council**



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**South Atlantic Fishery Management Council**  
**Full Council and Committee**  
**SUMMARY MOTIONS**  
**December 8-12, 2025**

This is a summary of the motions approved by the Council. Motions addressing actions and alternatives for FMP amendments are followed by text showing the result of the approved motion. Complete details on motions and other committee recommendations are provided in the Committee Reports available on the SAFMC website.

**Executive Committee**

**MOTION 1:** APPROVE THE UPDATES TO THE ADMINISTRATIVE HANDBOOK AS PRESENTED AND MODIFIED.

**MOTION 2:** APPROVE THE UPDATES TO THE STATEMENT OF ORGANIZATION PRACTICES AND PROCEDURES (SOPP) AS PRESENTED AND MODIFIED.

**MOTION 3:** APPROVE THE DRAFT 2026 OPERATIONAL BUDGET AS PRESENTED AND MODIFIED.

**Appointments (Full Council)**

**MOTION 4:** APPOINT BOB ZALES TO THE LAW ENFORCEMENT ADVISORY PANEL.

**MOTION 5:** REAPPOINT CHARLES LOCKE AND THOMAS NEWMAN AND APPOINT LYNN GOKEY TO THE MACKEREL COBIA ADVISORY PANEL

**MOTION 6:** APPOINT NATHAN EVERETT AND CORY GWINN AS THE MAFMC REPRESENTATIVES ON THE MACKEREL COBIA ADVISORY PANEL.

**MOTION 7:** REAPPOINT SEAN ESPENSHIP, GARY NICHOLS, JUSTIN SMITH, AND MIMI STAFFORD AND APPOINT JOHN GRECO III TO THE SPINY LOBSTER ADVISORY PANEL. READVERTISE AN OPEN SEAT ON THE AP (WITH THE INTENT OF APPOINTING A REPRESENTATIVE FROM THE CAROLINAS).

**MOTION 8:** APPOINT DANIEL ROYSER AS THE NCDMF REPRESENTATIVE ON THE HABITAT AND ECOSYSTEM ADVISORY PANEL.

**MOTION 9:** APPOINT TRACEY DUNN AS THE LAW ENFORCEMENT ADVISORY PANEL REPRESENTATIVE AND VINCENT BONURA AS THE SNAPPER GROPER ADVISORY PANEL REPRESENTATIVE ON THE WRECKFISH ADVISORY PANEL.<sup>9</sup>

**MOTION 10:** APPOINT WALTER BUBLEY, FRED SCHARF, AND LUIZ BARBIERI TO THE SEDAR 106: SOUTH ATLANTIC GAG GROPER TOPICAL WORKING GROUP.

**MOTION 11:** APPOINT GENNY NESSLAGE AS CHAIR (WITH MARCEL REICHERT AS ALTERNATE), AND CHRIS DUMAS AND ALEXEI SHAROV AS SSC REVIEWERS TO THE SEDAR 90: SOUTH ATLANTIC RED SNAPPER REVIEW PANEL.

**MOTION 12:** APPOINT KAI LORENZEN, ALEXEI SHAROV, AND JIE CAO TO THE (JOINT WITH GULF) MSY PROXIES WORKGROUP.

**MOTION 13:** APPOINT MARCEL REICHERT AS CHAIR AND LUIZ BARBIERI AS SSC REVIEWER FOR THE SOUTH ATLANTIC RED SNAPPER RESEARCH PROJECT REVIEW PANEL.

**MOTION 14:** APPOINT LUIZ BARBIERI AS CHAIR AND STEVE TURNER AND MARCEL REICHERT AS SSC REVIEWERS FOR THE GREATER AMBERJACK INDEPENDENT ESTIMATE PROJECT REVIEW PANEL.

**MOTION 15:** APPOINT THOSE IN THE TABLE BELOW TO THE ESA SECTION 7 SHRIMP WORKGROUP. ALSO APPOINT SOMEONE FROM THE SEFSC TO THIS WORKGROUP (NAME WILL BE PROVIDED AT A LATER DATE).

Name	Affiliation	State
Carolyn Belcher	SAFMC	GA
Charlie Phillips	SAFMC	GA
Allie Iberle	SAFMC Staff	
Christina Curtis	SAFMC Staff	
Chip Collier	SAFMC Staff	
Jennifer Lee	NOAA	
Sarah Roberts	NOAA	
Robert (Bob) Zales	Industry	FL
Mike Merrifield	Industry	FL
Laurilee Thompson	Industry	FL
Gregg Poulakis	FL-FWCC	FL
Jared Flowers	GA-DNR, SSC	GA
Bryan Fluech	GA-SeaGrant	GA
Graham Wagner	SC-DNR	SC
Chris Stewart	NC-DMF	NC
Chuck Bangley	NC-DMF	NC
Blake Price	Southern Shrimp Alliance	
Jessica Pate	Marine Megafauna Foundation	

**MOTION 16:** APPOINT MATTHEW DAMIANO TO THE NORTH CAROLINA STATE AGENCY DESIGNATED SEAT OF THE SCIENTIFIC AND STATISTICAL COMMITTEE.

### **Citizen Science Committee**

**MOTION 17:** ADOPT THE UPDATED CITIZEN SCIENCE RESEARCH PRIORITIES WITH MODIFICATIONS AS SUGGESTED.

**MOTION 18:** REMOVE THE ‘CITIZEN SCIENCE PROGRAM ADVISORY PANEL’ FROM THE CITIZEN SCIENCE PROGRAM’S STANDARD OPERATING POLICIES AND PROCEDURES (SOPPS).

**MOTION 19:** ADD AN AP SEAT FOR AN ACCSP REPRESENTATIVE TO THE CITIZEN SCIENCE OPERATIONS ADVISORY PANEL.

**MOTION 20:** APPOINT JULIE SIMPSON (ACCSP) TO THE CITIZEN SCIENCE POOL AND TO THE ACCSP SEAT ON THE CITIZEN SCIENCE OPERATIONS AP.

### **Habitat Ecosystem & Shrimp Committees**

*Coral Amendment 11/Shrimp Amendment 12*

**MOTION 21:** APPROVE MODIFICATIONS TO THE NEED STATEMENT.

#### *Need for Action*

The need for this amendment is to optimize yield in the rock shrimp fishery by expanding access to fishing grounds while minimizing negative impacts to deepwater coral in the Council’s jurisdiction.

#### *Timing and Tasks*

**MOTION 22:** ADOPT THE FOLLOWING TIMING AND TASKS:

Update the economic and social environment sections (chapters 3.3 and 3.4) of the draft amendment and organize an ad-hoc webinar Council meeting to review updates and approve for submission to be held on January 23, 2026, at 10:00 am.

### **Snapper Grouper Committee**

*Regulatory Amendment 37 (Black Sea Bass)*

**MOTION 23:** DE-SELECT ALTERNATIVE 3 (2 FISH) AND SELECT ALTERNATIVE 4 (3 FISH) AS THE PREFERRED ALTERNATIVE FOR ACTION 3 (BAG LIMIT).

#### *APPROVED BY COUNCIL*

Action 3. Reduce the recreational bag limit for South Atlantic black sea bass

Alternative 3. Reduce the recreational bag limit for South Atlantic black sea bass to 2 fish per person per day.

Preferred Alternative 4. Reduce the recreational bag limit for South Atlantic black sea bass to 3 fish per person per day.

**MOTION 24: MOVE ACTION 4 (SIZE LIMIT) TO THE CONSIDERED BUT REJECTED APPENDIX**

Action 4. Reduce the recreational minimum size limit for South Atlantic black sea bass

**MOTION 25: APPROVE REGULATORY AMENDMENT 37 TO THE FISHERY MANAGEMENT PLAN FOR THE SNAPPER GROPER FISHERY OF THE SOUTH ATLANTIC REGION FOR FORMAL SECRETARIAL REVIEW AND DEEM THE CODIFIED TEXT AS NECESSARY AND APPROPRIATE. GIVE STAFF EDITORIAL LICENSE TO MAKE ANY NECESSARY EDITORIAL CHANGES TO THE DOCUMENT/CODIFIED TEXT AND GIVE THE COUNCIL CHAIR AUTHORITY TO APPROVE THE REVISIONS AND RE-DEEM THE CODIFIED TEXT.**

*Abbreviated Framework 5 (Blueline Tilefish)*

**MOTION 26: APPROVE ABBREVIATED FRAMEWORK 5 TO THE FISHERY MANAGEMENT PLAN FOR THE SNAPPER GROPER FISHERY OF THE SOUTH ATLANTIC REGION FOR FORMAL SECRETARIAL REVIEW AND DEEM THE CODIFIED TEXT AS NECESSARY AND APPROPRIATE. GIVE STAFF EDITORIAL LICENSE TO MAKE ANY NECESSARY EDITORIAL CHANGES TO THE DOCUMENT/CODIFIED TEXT AND GIVE THE COUNCIL CHAIR AUTHORITY TO APPROVE THE REVISIONS AND REDEEM THE CODIFIED TEXT.**

*Amendment 44 (Yellowtail Snapper & Mutton Snapper)*

**MOTION 27: APPROVE THE PURPOSE AND NEED STATEMENT FOR SNAPPER GROPER AMENDMENT 44.**

The purpose of these fishery management plan amendments is to revise the southeastern U.S. mutton snapper and yellowtail snapper stock overfishing limit, and stock acceptable biological catch, based on the results of the SEDAR 79 and SEDAR 96 stock assessments, respectively. The amendments would also revise the jurisdictional apportionment between the South Atlantic and Gulf Councils, the regional annual catch limits, and the South Atlantic sector allocations.

The need for these fishery management plan amendments is to update existing catch limits, jurisdictional apportionments of the ABCs, and South Atlantic sector allocations for southeastern U.S. mutton snapper and yellowtail snapper to be consistent with the best scientific information available, and achieve optimum yield while minimizing, to the extent practicable, adverse social and economic effects.

*Golden Tilefish*

**MOTION 28: ADD UPDATING THE ABC AND ACL FOR GOLDEN TILEFISH IN A SNAPPER GROPER FMP AMENDMENT BASED ON THE SSC RECOMMENDATION.**

*Timing and Tasks*

**MOTION 29: DIRECT STAFF TO DO THE FOLLOWING:**

- Continue development of Amendment 60 (Commercial Permit and Trip Efficiency) via subcommittee for Council approval for public hearings in June 2026.

- Prepare information for Council discussion of the headboat vessel limits to bring to the March Council meeting.
- Continue development of the Snapper Grouper Management Strategy Evaluation.
- Prepare and submit Regulatory Amendment 37 (Black Sea Bass) and Abbreviated Framework 5 (Blueline Tilefish) to the Secretary of Commerce.
- Develop a report of landings for unmanaged and ecosystem component species in the region with the intent that this report be updated and provided to the Council annually (in the second half of the year by Council and NMFS staff).
- Continue development of Amendment 44 (Yellowtail Snapper and Mutton Snapper), including a preliminary analysis.
- Continue development of Amendment 61 (Snapper Grouper Fishery Management Unit Revision), including requested additional information and presentations, for review at the March 2026 meeting.
- Prepare list of topics for the Spring meeting of the Snapper Grouper AP to bring to the March 2026 meeting. Include on the list of topics discussion of changing the opening of the recreational golden tilefish season.
- Include time on the March 2026 agenda to finalize the SG Innovation Plan.
- Prepare a letter to send to NOAA Fisheries on the black sea bass EFP.
- Prepare a letter to send to NOAA Fisheries on the state management EFPs submitted by FL, GA, SC, and NC.
- Add updating the ABC and ACL for golden tilefish based on the SSC recommendation in a snapper grouper FMP amendment.

**SUMMARY REPORT**  
**SOUTH ATLANTIC FISHERY MANAGEMENT COUNCIL**

Via Webinar  
January 23, 2026

The Council approved the agenda and the Joint Habitat and Ecosystem and Shrimp Committee Minutes from December 2025.

NOAA General Counsel provided a refresher on the rules and regulations regarding financial conflicts of interest, disclosure, and recusal under the Magnuson Stevens Act. The Council had no questions regarding the topic.

**Coral Amendment 11 and Shrimp Amendment 12**

Staff reviewed the final draft amendment, including the updated economic and social description of the rock shrimp fishery.. Staff explained that the updated information did not result in changes to the expected biological, economic, social or administrative effects of the proposed action. The Council had no questions regarding the amendment updates.

The Council received to public comments during the public comment session. As during in-person meetings, commenters were given 3 minutes to provide comments to the Council. Those unable to comment or wanting to provide additional input not covered during the allotted 3 minutes were informed that written comments are also accepted.

During subsequent discussion of the proposed action, Council members noted the long history of Council attention to the proposed action, which began during the final phase of Coral Amendment 8 in 2014. Coral Amendment 8 implemented the northern extension of the Oculina Bank Habitat Area of Particular Concern, erroneously encompassing an area that had been previously accessible to the rock shrimp fishery. Since that time, the Council has attempted to correct the error, developing and submitting Coral Amendment 10. The National Marine Fisheries Service did not approve Coral Amendment 10 due to insufficient information (see disapproval letter [HERE](#) for more detail).

Council members reiterated their intent to return access to a historic fishing area to the rock shrimp fishery noting that recent studies have shown no coral (standing, dead, or coral rubble) present in the proposed Shrimp Fishery Access Area (SFAA) and there is enough distance between known coral pinnacles and the SFAA to prevent damage to living coral from sediment deposition caused by trawling activity. Council members maintained that recommending implementation of the SFAA is the best compromise to balance the shrimpers' need for access with protection of areas where deepwater coral is known to exist.

**MOTION 1: APPROVE CORAL AMENDMENT 11 SHRIMP AMENDMENT 12 TO THE FISHERY MANAGEMENT PLAN FOR THE CORAL AND LIVE HARDBOTTOM HABITAT OF THE SOUTH ATLANTIC REGION AND THE FISHERY MANAGEMENT PLAN FOR THE SHRIMP FISHERY OF THE SOUTH ATLANTIC REGION, RESPECTIVELY, FOR FORMAL SECRETARIAL REVIEW AND DEEM THE CODIFIED TEXT AS NECESSARY AND APPROPRIATE. GIVE STAFF EDITORIAL LICENSE TO MAKE ANY NECESSARY EDITORIAL CHANGES TO THE DOCUMENT/CODIFIED TEXT AND GIVE THE COUNCIL CHAIR AUTHORITY TO APPROVE THE REVISIONS AND REDEEM THE CODIFIED TEXT. APPROVED BY COUNCIL**



JOSH STEIN  
*Governor*

D. REID WILSON  
*Secretary*

KATHY B. RAWLS  
*Director*

February 3, 2026

## MEMORANDUM

**TO:** N.C. Marine Fisheries Commission  
**FROM:** Jason Rock, Fisheries Management Section Chief  
**SUBJECT:** Temporary Rule Suspensions

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### Issue

In accordance with the North Carolina Division of Marine Fisheries Resource Management Policy Number 2014-2, Temporary Rule Suspension, the North Carolina Marine Fisheries Commission will vote on any new rule suspensions that have occurred since the last meeting of the commission.

### Findings

There have been no new rule suspensions since the November 2025 meeting.

### Action Needed

No action is needed.

### Overview

In accordance with policy, the division will report current rule suspensions previously approved by the commission as non-action items. They include:

### **NCMFC Rule 15A NCAC 03J .0103 (h) GILL NETS, SEINES, IDENTIFICATION, RESTRICTIONS**

Suspension of a portion of this rule for an indefinite period. Suspension of this rule allows the division to implement year-round small mesh gill net attendance requirements in certain areas of the Tar-Pamlico and Neuse rivers systems. This action was taken as part of a department initiative to review existing small mesh gill net rules to limit yardage and address attendance requirements in certain areas of the state. This suspension continues in Proclamation [M-29-2025](#).

### **NCMFC Rule 15A NCAC 03J .0501 (e)(2) DEFINITIONS AND STANDARDS FOR POUND NETS AND POUND NET SETS**

Suspension of a portion of this rule for an indefinite period. Suspension of this rule allows the division to increase the minimum mesh size of escape panels for flounder pound nets



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in accordance with Amendment 3 of the North Carolina Southern Flounder Fishery Management Plan. This suspension was implemented in proclamation [M-34-2015](#) and continues in Proclamation [M-9-2024](#).

### **NCMFC Rule 15A NCAC 03L .0103 (a)(1) PROHIBITED NETS, MESH LENGTHS AND AREAS**

Suspension of a portion of this rule for an indefinite period. Suspension of this rule allows the division to adjust trawl net minimum mesh size requirements in accordance with Amendment 2 to the North Carolina Shrimp Fishery Management Plan. This suspension was implemented in Proclamation SH-3-2019 and continues in Proclamation [SH-1-2022](#).

### **NCMFC Rule 15A NCAC 03L .0105 (2) RECREATIONAL SHRIMP LIMITS**

Suspension of a portion of this rule for an indefinite period. Suspension of this rule allows the division to modify the recreational possession limit of shrimp by removing the four quarts heads on and two and a half quarts heads off prohibition from waters closed to shrimping in accordance with Amendment 2 to the North Carolina Shrimp Fishery Management Plan. This suspension was implemented in Proclamation [SH-4-2022](#).

### **NCMFC Rule 15A NCAC 03L .0205 (a) CRAB SPAWNING SANCTUARIES**

Suspension of a portion of this rule for an indefinite period. Suspension of this rule allows the division to close crab spawning sanctuaries year-round to the use of trawls in accordance with Amendment 2 to the North Carolina Shrimp Fishery Management Plan. This suspension was implemented in Proclamation [M-13-2024](#).

### **NCMFC Rule 15A NCAC 03M .0502 (a) MULLET**

Suspension of a portion of this rule for an indefinite period. Suspension of this rule allows the division to modify the recreational and for-hire possession limits of mullet in accordance with Amendment 2 to the North Carolina Striped Mullet Fishery Management Plan. This suspension was implemented in Proclamation [FF-27-2024](#).

### **NCMFC Rule 15A NCAC 03M .0515 (a)(2) DOLPHIN**

Suspension of a portion of this rule for an indefinite period. Suspension of this rule allows the division to adjust the recreational vessel limit to complement management of dolphin under the South Atlantic Fishery Management Council's Amendment 10 to the Fishery



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Management Plan for the Dolphin and Wahoo Fishery of the Atlantic. This suspension was implemented in Proclamation [FF-30-2022](#).

#### **NCMFC Rule 15A NCAC 03Q .0107 (4) SPECIAL REGULATIONS: JOINT WATERS**

Suspension of a portion of this rule for an indefinite period. Suspension of this rule allows the division to adjust the creel limit for American shad under the management framework of the North Carolina American Shad Sustainable Fishery Plan. This suspension was continued in Proclamation [FF-8-2026](#).

NC Marine Fisheries Commission

# **Fishery Management Plans**

February 2026 Quarterly Business Meeting

## **Documents**

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Eastern Oyster DORA  
Enhancement Report

## **Exploring the Viability of Cultch Over-Planting on MFC Designated DORA Natural Oyster Reefs**

**February 4, 2026**

### **I. SUBJECT**

Division exploration of permitting and operational considerations pertinent to over-planting of oyster cultch material on natural reefs found within the MFC designated Deep-Water Oyster Recovery Areas.

### **II. ORIGINATION**

Marine Fisheries Commission

### **III. BACKGROUND**

At the conclusion of the November Marine Fisheries Commission (MFC) meeting, a commissioner requested a report on the viability of obtaining permit authority from the US Army Corps of Engineers (USACE) to enable the planting of vertical reefs on the MFC designated Deep-Water Oyster Recovery Areas.

In the adoption of Amendment 5 to the Eastern Oyster FMP, the MFC designated Deep-Water Oyster Recovery Areas (DORAs) at the mouths of the Neuse and Pamlico Rivers. The MFC's designation of these areas as DORAs closes them to mechanical oyster harvest. Oyster Species Leads presented this as an option to prioritize the habitat value provided by these natural subtidal reefs and to align with goals defined within the Coastal Habitat Protection Plan. The designated areas primarily include oyster reefs occurring at depths below 18 feet, which are susceptible to seasonal hypoxic and anoxic events that result in high oyster mortality. Ultimately, the aims of the DORAs are to understand the natural rate of recovery (vertical growth via oyster shell accretion), to determine natural capacity for resilience to hypoxic events in the absence of harvest pressure, and to evaluate the potential for sustainable fishery management via temporary closure.

The MFC's approval of Amendment 5, including establishing the DORAs and a Rotational Harvest Cultch network, required the Division to take on many additional implementation responsibilities to ensure proper management of these sites. Division staff already oversee all the necessary steps for planning, construction, and scientific monitoring of Oyster Sanctuaries, Cultch Sites, and Artificial Reefs. Implementation items absorbed by the Division include: the purchasing, permitting, and deployment of marker buoys; developing a 10 year plan for the rotational cultch sites to meet management objectives; an assessment of the rotational harvest sites to determine opening & closure status for 2025-2026; a redesign of the in-season management survey with sound protocols and database design; oyster condition assessments; and initial DORA assessments including bathymetric survey and oyster demographic survey via SCUBA. The Division had to determine how to best absorb these implementation needs within a limited timeframe, without additional funding or staffing, and without risking the responsibilities and deadlines in place for already existing programs.

The Division's oyster and fishing enhancement activities fall under the Clean Water Act Section 404, the Coastal Zone Management Act Section 303, the Rivers and Harbors Act of 1899 Section 10, the NC Coastal Area Management Act, the NC Dredge and Fill Law, and the NC Coastal Resources Commission's Rules. The authority derived from these Federal and State regulations falls upon the USACE and the Division of Coastal Management (DCM). To enable an efficient and expedited permitting process, the USACE has developed a series of general permits issued on a nationwide, regional, or state basis for categories of common dredge and fill activities with only minimal adverse effects. The Nationwide Permit 27 (NWP 27)—Aquatic Habitat Restoration, Enhancement, and Establishment Activities—enables the Division's cultch planting efforts to be reviewed and approved with significantly less time by prescribing general and regional conditions all activities must follow. One aspect of this consideration includes the USACE determination of “functional uplift,” or the confirmation that operations reviewed and permitted will restore, enhance, or establish habitat benefits in the project area. Applications that the USACE cannot confirm would have no or minimal impacts to natural resources within their jurisdiction may require informal, formal, or programmatic consultation with the National Marine Fisheries Service (NMFS) Protected Resources Division. Consultation with

NMFS can include an extended timeline (up to multiple years, including significant work from Division staff) and requirements to amend or deny the application.

The NWP 27, along with all the nationwide permits, is renewed on a five-year basis—the renewal period enables the USACE to amend, add, or remove general and regional conditions from their general permits. The nationwide permits are scheduled for renewal on March 25, 2026. The NWP 27's renewal will change the method by which cultch planting operations are approved. The current process includes initial approval of authorized areas which cultch planting must occur within, and the post-renewal process will require review and approval of individual projects with specific plans. As a result, cultch planting operations can be applied for in areas outside of the current authorized areas but will also incur more scrutiny on an individual project basis.

The DCM determined, and relayed to Division staff in 2010, the need for a CAMA Major Permit for oyster sanctuaries and artificial reefs, but an exemption from the CAMA process for cultch planting operations. This exemption was primarily due to the small material size—generally shell and ASTM #4 limestone marl—and low relief design for cultch reefs. A departure from these accepted materials would require consultation with the DCM and the USACE and may require individual permitting similar to that of oyster sanctuaries and artificial reefs (through a CAMA-Corps Programmatic Permit process) or permitting outside of an expedited form (CAMA Major Permitting; USACE Regional General Permitting or USACE Individual Permitting).

#### **IV. AUTHORITY**

United States Code

16 U.S.C § 1452 Coastal Zone Management Act Section 303

33 U.S.C. § 1344 Clean Water Act Section 404

Code of Federal Regulations

33 C.F.R. § 320.2 Rivers and Harbors Act of 1899 Section 10

North Carolina General Statutes

G.S. § 113A-118 Coastal Area Management Act

G.S. § 113-229 Dredge and Fill Law

North Carolina Coastal Resources Commission Rules

15A NCAC 07H .0201 Estuarine and Ocean System Categories

15A NCAC 07H .0206 Estuarine Waters

15A NCAC 07H .0207 Public Trust Areas

15A NCAC 07H .0208 Use Standards

#### **V. DISCUSSION**

To explore the possibility of regulatory allowance for over-planting on MFC designated DORAs, Division staff met with members of the USACE Wilmington District in December of 2025. Discussions during this meeting revolved around the current regulatory structure under the NWP 27 and the upcoming structure changes following the March 2026 renewal of the nationwide permits with this request in mind. From this meeting, Division staff were able to determine the initial biological and logistical constraints regarding federal permitting. The Division's ability to obtain regulatory approval and conduct supplementary over-planting is contingent upon variables that can be grouped into two categories: permitting requirements and the resources needed to support these efforts.

As the NWP 27 is moving to an individual project approval basis upon renewal, enhancement operations will be open to more potential locations but also require more individual assessment as a result. The individual assessment of enhancement operations means that prior approval is not needed on a permit renewal basis but would require more stringent review of many key variables, most notably: evaluation of oyster populations on individual oyster reefs within the MFC's DORAs; confirmation of limiting factors on oyster growth; determination and expression of functional uplift from over-planting efforts; design of effective reef enhancement to address limiting factors; potential additional permitting dependent upon design; and development of monitoring protocols to include a pilot program for over-planting efforts.

Evaluation of existing oyster populations on an individual reef within a designated DORA is the primary step to move towards the permitting of over-planting efforts because of the determination of impact on natural resources the USACE must conduct in their application review. In order to prove that the operations would provide a functional uplift for the habitat, a baseline comparison of existing shellfish populations in the project area is needed to confirm operations wouldn't have a detrimental impact on existing oysters with only the possibility of improvement. This process is inherently complex as the evaluation of existing populations would require: adequate sampling replication to ensure statistically powerful estimates of reefs on the size scale of acres; estimates to be reef specific within a designated DORA; and comparison to an agreed upon threshold for productive natural oyster reefs. This process would require significant additional effort that is likely well beyond what the Division is able to complete, especially considering the Division is already stretched thin conducting annual operations and attempting to add in a viable DORA monitoring effort.

In addition to gathering population estimates for designated DORA reefs, the Division would need to confirm that these operations would actually address the factors prohibiting successful oyster reef rebuilding. While we know that water quality effects (namely, hypoxic and anoxic events) lead to major die-offs in the designated DORAs—among other non-DORA designated deep-water areas of the State—it may not be the only factor preventing restoration. A major step in evaluation would be continuous water quality monitoring at all, or a strategic sub-sample of, reefs within each designated DORA. This monitoring would need to determine not only the presence and temporal variation of water quality impacts, but also the likely cause, in terms of what water quality factor is correlated with the impacts, so that events can be predicted and addressed. Even when given the scenario that water quality effects are the primary or only driver of reef degradation, other strategies of addressing these drivers would also need to be evaluated. The monitoring of water quality effects needed to complete this step may also fit better with alternative strategies to supplement designated and non-designated deep-water area rebuilding such as continued or increased monitoring along with development or driving of policy to improve the correlated water quality factor. Effective water quality policy from other agencies or commissions combined with the MFC's designation of DORAs is likely the most cost-effective, straightforward, and holistic approach to widespread subtidal oyster recovery in the Sound. Before the Division could commit to over-planting, an understanding of the likely outcome of the effort would need to be developed to enable Division management to evaluate the best use of its resources.

Following a proper understanding of the growth limiting driver and a management decision to move forward with over-planting, the next step would be determination and expression to the USACE of functional uplift to the habitat in the individual project area. This would require a design that addresses the limiting factor (theoretically water quality issues at depth) by enabling oyster populations to overcome this factor while still meeting the goals of DORA designation in Amendment 5 of restoring and reopening for mechanical harvest. The resulting need of elevation—given water quality as the driver of loss—and future harvestability would imply some novel design that combines the design of oyster sanctuaries and cultch reefs. Oyster sanctuaries, being closed to harvest, are most effective with a design of ridges made from piling NCDOT Class B rock (~12 inches long) the length of a deployment barge to near the maximum allowable height for navigation. The size of Class B rock provides the most elevation and surface area for maximum oyster growth but prevents harvesting as the size is unmanageable by mechanical oystering methods. Cultch planted reefs follow a design of low relief flat reefs consisting of ASTM #4 rock (most often marine limestone marl, ~2 inches long) to enable harvest of shellfish from the reefs.

Over-planting would likely require some hybrid form of these methods. An example would be utilizing Class B rock to provide elevation with Number 4 marl planted overtop. This type of design would aim to address the limiting factor for the natural reefs while still enabling future mechanical harvest once a DORA designation was removed. The effectiveness of this novel design would take significant evaluation to determine its success both ecologically and from a harvest perspective and may require construction methodology changes as evaluations occur.

Additionally, the novel design needed for over-planting may no longer be compliant with the NWP 27 and may incur different and more cumbersome Federal and CAMA permitting. Currently, oyster sanctuary and artificial reef operations are functioning under a Biological Opinion from 2019 that was conducted by NMFS as a part of a formal programmatic consultation to enable efficient permitting through the USACE. Because this Biological Opinion was completed, the permitting of oyster sanctuary or artificial reef projects can occur through the CAMA-Corps Programmatic Process and would, generally, fall under the CAMA 75-day permit evaluation timeline. These operations must remain within the constraints of the Biological Opinion—most notably, the projects are enhancing

previously built or newly permitted areas that were originally devoid of natural protected habitats, including oyster reefs. An over-planting project on a DORA with existing natural oysters may be outside the consideration of the Biological Opinion and may require a separate formal review and a separate Biological Opinion (generally a multi-year process) or an informal consultation with NMFS (project specific; potentially less than a year). If deemed not suitable under the NWP 27, an over-planting project may require an Individual Permit (18 month review).

Prior to execution of any construction operations, the Division would also need to develop a pilot monitoring protocol for over-planting. This protocol would serve to evaluate the effectiveness of over-planting to ensure that construction operations both meet the USACE's functional uplift requirement and are the most effective use of the Division's resources. To accomplish this, Division staff would need to design a statistically valid survey comparing over-planting on designated DORA reefs, untouched but designated DORA reefs, and non-designated deep-water reefs in both the Neuse and Pamlico regions of the Sound. This monitoring would require significant additional effort by those conducting it along with other Division staff in the creation and verification of a new sampling program. As previously mentioned, Division staff are already attempting to add a viable designated DORA monitoring effort into field operations, though, this effort could currently only result in anecdotal evidence at best without significant yearly replication. Such monitoring may also require confirmed extension or expansion of DORA designation to limit additional confounding factors.

All the considerations enumerated would ultimately be severely limited or entirely prevented due to the Division's lack of additional resources to take on this work. Current Division staff operations include extensions of existing effort with the passing of Amendment 5, such as designated DORA and Rotational Harvest site marking, additional rotational harvest site construction, and DORA monitoring, among other oyster restoration operations already being conducted. The considerations for permitting, monitoring, and construction logistics would require a separate team to complete in an effective and timely manner.

Currently the Division's cultch planting operations are completed by the Division's industrial class fleet of self-propelled barges—these barges are primarily used for their lower cost and ability to construct cultch style flat reefs in shallower waters than contracted construction barges. Oyster sanctuaries must rely on the latter due to their construction out in deeper waters of the Pamlico Sound and the precision needed to construct ridges. As mentioned, the design of over-planting would require a novel engineering method, potentially some form of combination of construction methods. The novel engineering and construction guarantee logistic complexities in avenues such as stockpile site leasing and space limitations, contracted and Division-owned barge coordination, and an ability to shift construction methodology based on effectiveness.

The methodology of construction would also be an inherently greater expense compared to current oyster restoration work due to the hybrid need. Aggregate material deliveries for current oyster restoration work generally ranges from \$50-\$62 per ton delivered. Oyster sanctuaries are then constructed at an average material usage of ~2,000 tons per acre, whereas cultch sites are constructed at an average material usage of ~360 tons per acre. Considering cultch operations are conducted on mostly flat substrate, a hybrid method to plant on designated DORA reefs could easily surpass the material need of these two categories combined because of the increased volume and rugosity from sanctuary style material utilized for height. As a result, the Division would need to consider if the expense of over-planting would produce the greatest ecological impact for funding when compared to an alternative of additional cultch or sanctuary construction.

As a result of the complexities in permitting and logistics, the Division would need to secure additional funding and full-time employees for this process to be feasible. Even given funding and staff acquisition, Division management would need to evaluate the funding and workforce cost of these operations compared to alternatives (listed here and not) to determine the best ecological use for resources. Additionally, reallocation of existing resources (including the heavy equipment and barges needed) would not be possible due to requirements of the State appropriated funds, federal grants, and FMP obligations of the Division.

## VI. SUMMARY FINDINGS

The upcoming regulatory process through the USACE NWP 27 potentially provides a method by which the Division could continue exploring augmented operations, possibly including over-planting on designated DORAs. However, further exploration would need to come only after the Division is able to resolve the necessary considerations outlined

and secure additional funding and workforce. The Division will continue to assess the designated DORAs and the Enhancement Programs to evaluate if, and when, effort should be devoted to over-planting or other projects.

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**Date**

# Rulemaking

February 2026 Quarterly Business Meeting

## Documents

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Rulemaking Update Memo

2024-2025 Annual Rulemaking Cycle

2025-2026 Annual Rulemaking Cycle

2026-2027 Annual Rulemaking Cycle

Atlantic Bonito Issue Paper Preview

Atlantic Bonito Issue Paper

Periodic Review and Expiration of  
Existing Rules



JOSH STEIN  
*Governor*

D. REID WILSON  
*Secretary*

KATHY B. RAWLS  
*Director*

January 28, 2026

## MEMORANDUM

**TO:** N.C. Marine Fisheries Commission  
**FROM:** Catherine Blum, Rulemaking Coordinator  
Marine Fisheries Commission Office  
**SUBJECT:** Rulemaking and Periodic Review and Expiration of Existing Rules

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### Issue

Update the N.C. Marine Fisheries Commission (MFC) on the status of rulemaking in support of the 2024-2025 and 2025-2026 rulemaking cycles. Request the MFC vote on its preferred management option and associated proposed rulemaking language for one issue under development in the 2026-2027 rulemaking cycle. Request the MFC vote to approve the initial determination of its rules and proceed to public notice for four groups of rules in support of the Periodic Review and Expiration of Existing Rules per N.C.G.S. § 150B-21.3A.

### Findings

- 2024-2025 and 2025-2026 Rulemaking Cycles – Update
  - At its August 2024 business meeting, the MFC began the process for eight rules about pot marking requirements, false albacore management, and the Interstate Wildlife Violator Compact. At its May 2025 business meeting, the MFC began the process for nine rules about permits, and franchises and shellfish leases.
  - The Interstate Wildlife Violator Compact rules became effective June 1, 2025.
  - The pot marking requirements, false albacore management, permits, and franchises and shellfish lease rules will be available for legislative review in the 2026 short session.
- 2026-2027 Rulemaking Cycle – Action
  - Per the MFC's May 23, 2024, and August 21, 2025, motions, the N.C. Division of Marine Fisheries (DMF) developed an issue paper for the management of Atlantic bonito.
  - At its February 2026 business meeting, the MFC will receive the issue paper and be asked to vote on its preferred management option so the required fiscal analysis can be developed, and the formal rulemaking process can be ready to begin at the MFC's May 2026 business meeting.
  - It is important to note that harvest restrictions would not automatically go into effect upon the effective date of a proposed rule except for the five-fish recreational bag limit per person per day included in Option 4; additional steps must occur, as outlined in this memo.
- Periodic Review and Expiration of Existing Rules – Action
  - North Carolina N.C.G.S. § 150B-21.3A, enacted in 2013, requires state agencies to review existing rules every 10 years in accordance with a prescribed process that includes a report phase, followed by rule readoption.
  - To comply with the periodic review schedule adopted by the Rules Review Commission (RRC) for the second iteration of the requirements, the MFC is scheduled to vote to approve the initial agency determination of its rules and proceed to public notice for four groups of rules.

## Action Needed

The MFC is scheduled to vote on its preferred management option and associated proposed rulemaking language for Atlantic bonito management at its February 2026 business meeting. Additionally, in support of the Periodic Review and Expiration of Existing Rules per N.C.G.S. § 150B-21.3A, the MFC is scheduled to vote on the initial determination of its rules and to proceed to public notice for four groups of rules (15A NCAC 03Q .0100; 15A NCAC 03; 15A NCAC 10C .0100; 15A NCAC 18A .0100, .0300-.0900, .3400).

## 2024-2025 Rulemaking Cycle (8 rules)

At its August 2024 business meeting, the MFC approved Notice of Text for Rulemaking to begin the process for eight rules about pot marking requirements, false albacore management, and the Interstate Wildlife Violator Compact. A table showing the timing of the steps in the process is included in the rulemaking section of the briefing materials. On October 1, 2024, a news release was issued and the proposed rules were published in the *N.C. Register*, beginning the public comment period. The MFC accepted public comments on the proposed rules from October 1 through December 2, 2024. A public hearing was held on October 30, 2024. The public comments received were presented to the MFC at its March 2025 business meeting when it gave final approval of the rules.

The RRC approved two of the rules on April 24, 2025; both rules will be available for legislative review in the 2026 short session (pots, false albacore). The RRC approved five rules on May 29, 2025; one rule was withdrawn as it was determined to be unnecessary. These five rules became effective June 1, 2025 (Interstate Wildlife Violator Compact; 15A NCAC 03O .0600). A summary of the two subjects for which the proposed rules are pending legislative review is provided below.

### POT MARKING REQUIREMENTS RULE AMENDMENTS (1 rule)

Proposed amendments would simplify pot marking requirements for commercial fishermen by requiring only one of three ways to mark pot buoys, not two ways: 1) gear owner's current motorboat registration number; or 2) gear owner's U.S. vessel documentation name; or 3) gear owner's last name and initials. The current rule requires the gear owner's last name and initials be identified on each buoy as a baseline. Then, if a vessel is used, the identification must also include either the gear owner's current motorboat registration number or the gear owner's U.S. vessel documentation name. There have been no problems with pot identification and pot identification would be sufficient via a single identifier. The proposed amendments would simplify the requirements and grant some relief to commercial fishermen that use pots in their commercial fishing operation. The rule is automatically subject to legislative review pursuant to Session Law 2019-198 and N.C.G.S. § 14-4.1.

### FALSE ALBACORE MANAGEMENT RULE ADOPTION (1 rule)

The proposed adoption of this rule would provide a mechanism to implement management measures to cap harvest when the false albacore fishery landings exceed a threshold of 200% of average landings from both sectors combined from 2018 to 2022. Harvest restrictions would be implemented if the threshold is exceeded as a means to prevent further expansion of the false albacore fisheries beyond the threshold. Currently, there are no rules in place for management of false albacore in North Carolina. There is no baseline stock assessment for false albacore and thus, no biological basis for reducing harvest. The only mechanism to monitor false albacore is through annual landings in North Carolina, which is not a measure for sustainability of the stock. While there is no need to manage to meet sustainability requirements, the MFC is seeking proactive management of false albacore to limit expansion of new and existing fisheries. Management options would include commercial trip limits,

recreational bag limits, and recreational vessel limits. The rule is subject to legislative review pursuant to N.C.G.S. § 150B-21.3.

### **2025-2026 Rulemaking Cycle (9 rules)**

At its May 2025 business meeting, the MFC approved Notice of Text for Rulemaking to begin the process for nine rules about permits, and franchises and shellfish leases. A table showing the timing of the steps in the process is included in the rulemaking section of the briefing materials. On August 1, 2025, a news release was issued and the proposed rules were published in the *N.C. Register*, beginning the public comment period. The MFC accepted public comments on the proposed rules from August 1 through September 30, 2025. A public hearing was held on August 26, 2025. The public comments received were presented to the MFC at its November 2025 business meeting when it gave final approval of the rules. The RRC approved the rules on December 18, 2025; the rules will be available for legislative review in the 2026 short session. A summary of the proposed rules by subject is provided below.

#### **PERMIT RULE AMENDMENTS (5 rules)**

(15A NCAC 03I .0101, .0114, 03O .0501-.0503)

Consistent with N.C.G.S. § 150B-19.1, Requirements for agencies in the rule-making process, DMF employees reviewed several MFC rules with permit requirements and suggested amendments to several rules that would achieve a variety of actions. These actions would add requirements to permanent rules that are no longer variable in nature, increase efficiencies for quota monitoring, protect DMF employees and improve data collection and public health protection, reduce the burden on regulated stakeholders, clarify rules, and remove outdated or unnecessary requirements from rules.

An issue paper was provided to the MFC at its May 2025 business meeting that provides information about the affected permits, processes, and requirements, as well as a detailed description of the proposed rule amendments, which are expected to accomplish the following:

- Update and clarify MFC rules, including:
  - Adding four permits to permanent rule that are currently issued by proclamation;
  - Clarifying a fish dealer is required to submit a trip ticket for fish not sold consistent with N.C. law and MFC rules for commercial harvest reporting requirements;
  - Relocating from proclamation to rule the permit condition that makes it unlawful to refuse to allow DMF employees to obtain data for the conservation and management of marine and estuarine resources;
  - Broadening the definition of "educational institution" to better align with the original purpose of two permits;
  - Adding links to webpages in rules for supporting information that can change frequently; and
  - Repealing the Horseshoe Crab Biomedical Use Permit;
- Reduce burden on regulated stakeholders, including:
  - Adding email as an additional means to satisfy call-in requirements for two permits; and
  - Removing the requirement to notarize a permit application, instead requiring the initial permit general condition form to be notarized. This is a more appropriate time in the permit issuance process to verify a permittee's identity; and
- Achieve efficiencies for quota monitored fisheries by requiring any seafood dealer that reports trip tickets electronically to report quota monitoring logs electronically.

## CONFORMING RULE AMENDMENTS FOR FRANCHISES AND SHELLFISH LEASES (5 rules) (15A NCAC 03I .0101, 03O .0201, .0207, .0208, .0210)

Shellfish franchises recognized under N.C.G.S. § 113-206 are perpetual. The DMF has understood that because franchises are perpetual, the DMF does not have the authority to terminate franchises and thus subjecting a franchise to production requirements would have no consequence. The N.C. General Assembly codified this understanding with the passage of Session Law 2024-32, Section 5.(a), which removed franchises from the production requirements of Session Law 2019-37, Section 3. The MFC's authority over private and protected deeded rights of a shellfish franchise is limited to subjects such as proper marking requirements and permitting of the aquaculture activities occurring on a franchise. So, proposed amendments include the removal of franchises from all shellfish production requirements, as the production requirements are grounds for termination of a leasehold only. Proposed amendments also remove franchises from the rule for termination procedures.

Additional proposed amendments in 15A NCAC 03O .0201, in Paragraphs (d) through (g), clarify production requirements for shellfish leases based on the date a shellfish lease was granted or last renewed. Additional amendments to Paragraphs (i) and (j) clarify who determines eligibility for additional shellfish lease acreage, the time at which the determination of eligibility for additional acreage occurs, what is considered additional shellfish lease acreage, and what is considered acres under a shellfish lease. An issue paper was provided to the MFC at its May 2025 business meeting that provides background information and a detailed description of the proposed rule amendments.

While clarifying amendments are proposed in this issue paper for shellfish leaseholders, it is important to note that the primary reason for the proposed rule amendments is to undertake a paper exercise to align MFC rules with current DMF procedures and N.C. General Assembly authority for shellfish aquaculture, neither of which has changed in practice in recent years relative to requirements for franchises. This issue paper presents a single option for consideration, as it is the only option that achieves the objective of the proposed rule changes: to align with current statutory authority and DMF procedures for franchises and shellfish leases, consistent with N.C. Session Law 2019-37, Section 3 as amended by N.C. Session Law 2024-32, Section 5.(a), as well as rulemaking requirements in the Administrative Procedure Act. This option complies with State law and clarifies MFC rules by removing out-of-date requirements, but it requires undergoing the lengthy rulemaking process.

### **2026-2027 Rulemaking Cycle (potentially 1 rule)**

At its May 2024 business meeting, the MFC passed a motion to request DMF staff develop an issue paper for Atlantic bonito management, including landings information and proposed rule language, using the previous sheepshead issue paper (February 11, 2013) as a model to follow. Discussions among commissioners noted concerns expressed by recreational stakeholders about angler behavior changing in targeting Atlantic bonito in more recent years and the potential need to implement a recreational bag limit. Further concerns expressed by the MFC identified limited information about Atlantic bonito in this part of the Atlantic Ocean and no measure of stock status for the population, and whether these recent increases in recreational catches may not be due to more fish, but rather due to changes in fishing tactics and new technologies available to recreational anglers to improve their success in catching Atlantic bonito when available in state waters. Commissioners did not express concern for commercial catches due to a limited shelf life as a fresh product and not being desirable frozen as likely reasons behind no similar increase in commercial harvest occurring. Potential waste of the resource was discussed, since there are no current limits on Atlantic bonito. The MFC also identified the need to learn more about the fisheries and develop a rule to implement regulations to get ahead of a potential problem.

Commissioners continued discussions on Atlantic bonito at the August and November 2024, and May 2025 MFC business meetings with an urgency to be proactive in their management and continued to stress the need to implement a bag limit in the recreational fishery. After key DMF vacancies were filled, DMF staff presented background information about the life history and catch characteristics of Atlantic bonito to the MFC at its August 2025 business meeting. Commissioners discussed that Atlantic bonito appear to behave differently off southeast North Carolina than in other locations along the coast, showing preference for structure and pondered if these preferences are associated with spawning, thereby making Atlantic bonito more vulnerable to harvest. Commissioners mentioned that the presentation illustrated the increasing trends in recreational landings with smaller fish being caught in recent years and discussed the potential for implementing both a bag limit and possibly a size limit on the recreational sector. The MFC passed a motion to ask the DMF staff to bring proposed rulemaking language for a five-fish recreational bag limit per person (per day) for Atlantic bonito to its November 2025 business meeting.

The DMF developed an issue paper for the management of Atlantic bonito containing background information, authority for management, and discussion of potential management options, including a proposed rule. The issue paper is included in the rulemaking section of the briefing materials and will be presented to the MFC at its February 2026 business meeting when it is scheduled to vote on its preferred management option for Atlantic bonito. If the MFC selects a proposed rule as its preferred management option, a fiscal analysis will be developed and presented to the Office of State Budget and Management for approval. If the fiscal analysis is approved, at its May 2026 business meeting the MFC would be asked to vote on approval of Notice of Text for Rulemaking to begin the process as part of its 2026-2027 annual rulemaking cycle. A table showing the approximate timing of the steps in the process is included in the rulemaking section of the briefing materials. Additional details will be added to the table approaching the start of the formal rulemaking process. At this time, no other proposed rules are under development for this cycle.

The Atlantic bonito management issue paper presents four proposed management options. If the MFC selects Option 1, *Status quo*, there would continue to be no rule in place for the management of the species; the proposed rulemaking process would end. If the MFC selects Options 2, 3, or 4, a fiscal analysis would be developed so that the formal rulemaking process could begin at the MFC's May 2026 business meeting. For Options 2 and 3, the anticipated earliest effective date of the proposed rule would be February 1, 2027. For Option 4, the proposed rule would automatically be subject to legislative review in the 2028 short session per Session Law 2019-198 and N.C.G.S. § 14-4.1.

It is important to note that regardless of when a proposed rule would become effective, harvest restrictions would not automatically go into effect except for the five-fish recreational bag limit per person per day included in Option 4. Any other harvest restrictions would undergo a process including the DMF presenting the most recent data to the MFC, MFC consent that harvest restrictions are needed based on the data, outreach and education to the regulated public that management will change, and identification of an appropriate effective date for the proclamation that would be issued to implement the restrictions so the regulated public can prepare.

### **Periodic Review and Expiration of Existing Rules (335 rules)**

North Carolina N.C.G.S. § 150B-21.3A, enacted in 2013, requires state agencies to review existing rules every 10 years in accordance with a prescribed process that includes a report phase, followed by rule readoption. To comply with the periodic review schedule adopted by the RRC for the second iteration of

the requirements, the MFC is scheduled to vote at its February 2026 business meeting to approve the initial agency determination of its rules and proceed to public notice for four groups of rules.

**VOTE TO APPROVE INITIAL AGENCY DETERMINATION OF RULES AND PROCEED TO PUBLIC NOTICE**

**15A NCAC 03Q .0100 (9 RULES)**

**ALL OTHER 15A NCAC 03 RULES (194 RULES)**

**15A NCAC 10C .0100 (11 RULES)**

**15A NCAC 18A .0100, .0300-.0900, .3400 (132 RULES)**

The Office of Administrative Hearings (OAH) created an Excel worksheet for each group of the above-listed rules. This document is called a report. The report lists all of an agency's existing rules in the N.C. Administrative Code as of January 1, 2024. The report contains the following information:

- Agency name;
- Rule chapter/subchapter/section;
- Rule citation;
- Rule name; and
- Date and last agency action on the rule.

The first step in the process is for an agency to make an initial determination as to whether each rule is necessary or unnecessary. A necessary rule is any rule other than an unnecessary rule. An unnecessary rule is a rule the agency determined to be obsolete, redundant, or otherwise not needed. DMF staff reviewed the MFC rules and have given all the rules the initial determination of "necessary" for the MFC's consideration and approval. Additionally, if a rule is required to implement or conform to federal regulation, the agency provides the citation to the federal regulation in the report; the MFC does not have any such rules.

After initial determinations are made by the agency, the report is posted for public comments for no less than 60 days. This means that the agency posts the report on the agency's website, provides notice to interested parties, and submits the report to OAH for posting on OAH's website. If the MFC approves its four reports for public notice, the public comment period will be March 2 through May 1, 2026. Public comments can be made on the rules and the agency's initial determination of the rules but must be made in writing and must have merit. A public comment has merit if it addresses the specific substance of the rule.

In the "Periodic Review and Expiration of Existing Rules" section of the briefing materials are the MFC's four reports, as listed at the top of this section of the memo. All the rules are in Title 15A, which is the Department of Environmental Quality. The nine MFC rules in 15A NCAC 03Q .0100 are jointly adopted with the Wildlife Resources Commission (WRC). The 11 WRC rules in 15A NCAC 10C .0100 are jointly adopted with the MFC. All 20 jointly adopted rules set requirements for joint fishing waters. Rules in Chapter 03 are for the management of marine fisheries, while rules in Subchapter 18A are for the management of shellfish sanitation and recreational water quality. Following a presentation about the four reports at its February 2026 business meeting, the MFC is scheduled to vote on approval of the initial determinations of the rules in the reports and to proceed to public notice per N.C.G.S. § 150B-21.3A.

After the public comment period, the agency must review the public comments and prepare a brief response addressing the merits of each comment. This information becomes the final report and is

scheduled to be voted on by the MFC for approval at its August 2026 business meeting. The final report is then submitted to the RRC, which, if approved, is forwarded to the Joint Legislative Administrative Procedure Oversight Committee for final determination. The MFC’s reports are due to the RRC for its January (15A NCAC 03Q .0100; all other 03 rules; 10C .0100) and March (15A NCAC 18A .0100, .0300-.0900, .3400) 2027 meetings.

The second part of the process is the re-adoption of rules. The final report determines the process for re-adoption. A necessary rule must be readopted as if it was a new rule. An unnecessary rule will expire at the end of the report process and be removed from the N.C. Administrative Code. The RRC works with each agency to consider the agency’s rulemaking priorities in establishing a deadline for the re-adoption of rules. This consultation process is expected to occur in the spring of 2027. It is anticipated that the MFC will need to readopt all 335 of its rules that are subject to the Periodic Review requirements as if they are new rules. Rules can be amended during readoption and fiscal analysis of the rules will still be required. Based on the MFC’s rulemaking priorities, the readoption process is expected to take several years to complete.

# N.C. Marine Fisheries Commission

## 2024-2025 Annual Rulemaking Cycle

February 2026

Time of Year	Action
February-July 2024	Fiscal analysis of rules prepared by DMF staff and approved by Office of State Budget and Management
Aug. 23, 2024	MFC approved Notice of Text for Rulemaking
Oct. 1, 2024	Publication of proposed rules in the <i>North Carolina Register</i>
Oct. 1-Dec. 2, 2024	Public comment period held
Oct. 30, 2024, 6 p.m.	Public hearing held via WebEx with listening station
March 12, 2025	MFC received public comments and gave final approval of eight permanent rules
April 24, 2025	Two rules subject to legislative review approved by Office of Administrative Hearings/Rules Review Commission (15A NCAC 03J .0301, 03M .0523)
May 29, 2025	Five rules approved by Office of Administrative Hearings/Rules Review Commission and one rule withdrawn (15A NCAC 03O .0600)
June 1, 2025	Effective date of five rules not automatically subject to legislative review
June 1, 2025	Rulebook supplement available online
<b>2026 legislative session</b>	<b>Possible effective date of two rules subject to legislative review per S.L. 2019-198 and G.S. 14-4.1, and G.S. 150B-21.3</b>
2026 legislative session	Rulebook supplement available online pending legislative review process

# N.C. Marine Fisheries Commission

## 2025-2026 Annual Rulemaking Cycle

February 2026

Time of Year	Action
February-April 2025	Fiscal analysis of rules prepared by DMF staff and approved by Office of State Budget and Management
May 22, 2025	MFC approved Notice of Text for Rulemaking
Aug. 1, 2025	Publication of proposed rules in the <i>North Carolina Register</i>
Aug. 1-Sept. 30, 2025	Public comment period held
Aug. 26, 2025, 6 p.m.	Public hearing held via WebEx with listening station
Nov. 20, 2025	MFC received public comments and gave final approval of permanent rules
Dec. 18, 2025	Rules approved by Office of Administrative Hearings/ Rules Review Commission
<b>2026 legislative session</b>	<b>Possible effective date of rules subject to legislative review per S.L. 2019-37, Section 3, as amended by S.L. 2024-32, Section 5.(a); and S.L. 2019-198 and G.S. 14-4.1</b>
2026 legislative session	Rulebook supplement available online pending legislative review process

# N.C. Marine Fisheries Commission

## 2026-2027 Annual Rulemaking Cycle

February 2026

Time of Year	Action
<b>February 2026</b>	<b>MFC votes to select preferred management option</b>
February-April 2026	Fiscal analysis of rules prepared by DMF staff and approved by Office of State Budget and Management
May 2026	MFC votes to approve Notice of Text for Rulemaking
August 2026	Publication of proposed rules in the <i>North Carolina Register</i>
August-September 2026	Public comment period held
TBD (August-September 2026)	Public hearing held via WebEx with listening station at NCDEQ Division of Marine Fisheries Central District Office at 5285 Highway 70 West, Morehead City
November 2026	MFC receives public comments and votes on final approval of permanent rules
January 2027	Rules reviewed by Office of Administrative Hearings/Rules Review Commission
April 1, 2027	Possible effective date of rules not automatically subject to legislative review
April 1, 2027	Rulebook supplement available online
2028 legislative session	Possible effective date of rules subject to legislative review per S.L. 2019-198 and G.S. 14-4.1
2028 legislative session	Rulebook supplement available online pending legislative review process

## Issue Paper for February 2026 N.C. Marine Fisheries Commission Meeting

Issue Paper Title	Issue	Origination	Proposed Rules	Division of Marine Fisheries Recommendation
ATLANTIC BONITO MANAGEMENT	<p>Develop a rule to implement regulations on Atlantic bonito. The N.C. Marine Fisheries Commission passed a motion on May 23, 2024, “to request the DMF develop an issue paper for Atlantic bonito management, including landings information and proposed rule language, using the previous sheepshead issue paper as a model to follow.” Additionally, the Commission passed a motion on August 21, 2025, “to ask the DMF to bring proposed rulemaking language for a five-fish recreational bag limit per person for Atlantic bonito to the MFC at its November 2025 business meeting.”</p>	N.C. Marine Fisheries Commission	<ul style="list-style-type: none"> <li>• 15A NCAC 03M .0524</li> </ul>	<p>Option 2: Formally monitor Atlantic bonito landings, provide a landings summary (including trends in the fishery, length frequency distributions, updates on any biological studies, and any changes in management that may occur at the state and federal level), and adopt a rule delegating proclamation authority to the Fisheries Director, with prior consent of the N.C. Marine Fisheries Commission, to manage time, area, means and methods, season, size, and quantity, including commercial trip limit and recreational bag and/or vessel limits. Option 2 provides the broadest range of management tools and the flexibility needed to respond to changing fishery conditions.</p>

01/28/2026

## Atlantic Bonito Management Issue Paper

January 28, 2026

### I. ISSUE

Develop a rule to implement regulations on Atlantic bonito.

### II. ORIGINATION

N.C. Marine Fisheries Commission (NCMFC)

### III. BACKGROUND

Atlantic bonito (*Sarda sarda*) is a small tuna species in the mackerel/tuna family Scombridae. Its body is spindle-shaped, with bluish to greenish shades dorsally, fading to silvery below. The upper sides have numerous diagonal dark stripes, with underlying diffuse dark bars. Anglers often confuse Atlantic bonito with false albacore (*Euthynnus alletteratus*; also called little tunny) and skipjack tuna (*Katsuwonus pelamis*) due to similarity in size and coloration. In addition to general misidentification, there is also significant confusion regarding the use of the same common name for many of these species. Many people, including anglers, often use names like “bonito,” “bonita,” “little tunny,” and “skipjack” interchangeably, and these common names can vary regionally.

A predominantly coastal species, Atlantic bonito are found in the Eastern Atlantic from Oslo, Norway, to Port Elizabeth, South Africa, as well as in the Mediterranean and Black seas. In the Western Atlantic, they range from Nova Scotia, Canada, to the Gulf of Mexico, and south to northern Argentina, but are apparently absent from most of the Caribbean Sea (Collette and Nauen 1983). Atlantic bonito school with similarly sized Scombrid species (Yoshida 1980), and most likely migrate north during the summer and early fall and south in the winter, but there is a lack of scientific documentation of these migrations. Current tagging studies are underway by North Carolina State University, the Nature Conservancy, and the American Saltwater Guides Association to conduct research on Atlantic bonito migratory patterns on the East Coast of the United States.

Unfortunately, studies on age, growth, and reproductive biology for Atlantic bonito are lacking in the Western Atlantic (Calabrese and Merhoff 2023). This species is one of the most important small tuna species targeted in the Eastern Atlantic and Mediterranean and Black seas, and there are life history studies available from those areas. The average length at 50 percent maturity ( $L_{50}$ ) for males is 36.3 cm fork length (FL) (14.3 inches), and for females is 42.2 cm FL (16.6 inches) (Cengiz 2013; Kahraman et al. 2014). The combined sex maximum size ( $L_{\infty}$ ) averages at 85 cm FL (33.5 inches, Valeiras et al. 2008; Muñoz-Lechuga et al. 2024), with males tending to grow slower and to larger sizes than females (Kahraman et al. 2014). In the Northwestern Atlantic, bonitos spawn in June and July, while in the Mediterranean spawning occurs between May and July (Collette and Nauen 1983).

Atlantic bonito have asynchronous ovarian development, with oocytes at all developmental stages found in females during the spawning season, suggesting that they are batch spawners (Kahraman et al. 2014). Bonito exhibit indeterminate fecundity with estimates ranging from 304,000 and 1,150,000 oocytes (Macías et al. 2005). Ortega et al. (2024) found that Atlantic bonito eggs hatch at temperatures ranging from 16 °C to 28 °C (61 °F to 82 °F), with optimal hatching success at 21°C to 22 °C (70 °F to 72 °F).

Atlantic bonito age determination and growth have been studied by means of otoliths, vertebrae, spines, and size frequency, with dorsal spines being better suited for reading ages than otoliths (Cengiz 2013; Muñoz-Lechuga et al. 2024). Most studies estimate a maximum age of five years (Valeiras et al. 2008; Baibbat et al. 2016; Sarr et al. 2025); however, Muñoz-Lechuga et al. (2024) estimate the maximum age up to seven years in the Northeast Atlantic and Mediterranean.

#### **Description of the Fisheries**

Though landings of Atlantic bonito have been historically low, over the last decade Atlantic bonito recreational coastwide landings (Massachusetts to the east coast of Florida) have increased while commercial landings have remained stable (Table 1; Figure 1). Trends in the N.C. recreational and commercial fisheries are discussed below, as well as how North Carolina’s fisheries fit into the bigger coastwide picture. Due to the limited amount of data from both recreational and commercial fisheries, trends are described over multiple time periods, with major changes highlighted in the modern fisheries over the past decade.

### *Recreational Fishery*

Atlantic bonito recreational catch data is estimated through the National Oceanic and Atmospheric Administration (NOAA) Fisheries' Marine Recreational Information Program (MRIP). However, MRIP data for Atlantic bonito has limited precision overall with percent standard errors (PSEs) often high enough ( $\geq 30$ ) that NOAA Fisheries recommends caution if using data for management and sometimes high enough ( $> 50$ ) that NOAA Fisheries recommends not using data for management (Table 1; NOAA Fisheries 2025). In North Carolina, recreational landings of Atlantic bonito, while episodic, have been trending upward since 2017, with above average landings from 2010 to 2015 (Figure 1). Finalized recreational landings ranged from 447 fish (8,019 pounds) in 2010 to 72,973 fish (268,260 pounds) in 2023 (Table 1). In the last 10 years, an average of 29,044 fish (105,387 pounds) were landed in North Carolina. Preliminary MRIP landing estimates (up to wave 5 [Sep-Oct]) suggest that 2025 will be a banner year for recreational harvest of Atlantic bonito in North Carolina with 96,013 fish (303,905 pounds) landed to date (Table 1; Figure 1). There is also evidence on social media of high harvests by anglers on private/rental boats and for-hire (charter) vessels. The predominant recreational gear is hook-and-line, and the most popular methods are either sight casting or trolling. However, anglers fishing with live bait such as juvenile Atlantic menhaden in the ocean has resulted in high catches in recent years. This technique is often more effective at catching bonito than sight casting or trolling. The majority of Atlantic bonito are landed in the spring on average but can be caught year-round in both state ( $\leq 3$  miles) and federal ( $> 3$  miles) waters of North Carolina by recreational anglers (Figure 2).

Since 2011, recreational landings on average primarily occurred on private/rental boats (Figure 3). From 2011 to 2017, private/rental boats contributed 86% of the total harvested number of fish on average, which increased to 92% from 2018 to 2024. The mean percentage of harvested fish from for-hire vessels (charter boats) decreased between these time periods, from 14% to 7%. Shore-based catches have been virtually non-existent up to 2023, when only an average of 5% of the total Atlantic bonito landings were from shore anglers. From 2011 to 2024, vessels intercepted by MRIP had an average of 4.66 anglers (95% CI [4.35, 4.97], PSE = 3.4) per for-hire vessel (charter boat). Private/rental boats had 2.61 anglers on average (95% CI [2.36, 2.86], PSE = 4.9).

Estimated angler trips targeting or catching (landed or released) Atlantic bonito in North Carolina have been variable since 2011, with most trips occurring in state waters (Figure 4). From 2011 to 2017, an average of 56% of trips occurred in federal waters and decreased to 38% from 2018 to 2024. Targeted trips in state waters have steadily increased in the same time frame, i.e. 44% on average between 2011 to 2017 and 62% on average between 2018 to 2024.

Since 2017, recreational landings in federal waters have declined to 36%, and releases have decreased from 55% to 38% (Figure 5). However, the highest landings from federal waters over the past 30 years occurred in 2023 and 2024. Similarly, although targeted trips in federal waters dropped to 38% after 2017, the highest number of targeted trips over the past 30 years also took place in 2023 and 2024. Since 2017, there has been an overall increase in landings from state waters from 51% to 64% (Figure 5), as well as an increase in targeted trips from 46% to 63% (Figure 4). Landings from state waters have averaged 47% of the total Atlantic bonito harvest since 1994 compared to federal waters. Over the last 10 years, landings from state waters have ranged from 23% in 2015 to 89% in 2019 and 2020.

Since 1994, landings and releases in North Carolina's recreational fishery have been comparable on average, although annual release rates have varied widely, from 7% in 2015 to 97% in 2010 (Table 1). The average number of released Atlantic bonito has been higher in federal waters. However, this trend shifted after 2017, when 62% of North Carolina's Atlantic bonito catch was released in state waters (Figure 5). The number of fish released has ranged from 1,325 in 2015 to 59,926 in 2014, and recreational releases have accounted for approximately 31% of the catch in North Carolina since 2017 (Table 1).

North Carolina's recreational landings of Atlantic bonito have accounted for approximately 22% of the coastwide recreational landings from 1994 to 2024 (Figure 6A), although this percentage has been higher in recent years. From 2011 to 2024, recreational anglers in North Carolina harvested 31% of the coastwide recreational landings and 92% of the recreational landings in the South Atlantic (Table 2). There have been two notable exceptions in the last 10 years: in 2023, North Carolina's landings accounted for approximately 54% of coastwide recreational landings and less than 4% in 2017 (Table 2; Figure 6A).

On the US Atlantic Coast, recreational Atlantic bonito landings (in pounds) average 79% of the total Atlantic bonito coastwide landings (recreational and commercial). MRIP estimated landings on the Atlantic coast have been episodic since 1994, with strong increases in 2024 (Table 2) and the preliminary (through wave 5) estimated landings for 2025 (1,207,242 pounds; PSE = 16.3). This increase, while limited to only two years, is reflective of their increase in popularity with anglers on social media, as mentioned above. Average state landings (in pounds; 1994-2024) show that New Jersey, Massachusetts, and North Carolina have generated the bulk of the recreational landings (Figure 6B). In North Carolina, recreational landings of Atlantic bonito averaged 77,430 pounds during 1994-2024 (Table 1; Figure 1), accounting for 22% of the harvest along the east coast (Figure 6B). From 2011 to 2024, the South Atlantic region accounted for 27% of the total coastwide harvest (Figure 7), with North Carolina accounting for the majority of the harvest in the South Atlantic region (Figure 8).

Like for North Carolina, most of the coastwide recreational catches have been releases (Table 2). Over the last 30 years, N.C. recreational releases have averaged 27% of the total number of fish released coastwide, though have accounted for up to 85% (Figure 9). While there are no release mortality estimates for Atlantic bonito, similar pelagic species have release mortalities ranging from 0 to 39%; but values are dependent on hook type, hooking location, angling/handling time, and water temperature (Bartholomew and Bohnsack 2005; Marcek and Graves 2014).

Lengths from MRIP show the observed mean FL of Atlantic bonito landed has been variable over the last 30 years. There is no evidence of size truncation, with the size of fish landed most likely indicative of what is available to the fishery. From 2015 to 2024, lengths ranged from 11 to 34 inches FL, with an overall average of 18 inches. In 2024, the average FL was 15 inches for the recreational fishery, and lengths ranged from 11 to 27 inches (Figure 10). North Carolina has no data on the age of Atlantic bonito landed recreationally.

#### *Commercial Fishery*

Atlantic bonito tend to have low commercial value in the United States; however, it is one of the most important finfish species in the Eastern Atlantic and Mediterranean (Zengin et al. 2006; Sarr et al. 2025). Internationally, Atlantic bonito support artisanal and commercial fisheries and are caught with a variety of gears including purse seines, longlines, gill nets, hook-and-line, and trolling. In North Carolina, Atlantic bonito is incidentally caught by commercial fishers pursuing other species and is mainly harvested by gill nets and hook-and-line gear. Other gears including beach seines, trawls, and pound nets make up a very small percentage of the total commercial landings. The N.C. commercial fishery primarily harvests Atlantic bonito from April to June, with a smaller amount harvested from November to January (Figure 11). This trend is seen for all gears that harvest Atlantic bonito. From 1994 to 2014, the majority of the commercial harvest in North Carolina was in state waters (about 60%) and the remainder in federal waters (about 40%; Figure 12). Since 2015, harvest has shifted even more towards state waters, accounting for 73% of the total commercial landings through 2024 (Figure 12). This shift in landings from federal to state waters is especially evident in the gill net and hook-and-line fisheries.

N.C. commercial landings of Atlantic bonito averaged 16,581 pounds from 1994 to 2024, ranging from 6,576 pounds in 2022 to 42,372 pounds in 1997 (Table 1; Figures 12 and 13B). Commercial catches have remained close to the time series average since 2004 (Table 1; Figure 1). Preliminary data show possibly even higher landings in 2025. Up to September 2025, the landings of Atlantic bonito in the commercial fishery were 32,326 pounds (Table 1; Figure 1). From 1994 to 2024, landings from gill nets averaged 10,502 pounds, hook-and-line averaged 5,871 pounds, and other gears averaged 208 pounds annually. Overall, statewide average landings from gill nets and hook-and-line have decreased over the past 20 years (Table 3). From 1994 to 2004 gill net landings averaged 16,203 pounds and decreased to 7,367 pounds from 2005 to 2024. Hook-and-line catches decreased from a 1994 to 2004 average of 6,996 pounds to 5,251 pounds from 2005 to 2024. Other gear catches held relatively steady during the same time frames.

Commercial landings per trip of Atlantic bonito in North Carolina have been low but variable over the last 30 years, ranging from one to 1,450 pounds. N.C. commercial fishers averaged 45 pounds of Atlantic bonito per trip from 2005 to 2024, with most trips landing under 100 pounds (Table 4). Over the past 10 years, 77% of all commercial trips (state and federal waters) landing Atlantic bonito landed less than 50 pounds per trip. In North Carolina, the price per pound of Atlantic bonito has varied from \$0.20 in 1995 to \$2.26 in 2021 (Table 3).

Coastwide, commercial landings of Atlantic bonito ranged from 16,060 pounds in 2022 to 330,239 pounds in 1997 (Figure 13A). In North Carolina, total commercial landings of Atlantic bonito averaged 16,581 pounds during 1994-

2024 (Table 1; Figure 1), accounting for 18% of the harvest along the east coast (Figure 13B). Average commercial landings from 1994 to 2024 have been dominated by New Jersey (36%), followed by Rhode Island (20%) and North Carolina (18%) (Figure 13B). From 2005 to 2014, 19% of the commercial landings occurred in the North Atlantic region (Massachusetts to Connecticut), 60% in the Mid-Atlantic region (New York to Virginia), and 21% in the South Atlantic region (North Carolina to east coast of Florida). From 2015 to 2024, 50% of commercial landings occurred in the North Atlantic, 11% in the Mid-Atlantic, and 39% in the South Atlantic (Figure 14). In the South Atlantic region from 2015 to 2024, North Carolina and South Carolina accounted for 85% and 15% of the commercial landings, respectively (Figure 15). There were no commercial landings from Florida and Georgia during this time frame.

The mean length of Atlantic bonito landed by the N.C. commercial fishery has remained consistent over the last 30 years. From 2015 to 2024, lengths ranged from 11 to 28 inches FL, with an overall average of 19 inches FL. In 2024, the average length was 19 inches FL with a range of 13 to 25 inches FL (Figure 16). North Carolina has no data on the age of Atlantic bonito landed commercially.

### **Stock Status and Current Management**

Little information exists on the status of Atlantic bonito in the Western Atlantic, and as a result their stock status is considered unknown. Internationally, small tunas, including Atlantic bonito, are assessed and managed by the International Commission for the Conservation of Atlantic Tunas (ICCAT) in the Small Tunas Species Group. Currently, the small tunas in the Atlantic are divided into five stock regions based on traditional ICCAT management areas: Northwest Atlantic, Southwest Atlantic, Northeast Atlantic, Southeast Atlantic, and Mediterranean. Atlantic bonito are one of 13 species in the Small Tunas Species Group. Of these 13 species, the seven most important, Atlantic bonito (31%), little tunny (18%), frigate tuna (13%) king mackerel (12%), Spanish mackerel (9%), bullet tuna (5%), and wahoo (4%), represent about 91% of nominal catches between 1950 and 2023. Although there is currently no ICCAT assessment or management plan for Atlantic bonito, it has been identified as a species for which more data should be collected for stock assessment (ICCAT 2019). Genetic studies have shown that there is genetic isolation between both sides of the Atlantic Ocean (Viñas et al. 2010), and clear heterogeneity among Eastern Atlantic and Mediterranean populations (Viñas et al. 2020). These studies suggest that Atlantic bonito might have multiple stock units in the Atlantic Ocean and the Mediterranean Sea that disagree with the management areas adopted by ICCAT (Viñas et al. 2020).

National fisheries regulations in the Eastern Atlantic have recently been implemented. The Turkish Ministry of Agriculture and Forestry has set a seasonal ban on all recreational and sport fishing for Atlantic bonito along all coastal regions from April 1 to August 14. These regulations are part of a nationwide initiative to safeguard marine biodiversity during peak spawning months. Outside of this time frame, regulations are a minimum size of 25 cm (10 inches) with a 5 kg (11 lb) daily limit per angler (Sport Fishing Türkiye 2025).

In the United States, the only state that has adopted regulations for Atlantic bonito is Massachusetts. In May of 2025, the Massachusetts Division of Marine Fisheries enacted the first-ever size and possession limits for both false albacore (little tunny) and Atlantic bonito. The minimum size limit for both species is 16 inches curved FL and reflects the estimated size-at-maturity for both species. Additionally, retention is limited to no more than five fish per person per day of both species combined and apply only to fish caught and possessed in state waters (0-3 miles). These new limits apply universally to all persons whether commercially or recreationally fishing; however, there are bycatch exemptions for commercial fish weirs and mechanized mackerel jigging operations, as sorting and discarding the bycatch would be unduly burdensome for these fisheries. Massachusetts has seen considerable growth in the fishery without the benefit of stock assessments, extensive understanding of species life history, or fishery management plans (FMPs) to control fishing mortality. As a result, the Massachusetts Division of Marine Fisheries chose to adopt these precautionary management measures until a time when a more robust science and management program is implemented. The new possession limits are designed to constrain recreational harvest approximately at current levels and discourage further expansion while curtailing the development of a directed commercial fishery (Commonwealth of Mass. DMF 2025).

Currently, there are no rules for management in place for Atlantic bonito in any other states, but some states are considering management. Management is not currently being pursued, though it has been discussed by the Atlantic States Marine Fisheries Commission (ASMFC), the South Atlantic Fishery Management Council, and the Mid-Atlantic Fishery Management Council (MAFMC). At the August 2016 MAFMC meeting, council staff recommended the Council consider developing management actions for the species in the future (including a

potential small tuna FMP), due to a high level of public concern for the species, particularly from the recreational sector. The ASMFC Interstate Fisheries Management Program Policy Board (Policy Board) tasked ASMFC staff in February 2022 to present an options paper on possible paths forward for management of Atlantic bonito and false albacore after concerns were raised regarding increased recreational harvest of juvenile fish in some state waters. Staff presented possible options for developing different paths to management for both Atlantic bonito and false albacore at the [May 2023 ASMFC Policy Board meeting](#). The information also included the states' ability to regulate a species and timing to implement measures without an ASMFC FMP. ASMFC staff noted that if additional species were added to the ASMFC portfolio, it would increase the workload for ASMFC and state staff, some of which are already at full capacity. Although some member states are interested in management measures for these species, ASMFC's Policy Board decided not to pursue management at the interstate level. Similarly, management of Atlantic bonito through a small tuna FMP has not been pursued yet by a federal management body.

#### IV. AUTHORITY

##### North Carolina General Statutes

§ 113-134. RULES.

§ 113-182. REGULATION OF FISHING AND FISHERIES.

§ 113-221.1. PROCLAMATIONS; EMERGENCY REVIEW.

§ 143B-289.52. MARINE FISHERIES COMMISSION – POWERS AND DUTIES.

#### V. DISCUSSION

At its May 2024 business meeting, the NCMFC passed a motion to request N.C. Division of Marine Fisheries (NCDMF) staff develop an issue paper for Atlantic bonito management, including landings information and proposed rule language, using the previous sheepshead issue paper (February 11, 2013) as a model to follow. Discussions among commissioners noted concerns expressed by recreational stakeholders about angler behavior changing in targeting Atlantic bonito in more recent years and the potential need to implement a recreational bag limit. Further concerns expressed by the NCMFC identified limited information about Atlantic bonito in this part of the Atlantic Ocean and no measure of stock status for the population, and whether these recent increases in recreational catches may not be due to more fish, but rather due to changes in fishing tactics and new technologies available to recreational anglers to improve their success in catching Atlantic bonito when available in state waters. Commissioners did not express concern for commercial catches due to Atlantic bonito having a limited shelf life as a fresh product and not being desirable frozen as likely reasons behind no similar increase in commercial harvest. Potential waste of the resource was discussed, since there are no current limits on Atlantic bonito. The NCMFC also identified the need to learn more about the fisheries and develop rule language in order to implement regulations to get ahead of a potential problem. Commissioners continued discussions on Atlantic bonito at their August and November 2024, and May 2025 business meetings with an urgency to be proactive in their management and continued to stress the need to implement a bag limit in the recreational fishery.

At the August 2025 NCMFC business meeting, NCDMF staff presented background information, which outlined life history and catch characteristics of Atlantic bonito. Commissioners discussed that Atlantic bonito appear to behave differently off southeast North Carolina than in other locations along the coast, showing preference for structure and pondered if these preferences are associated with spawning thereby making Atlantic bonito more vulnerable to harvest. Commissioners mentioned that the presentation illustrated the increasing trends in the recreational landings with smaller fish being caught in recent years and discussed the potential for implementing both a bag limit and possibly a size limit on the recreational sector. A commissioner stressed that in their own capture of Atlantic bonito the fish have a mouth-to-gills structure more like Spanish mackerel and therefore the hooks are often closer to the gills creating higher potential for release mortality. The commissioner therefore expressed hesitation to consider a size limit as it could increase discards. Smaller Atlantic bonito appear later in the season often mixed in with Spanish mackerel and regardless will result in the catch of smaller fish. The stated intention behind the NCMFC adopting a rule to delegate broad proclamation authority to the Fisheries Director is to implement a recreational bag limit soon after the rule becomes effective. The NCMFC passed a motion for NCDMF staff to bring proposed rulemaking language for a five-fish recreational bag limit per person for Atlantic bonito to its November 2025 business meeting. At the November 2025 NCMFC business meeting several proposed rulemaking options were presented, followed by a brief discussion of next steps in the rulemaking process.

Summarizing the data described in detail above, landings from the recreational sector have increased in state waters over the last 10 years and North Carolina accounts for 22% of the overall coastwide landings. Additionally, trends in the number of recreationally harvested fish have increased while trends in the number of released fish have remained

stable over this time. Currently, there is no targeted commercial fishery for Atlantic bonito in North Carolina. Due to the opportunistic nature of the fishery, commercial trips typically land less than 50 pounds per trip, with trips exceeding 300 pounds making up less than 5% of the total number of trips in state and federal waters. Further, there appears to be no biological concern for the Atlantic bonito stock since there is no evidence of size truncation in the commercial and recreational fisheries over the past decade, and most fish are caught at or above the  $L_{50}$  (15 inches FL) except in the most recent two years of recreational data (2023, 2024). Likewise, there is no biological evidence that higher harvest in recent years is sustainable. While these trends do not indicate the need for immediate management, it would be prudent to continue to monitor landings and collect additional biological information for this species.

### **Management Options**

There are several potential options to address Atlantic bonito management: status quo with informal monitoring (Option 1), formal monitoring of Atlantic bonito landings and delegate proclamation authority to manage time, area, means and methods, season, size, and quantity (Option 2), delegate proclamation authority to manage time, area, means and methods, season, size, and quantity, with a maximum five-fish quantity constraint for the recreational bag limit (Option 3), or establish a permanent five-fish per person per day recreational bag limit to cap harvest and prevent further expansion of the Atlantic bonito recreational fishery, and otherwise delegate proclamation authority for management (Option 4). Options 3 and 4 are inclusive of the formal monitoring contained in Option 2.

#### **Option 1: Status Quo with Informal Monitoring**

Status quo would not provide for management of Atlantic bonito because the NCMFC does not have a corresponding rule to do so. Currently, there is no baseline stock assessment of Atlantic bonito, which means there is no scientific basis for setting catch limits or other harvest restrictions. However, there is no biological evidence that higher harvest in recent years is sustainable. In 2023 and 2024 approximately 59% of the Atlantic bonito harvested in the recreational fishery were less than the size at which 50% of the fish are mature ( $L_{50}$ ). Protecting fish so that they can reach spawning size is a common practice in fisheries management. If landings substantially increase there would be no rule in place to authorize the NCMFC or the Fisheries Director to implement management measures or address possible future user conflicts for Atlantic bonito. If the NCMFC selects Option 1, annual Atlantic bonito landings would continue to be tracked through the License and Statistics Annual Report, also known as the "Big Book", without the NCMFC needing to take formal action. However, this could result in landings substantially increasing without the NCMFC and NCDMF being aware of the trends or being able to address the trends if they were identified later.

#### **Option 2: Formal Monitoring with Delegation of Proclamation Authority**

Formal monitoring of landings by the NCDMF on an annual basis and the NCMFC adopting a rule that delegates authority to the Fisheries Director to issue a proclamation to address variable conditions in the Atlantic bonito fishery to manage time, area, means and methods, season, size, and quantity constitutes Option 2. Typically, size, and quantity in the form of commercial trip limit and recreational bag and/or vessel limits are the management measures used to reduce harvest and to ensure individuals can reach spawning size. However, if the management authority delegated to the Fisheries Director by the NCMFC is restricted to these management measures, the Fisheries Director would not be able to use time, area, means and methods, or season to manage harvest. In some instances, time, area, means and methods, or season management might be preferred management measures by fishermen or for the benefit of the resource. The proposed rule text for Option 2 includes formal monitoring and the additional constraint of NCMFC consent prior to issuance of a proclamation. Formal monitoring would mean annually providing a landings summary with trends in the fishery, length frequency distributions, updates on any biological studies, and any changes in management that may occur at the state and federal level to the NCMFC at its first business meeting after July 1, typically occurring in August. Including NCMFC consent in the rule provides the opportunity during a public meeting for the NCMFC to review and discuss the proposed issuance of a proclamation since there is no baseline stock assessment of Atlantic bonito and no FMP to address adaptive management when landings are variable year to year. As proposed, Option 2 would provide the Fisheries Director with the greatest scope of management measures to manage the Atlantic bonito fishery and flexibility to address variable conditions in the fishery, however, it does not address the NCMFC's motion for a five-fish recreational bag limit. That said, Option 2 would provide a mechanism to implement a five-fish bag limit. It is also possible no management measures would be implemented.

#### **Option 3: Formal Monitoring with Delegation of Proclamation Authority with Quantity Constraint**

A third option is for the NCMFC to adopt a rule that delegates authority to the Fisheries Director to issue a proclamation to address variable conditions in the Atlantic bonito fishery to manage time, area, means and methods, season, size, and quantity, not to exceed five fish per person per day for recreational purposes. It is important to note that the proposed rule text for Option 3 includes a constraint on the delegation of the NCMFC's authority to the Fisheries Director to "specify quantity, not to exceed five fish per person per day for recreational purposes." Setting a maximum ceiling on the recreational bag limit of five fish is consistent with the August 2025 NCMFC motion and serves to preserve the NCMFC's stated intent over time and through changes of individual directors and commissioners. The flexibility to set a lower bag limit is preserved, to address variable conditions in the fishery. The proposed rule text for Option 3, like Option 2, includes formal monitoring and the constraint of NCMFC consent prior to issuance of a proclamation.

#### Option 4: Formal Monitoring with a Five-Fish Bag Limit and Delegation of Proclamation Authority

Lastly, Option 4 is identical to Option 3, except the five-fish recreational bag limit is proposed in the permanent rule itself. Delegation by the NCMFC to the Fisheries Director to issue a proclamation to manage "quantity" would be limited to the commercial fishery; the five-fish recreational bag limit would be set in permanent rule. If the NCMFC intends for the recreational bag limit to be set at exactly five fish, then the recreational bag limit is not considered variable and that requirement should be set in permanent rule. If conditions change in the future after the rule is adopted, the Fisheries Director could employ the existing authority in 15A NCAC 03I .0102 to suspend the text applicable to the recreational bag limit and then issue a proclamation with NCMFC consent for a recreational bag limit other than at five fish. As with options 2 and 3, the proposed rule text for Option 4 includes formal monitoring and the constraint of NCMFC consent prior to issuance of a proclamation.

#### **Summary**

As was discussed above, there is a lack of life history data for this species in the western Atlantic and having more data would be beneficial for informing any management decisions. Age and growth, sex and maturity, and tagging studies would help fill data gaps for Atlantic bonito in the western Atlantic. However, lack of funding at the state level makes these studies difficult to pursue. Currently, the American Saltwater Guides Association, in collaboration with the Nature Conservancy and North Carolina State University, has started several studies with the aim of addressing some of the coastwide data gaps, including stock structure and migration. Thus, implementing precautionary management measures until a time when a more robust science is available could be warranted. Although the NCDMF is not actively seeking proactive management of Atlantic bonito management currently, ongoing research on Atlantic bonito could provide more insight on the appropriateness of management in North Carolina and the rest of the U.S. Atlantic coast.

In the context of the NCMFC's request to develop rulemaking language to manage Atlantic bonito, the NCDMF supports the use of recreational bag limits, recreational vessel limits, and commercial trip limits if the collected data indicates a need for such management. Annual review of Atlantic bonito landings would allow for consideration of other influencing factors that may cause the fisheries to expand in a calendar year and be considered an anomaly. Other influencing factors could include expanding markets for bait or food sources, an unusual year for Atlantic bonito movement into N.C. waters, or an expansion in the number of participants in the fisheries. Option 2 provides the Fisheries Director the greatest scope of management measures with flexibility to address variable conditions in the Atlantic bonito fishery and the opportunity for the NCMFC to review and discuss the proposed issuance of a proclamation. However, it does not address the NCMFC's motion for a five-fish recreational bag limit even though a mechanism to implement it is provided. The proposed Option 3 does specify quantity, not to exceed five fish per person per day for recreational purposes, and the flexibility to set a lower bag limit is preserved to address variable conditions in the fishery. This would allow for the precautionary management and bag limit requested by the NCMFC and it would also consider the uncertainties in Atlantic bonito life history and stock status. Option 4 sets a five-fish recreational bag limit but in doing so does not readily provide as much flexibility in managing the Atlantic bonito fishery.

Following the presentation of the proposed rule options at the November 2025 business meeting, one commissioner commented on their appreciation for the range of options that was presented and inclusion of the NCMFC consent prior to issuance of a proclamation. They mentioned that their intention with prior discussions on Atlantic bonito was to implement a five-fish recreational bag limit to start. However, after looking at all three of the proposed rule language options, they did not like the idea of being constrained to that number, and in their opinion, Option 2 would provide adequate flexibility for a fishery that could see changes through time. The NCMFC is scheduled to vote on its preferred management option for Atlantic bonito management at the February 2026 NCMFC business

meeting. That action would enable NCDMF staff to complete the required economic analysis of any proposed rule option selected in spring 2026, with a vote by the NCMFC on approval of notice of text for rulemaking at its May 2026 business meeting to formally begin the rulemaking process.

## VI. PROPOSED RULES

### 1 **OPTION 2**

2 15A NCAC 03M .0524 is proposed for adoption as follows:

#### 4 **15A NCAC 03M .0524 ATLANTIC BONITO**

5 The Fisheries Director may, with prior consent of the Marine Fisheries Commission, by proclamation and pursuant to  
6 15A NCAC 03H .0103, impose any of the following requirements on the taking of Atlantic bonito:

- 7 (1) specify time;
- 8 (2) specify area;
- 9 (3) specify means and methods;
- 10 (4) specify season;
- 11 (5) specify size; and
- 12 (6) specify quantity.

13  
14 *History Note: Authority G.S. 113-134; 113-182; 113-221.1; 143B-289.52;*  
15 *Eff. April 1, 2027*

### OR

### 1 **OPTION 3**

2 15A NCAC 03M .0524 is proposed for adoption as follows:

#### 4 **15A NCAC 03M .0524 ATLANTIC BONITO**

5 The Fisheries Director may, with prior consent of the Marine Fisheries Commission, by proclamation and pursuant to  
6 15A NCAC 03H .0103, impose any of the following requirements on the taking of Atlantic bonito:

- 7 (1) specify time;
- 8 (2) specify area;
- 9 (3) specify means and methods;
- 10 (4) specify season;
- 11 (5) specify size; and
- 12 (6) specify quantity, not to exceed five fish per person per day for recreational purposes.

13  
14 *History Note: Authority G.S. 113-134; 113-182; 113-221.1; 143B-289.52;*  
15 *Eff. April 1, 2027*

**OR**

**1    OPTION 4**

**2    15A NCAC 03M .0524 is proposed for adoption as follows:**

**4    15A NCAC 03M .0524    ATLANTIC BONITO**

**5    (a) It shall be unlawful to possess more than five Atlantic bonito per person per day for recreational purposes.**

**6    (b) The Fisheries Director may, with prior consent of the Marine Fisheries Commission, by proclamation and pursuant**  
**7    to 15A NCAC 03H .0103, impose any of the following requirements on the taking of Atlantic bonito:**

**8    (1)    specify time;**

**9    (2)    specify area;**

**10    (3)    specify means and methods;**

**11    (4)    specify season;**

**12    (5)    specify size; and**

**13    (6)    specify quantity, except as provided in Paragraph (a) of this Rule.**

**15    *History Note:*    Authority G.S. 113-134; 113-182; 113-221.1; 143B-289.52;**

**16    *Eff. (Pending legislative review pursuant to S.L. 2019-198).***

**VII.    PROPOSED MANAGEMENT OPTIONS**

The following management options may be applied to Atlantic bonito:

**Management Options**

(+ Potential positive impact of action)  
(- Potential negative impact of action)

**Option 1:**    Status Quo - Informal monitoring of annual Atlantic bonito landings through the License and Statistics Annual Report (“Big Book”)

- +    No rule development for coastwide stock with limited data and unknown stock status
- Annual landings updates that track landings trends are unavailable
- No rule in place for implementing management measures if landings substantially increase
- Potential for overfishing stock since no regulations are protecting Atlantic bonito
- Does not address request from NCMFC for five-fish recreational bag limit

**Option 2:**    Formally monitor Atlantic bonito landings, provide a landings summary (including trends in the fishery, length frequency distributions, updates on any biological studies, and any changes in management that may occur at the state and federal level), and adopt a rule delegating proclamation authority to the Fisheries Director, with prior consent of the NCMFC, to manage time, area, means and methods, season, size, and quantity, including commercial trip limit and recreational bag and/or vessel limits

- +    Rule in place for implementing management measures if landings substantially increase
- +    Potential to address resource issues that can reduce probability of overfishing
- +    Management measures can be quickly adapted due to changing conditions or recommendations
- +    Fisheries Director can address conflict or competition issues if issues develop among fishermen

- + Provides a mechanism to implement a five-fish recreational bag limit requested by the NCMFC
- Rule development for coastwide stock with limited data and an unknown stock status
- Does not address request from NCMFC for five-fish recreational bag limit in rule

Option 3: Formally monitor Atlantic bonito landings, provide a landings summary (as described in Option 2 above), and adopt a rule delegating proclamation authority to the Fisheries Director, with prior consent of the NCMFC, to manage time, area, means and methods, season, size, and quantity, including commercial trip limit and recreational bag and/or vessel limits, with a recreational bag limit not to exceed five fish per person per day

- + Rule in place for implementing management measures if landings substantially increase
- + Potential to address resource issues that can reduce probability of overfishing
- + Management measures can be quickly adapted due to changing conditions or recommendations
- + Fisheries Director can address conflict or competition issues if issues develop among fishermen
- + Provides a mechanism to implement a five-fish recreational bag limit requested by the NCMFC
- +/- Maximum five-fish bag limit would cap recreational harvest, but would also limit access, and would be based on limited data
- Rule development for coastwide stock with limited data and an unknown stock status

Option 4: Formally monitor Atlantic bonito landings, provide a landings summary (as described in Option 2 above), and adopt a rule to set a five-fish recreational bag limit per person per day and delegate proclamation authority to the Fisheries Director, with prior consent of the NCMFC, to manage time, area, means and methods, season, size, and quantity, including commercial trip limit and recreational vessel limit

- + Rule in place for implementing management measures if landings substantially increase
- + Potential to address resource issues that can reduce probability of overfishing
- + Management measures can be quickly adapted due to changing conditions or recommendations
- + Fisheries Director can address conflict or competition issues if issues develop among fishermen
- + Addresses request from NCMFC for five-fish recreational bag limit
- Rule development for coastwide stock with limited data and an unknown stock status
- Inclusion of “unlawful” language automatically subjects proposed rule to legislative review process

#### Five-Fish Recreational Bag Limit

- + May limit harvest if anglers begin keeping more than they currently do
- May increase discards
- May serve as a target or goal for anglers to retain more than they currently do
- +/- Maximum five-fish bag limit would cap recreational harvest, but would also limit access, and would be based on limited data
- +/- Economic impact on recreational fisheries

### VIII. RECOMMENDATION

The DMF recommends Option 2 because it provides the broadest range of management tools and the flexibility needed to respond to changing fishery conditions.

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## IX. TABLES AND FIGURES

### Tables

Table 1. Recreational harvest (number of fish landed and weight in pounds) and releases (number of fish) and commercial harvest (weight in pounds) of Atlantic bonito from North Carolina for the period 1994-2025. Data with an asterisk is preliminary (up to October for recreational and up to September for commercial) and not included in averages. PSE is Percent Standard Error. (Source: Marine Recreational Information Program and North Carolina Trip Ticket Program)

Year	Recreational				Commercial		Total Weight (lb)
	# Landed	PSE	# Released	PSE	Weight Landed (lb)	PSE	
1994	11,860	48.2	18,933	48.6	23,712	56.7	61,084
1995	10,528	73.8	2,407	49.2	41,312	80.6	76,029
1996	864	58.2	10,845	56.1	5,394	71.9	21,661
1997	31,090	41.4	29,816	52.7	162,980	41.8	205,352
1998	13,513	68.4	8,836	72.7	145,837	87.7	167,189
1999	6,045	44.8	2,682	73	38,657	44.2	61,948
2000	13,617	93.4	9,257	58.4	69,579	89.9	82,922
2001	7,722	48.2	5,001	56.1	23,603	50.7	40,134
2002	28,728	64	30,165	65.7	97,115	66.1	112,571
2003	2,275	58.8	12,968	50.9	6,685	51.2	34,064
2004	10,274	56.6	19,082	39.3	48,251	57.3	57,553
2005	2,102	76.6	42,363	98.6	9,388	73.8	21,060
2006	1,037	102.4	2,755	51.4	4,457	102.4	14,227
2007	7,685	48.1	4,523	41.8	34,693	46.3	50,778
2008	5,230	56.8	23,411	61.1	39,093	61.8	55,669
2009	1,380	71.8	2,561	92.2	13,799	85.4	23,780
2010	447	42.4	16,583	41.6	8,019	47.1	23,705
2011	21,235	73.1	28,618	42.1	287,458	66.4	298,497
2012	6,913	37.1	7,858	35.6	95,947	49.3	107,290
2013	19,182	59.9	4,609	41.3	99,252	55.4	109,758
2014	18,379	49.3	59,926	62.7	91,227	53.6	100,308
2015	16,973	44.8	1,325	60.8	102,408	42.8	123,397
2016	3,411	64.7	10,196	45.2	22,127	60.3	36,965
2017	1,999	45.6	40,094	75.6	9,579	53	20,924
2018	12,577	42.5	11,745	66.4	42,879	49.7	56,727
2019	35,875	66.6	24,033	66.1	122,931	48.6	136,976
2020	52,337	50.9	23,818	55.3	179,803	47.9	195,729
2021	20,178	26.6	7,793	44.5	104,789	29.1	112,140
2022	12,301	45.4	11,763	70.7	70,411	45.7	76,987
2023	72,973	40.4	31,930	70.4	268,260	36.8	286,136
2024	61,813	34.4	7,513	48.6	130,686	43.2	142,786
2025	96,013*	26.9*	36,892*	27.5*	303,905*	28.6*	336,231*
Average	16,469	56	16,562	58	77,430	58	94,011

A PSE value greater than 50 indicates very imprecise estimates.

A PSE value between 30 and 50 indicates using the data with caution.

A PSE value less than 30 indicates estimates have a relatively low margin of error.

Table 2. Coastwide recreational landings and releases (numbers of fish) by state, 2011-2024. (Source: Marine Recreational Information Program)

**Landings**

State	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024
Massachusetts	14,556	12,460	0	30,620	11,521	1,283	2,732	24,139	68,356	27,580	8,700	55,620	12,170	158,770
Rhode Island	0	11	8,944	1,282	1,245	0	10,277	10,947	32,643	10,590	2,949	1,186	23,891	80,315
Connecticut	0	0	0	3,181	0	847	375	2,626	12,113	5	351	0	1,275	2,170
New York	0	0	0	6,031	11,938	0	41	0	7,453	3,770	2,015	0	25,921	4,708
New Jersey	6,983	0	17,830	60,979	0	9,487	53,719	13,119	92,962	13,631	6,294	34,471	27,179	67,779
Delaware	0	0	0	140	0	0	0	643	124	0	0	0	571	2,450
Maryland	4,921	0	104	15	0	0	24	3,789	529	158	0	0	4,576	6,388
Virginia	4	0	0	0	121	0	310	1,940	0	1,931	0	74	2,803	1,406
<b>North Carolina</b>	<b>21,235</b>	<b>6,913</b>	<b>19,182</b>	<b>18,379</b>	<b>16,973</b>	<b>3,411</b>	<b>1,999</b>	<b>12,577</b>	<b>35,875</b>	<b>52,337</b>	<b>20,178</b>	<b>12,301</b>	<b>72,973</b>	<b>61,813</b>
South Carolina	0	6	0	0	0	131	0	2,488	1,509	102	2,021	0	751	34,584
Georgia	301	811	0	0	329	0	0	981	1,148	119	0	0	1,273	8,400
Florida	0	0	0	0	0	259	0	19	0	0	0	264	0	5,798
Grand Total	48,000	20,201	46,060	120,627	42,127	15,418	69,477	73,268	252,712	110,223	42,508	103,916	173,383	434,581

**Releases**

State	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024
Massachusetts	0	251	2,192	41,634	12,983	13,377	242	378,413	23,917	20,509	96,060	99,491	10,913	427,466
Rhode Island	0	0	10,544	9,254	5,315	23,193	503	26,211	34,741	7,337	5,094	4,467	27,653	70,918
Connecticut	0	0	0	1,389	0	6,045	0	10,086	21,662	0	25	1,103	6,343	6,937
New York	0	0	534	1,429	4,561	0	2,012	1,527	11,999	9,448	3,504	28,170	7,618	74,471
New Jersey	0	0	60,412	175,714	0	0	5,623	12,571	8,388	17,562	17,363	218,590	25,322	185,142
Delaware	0	0	0	619	0	0	0	1,648	15	2	0	0	88	3,440
Maryland	0	0	0	1,645	0	0	4,873	4,153	5,009	0	0	0	0	2,181
Virginia	4,957	0	0	0	0	0	59	0	0	0	0	0	0	5
<b>North Carolina</b>	<b>28,618</b>	<b>7,858</b>	<b>4,609</b>	<b>59,926</b>	<b>1,325</b>	<b>10,196</b>	<b>40,094</b>	<b>11,745</b>	<b>24,033</b>	<b>23,818</b>	<b>7,793</b>	<b>11,763</b>	<b>31,930</b>	<b>7,513</b>
South Carolina	0	6,181	45,664	2,200	458	2,447	8,949	4,477	3,689	0	656	0	0	902
Georgia	0	0	0	0	0	0	171	0	249	15,362	0	0	2,273	1,306
Florida	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Grand Total	33,575	14,290	123,955	293,810	24,642	55,258	62,526	450,831	133,702	94,038	130,495	363,584	112,140	780,281

Table 3. North Carolina commercial landings in pounds by gear and value, 1994-2024. (Source: North Carolina Trip Ticket Program)

Year	Gear			Total	Value	Price/Pound
	Gill Nets	Hook & Line	Other*			
1994	30,848	5,742	782	37,372	\$14,201	\$0.38
1995	29,576	4,999	143	34,717	\$6,943	\$0.20
1996	5,880	10,015	372	16,267	\$3,843	\$0.24
1997	35,689	6,119	564	42,372	\$9,455	\$0.22
1998	17,030	4,260	63	21,352	\$24,199	\$1.13
1999	11,083	12,196	12	23,291	\$20,832	\$0.89
2000	6,240	7,089	14	13,343	\$18,798	\$1.41
2001	11,814	4,689	28	16,531	\$10,433	\$0.63
2002	5,058	10,384	14	15,456	\$11,741	\$0.76
2003	19,494	7,763	122	27,379	\$18,563	\$0.68
2004	5,521	3,706	76	9,302	\$9,086	\$0.98
2005	174	10,898	600	11,672	\$7,286	\$0.62
2006	5,501	4,099	170	9,770	\$10,503	\$1.08
2007	4,382	11,683	20	16,085	\$20,403	\$1.27
2008	8,310	8,101	165	16,576	\$19,937	\$1.20
2009	3,359	6,422	200	9,981	\$14,060	\$1.41
2010	12,985	2,435	266	15,686	\$20,152	\$1.28
2011	5,160	4,890	989	11,039	\$20,041	\$1.82
2012	7,173	3,879	291	11,343	\$15,833	\$1.40
2013	2,666	7,721	119	10,506	\$15,460	\$1.47
2014	3,969	4,771	341	9,081	\$14,386	\$1.58
2015	13,100	7,664	225	20,989	\$32,905	\$1.57
2016	10,487	4,346	6	14,838	\$26,780	\$1.80
2017	7,084	4,130	131	11,345	\$20,261	\$1.79
2018	8,248	5,552	48	13,848	\$25,228	\$1.82
2019	10,256	3,705	84	14,045	\$15,556	\$1.11
2020	10,824	5,062	41	15,926	\$12,835	\$0.81
2021	4,649	2,646	56	7,351	\$16,620	\$2.26
2022	4,689	1,775	112	6,576	\$12,544	\$1.91
2023	15,744	1,972	160	17,876	\$30,287	\$1.69
2024	8,583	3,279	238	12,100	\$19,733	\$1.63

\*Other gear includes seines, trawls, and pound nets

Table 4. North Carolina commercial Atlantic bonito percent harvest (pounds per trip), based on daily landings and gear, 2005-2024. Note: Other gears not shown due to data confidentiality. (Source: North Carolina Trip Ticket Program)

Pounds per trip	State			Federal			Overall		
	Gill Net	Hook & Line	All Gears	Gill Net	Hook & Line	All Gears	Gill Net	Hook & Line	All Gears
≤ 50	79%	49%	76%	91%	73%	79%	81%	69%	77%
51-100	11%	21%	12%	5%	14%	11%	10%	15%	11%
101-150	4%	12%	5%	1%	5%	3%	3%	6%	4%
151-200	2%	5%	2%	1%	3%	3%	2%	4%	2%
201-300	2%	6%	2%	1%	3%	2%	2%	3%	2%
301-400	1%	3%	1%	0%	2%	1%	1%	2%	1%
401-500	0%	2%	1%	0%	1%	0%	0%	1%	1%
501-1,000	1%	2%	1%	0%	1%	1%	1%	1%	1%
>1,000	0%	0%	0%	0%	0%	0%	0%	0%	0%

## Figures

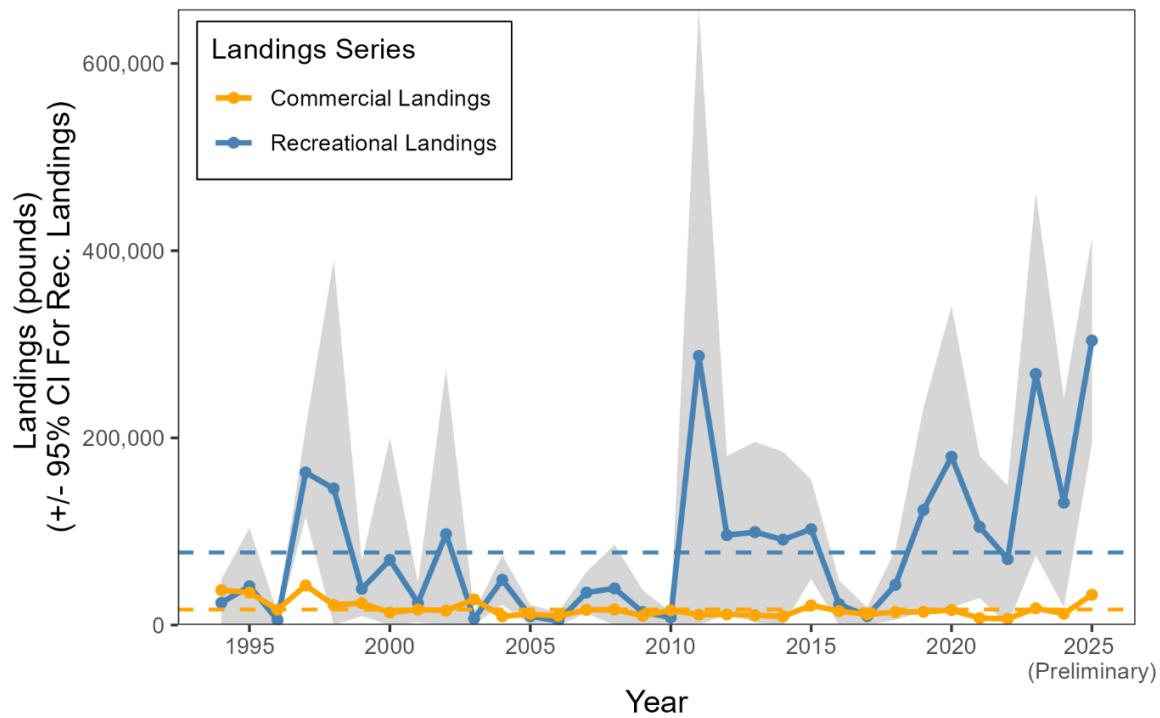


Figure 1. North Carolina commercial and recreational Atlantic bonito landings (pounds), 1994-2024, with the time series average, represented by a dashed line, for both sectors (Recreational average: 77,430 pounds; Commercial average: 16,581 pounds). Data for 2025 is preliminary (up to October for recreational and up to September for commercial) and not included in the time series average. The light gray shading represents 95% confidence intervals. (Source: North Carolina Trip Ticket Program and Marine Recreational Information Program)

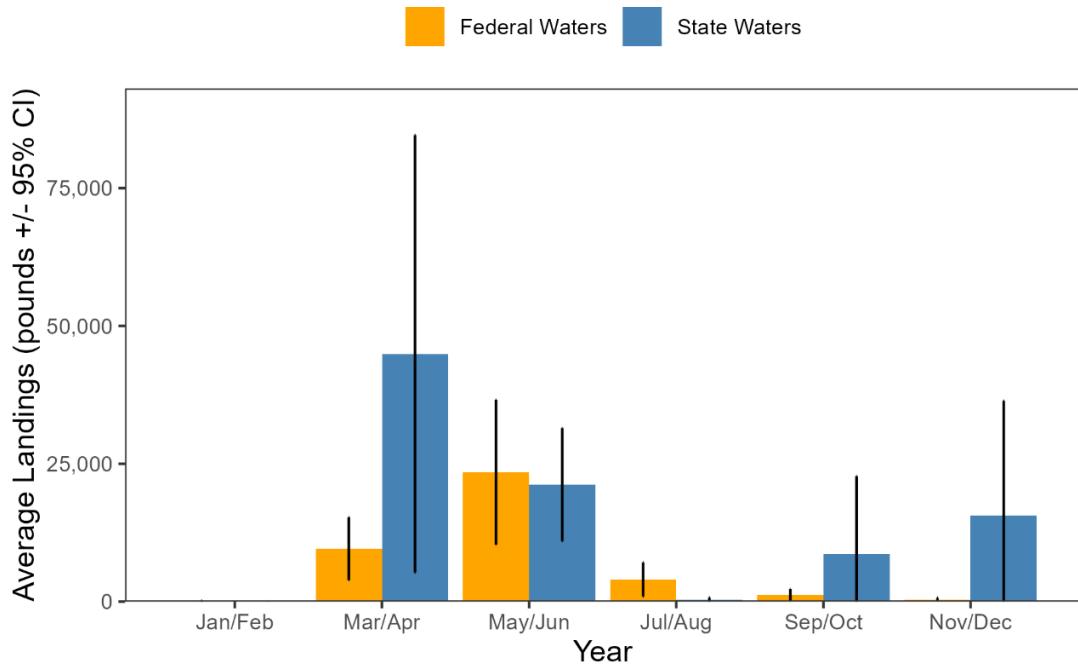


Figure 2. North Carolina recreational Atlantic bonito landings (pounds) by sampling period (wave) and fishing area (state (0-3 miles) and federal waters (>3 miles)), 2005-2024. Landings from January and February are in single digits. The black lines represent 95% confidence intervals. (Source: Marine Recreational Information Program)

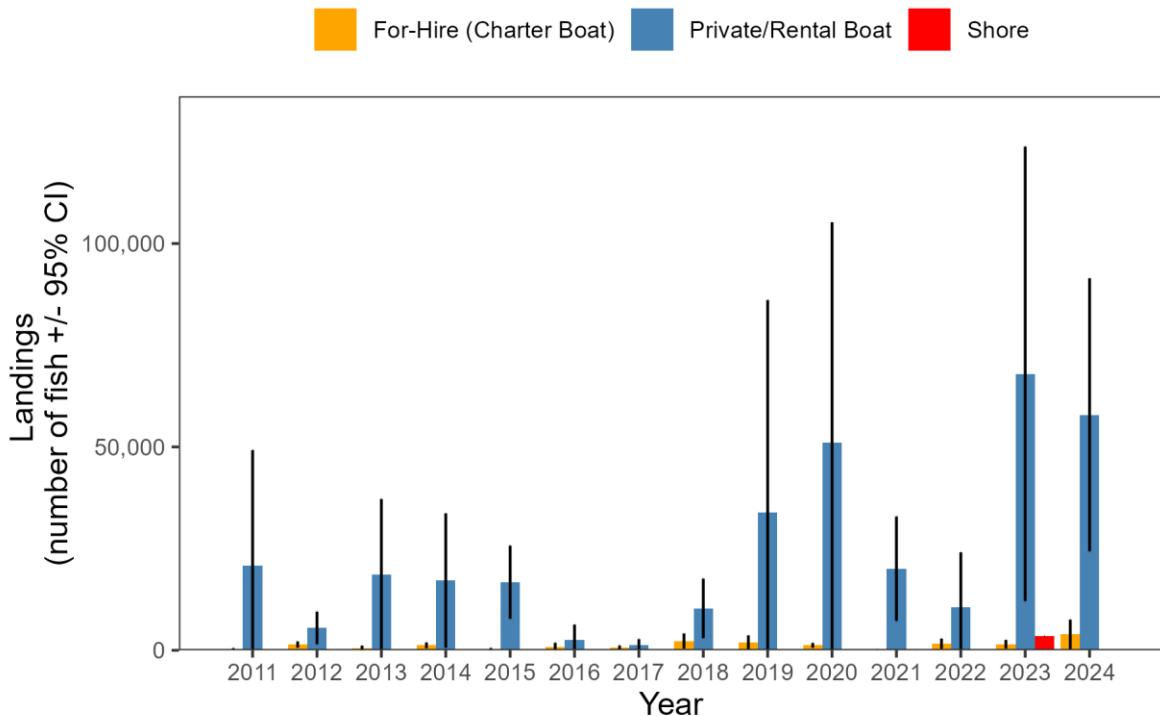


Figure 3. North Carolina recreational harvest (numbers) by fishing mode, 2011-2024. The black lines represent 95% confidence intervals. (Source: Marine Recreational Information Program)

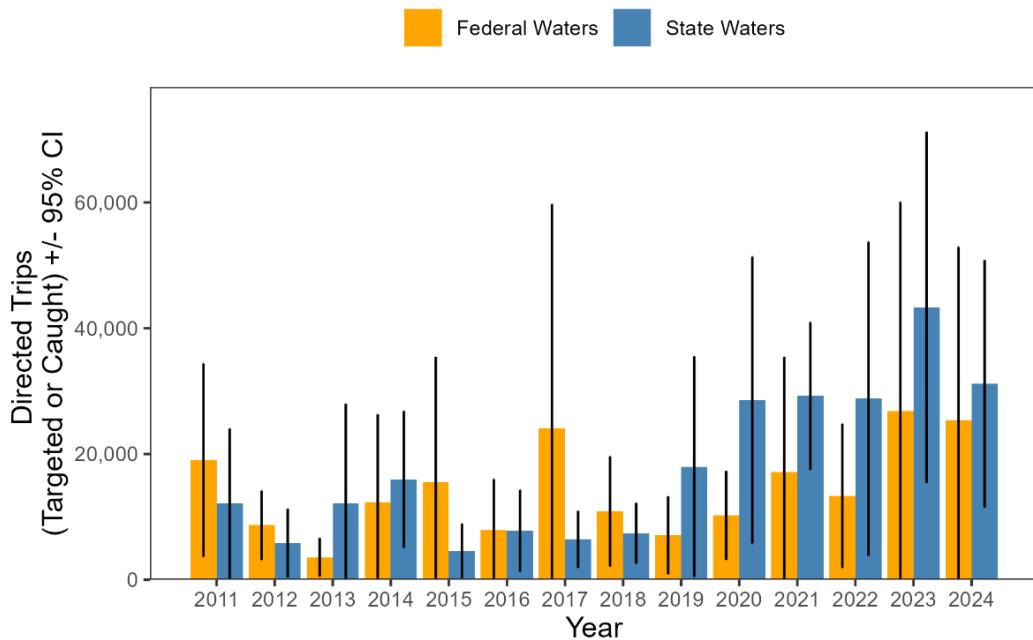


Figure 4. Directed recreational trips in North Carolina in state (0-3 miles) and federal (>3 miles) waters, 2011-2024. The black lines represent 95% confidence intervals. (Source: Marine Recreational Information Program)

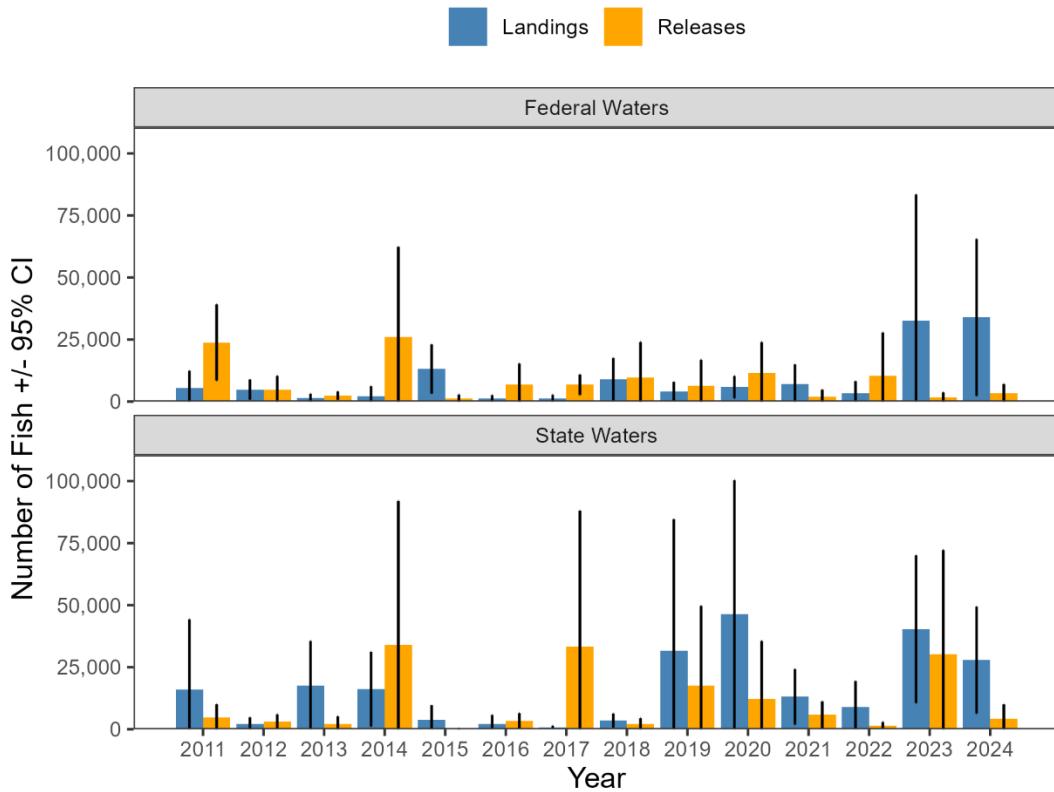


Figure 5. North Carolina recreational Atlantic bonito landings and releases by water classification, 2011-2024. The black lines represent 95% confidence intervals. (Source: Marine Recreational Information Program)

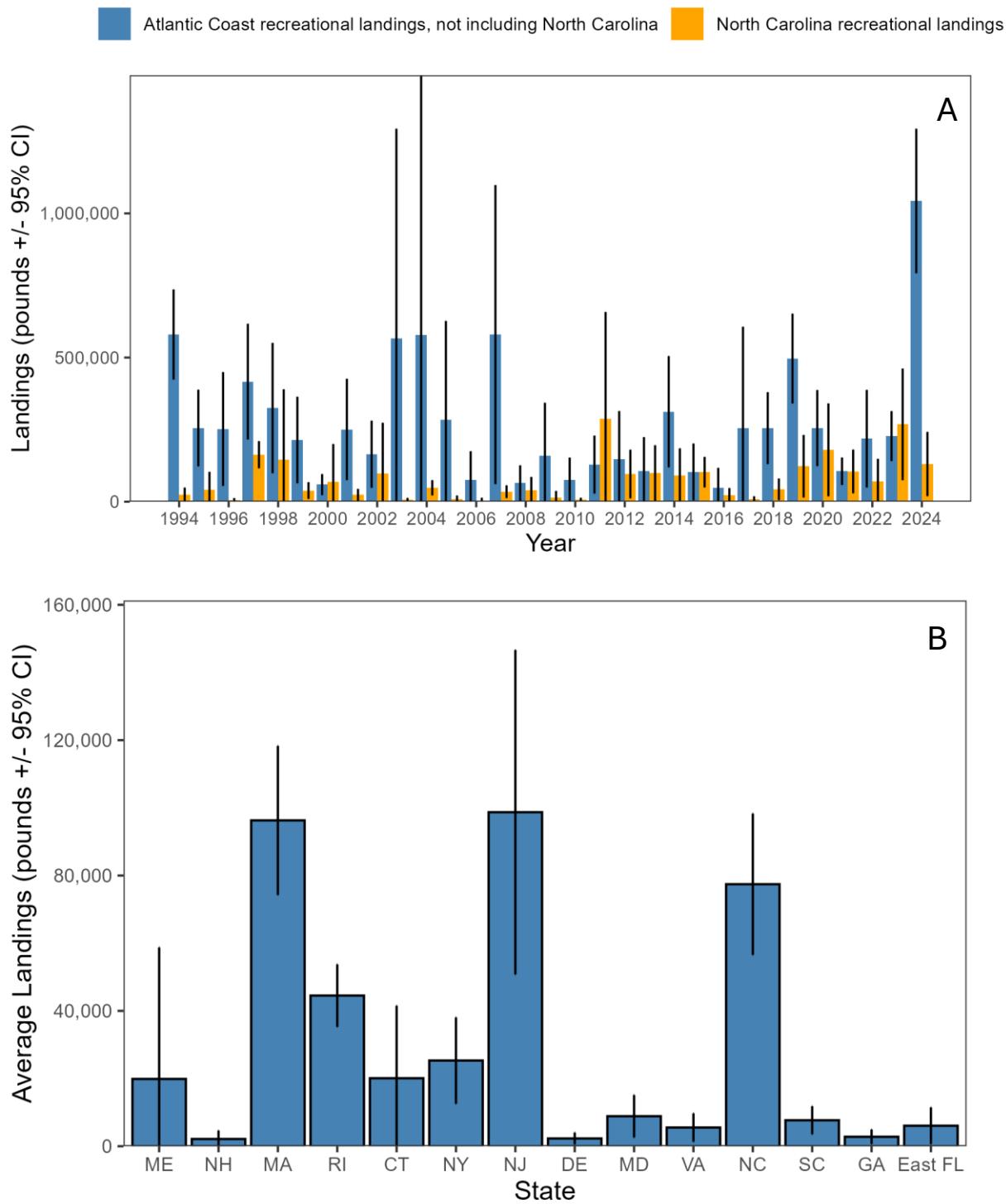


Figure 6. Coastwide and North Carolina recreational Atlantic bonito landings (pounds; A), and average landings, 1994-2024 (pounds; B). The black lines represent 95% confidence intervals. (Source: Marine Recreational Information Program)

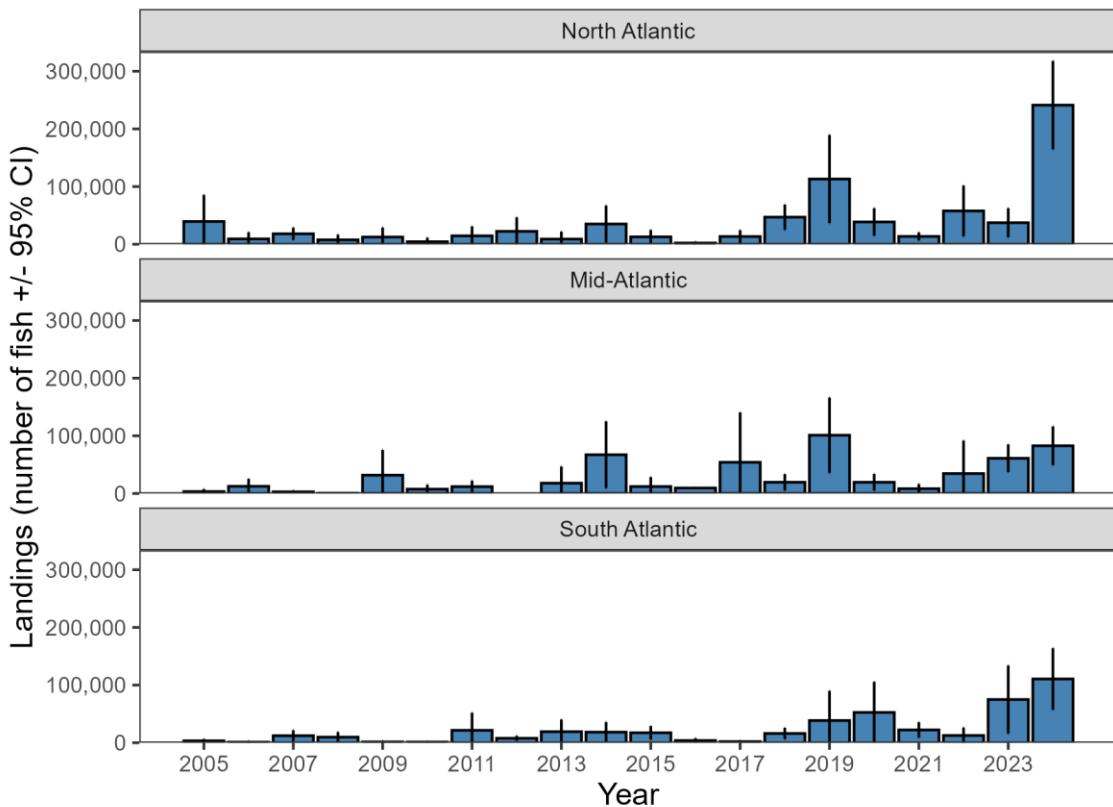


Figure 7. Coastwide recreational landings (numbers of fish) by region, 2005-2024. The black lines represent 95% confidence intervals. (Source: Marine Recreational Information Program)

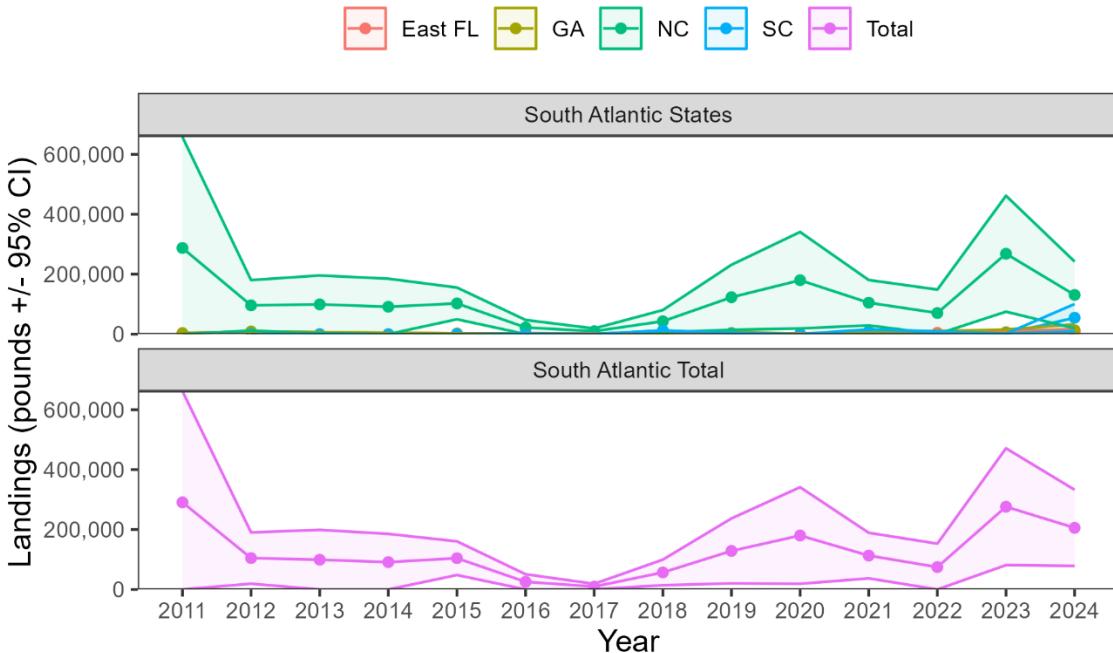


Figure 8. South Atlantic recreational landings (pounds) by state, 2011-2024. The shaded areas represent 95% confidence intervals. (Source: Marine Recreational Information Program)

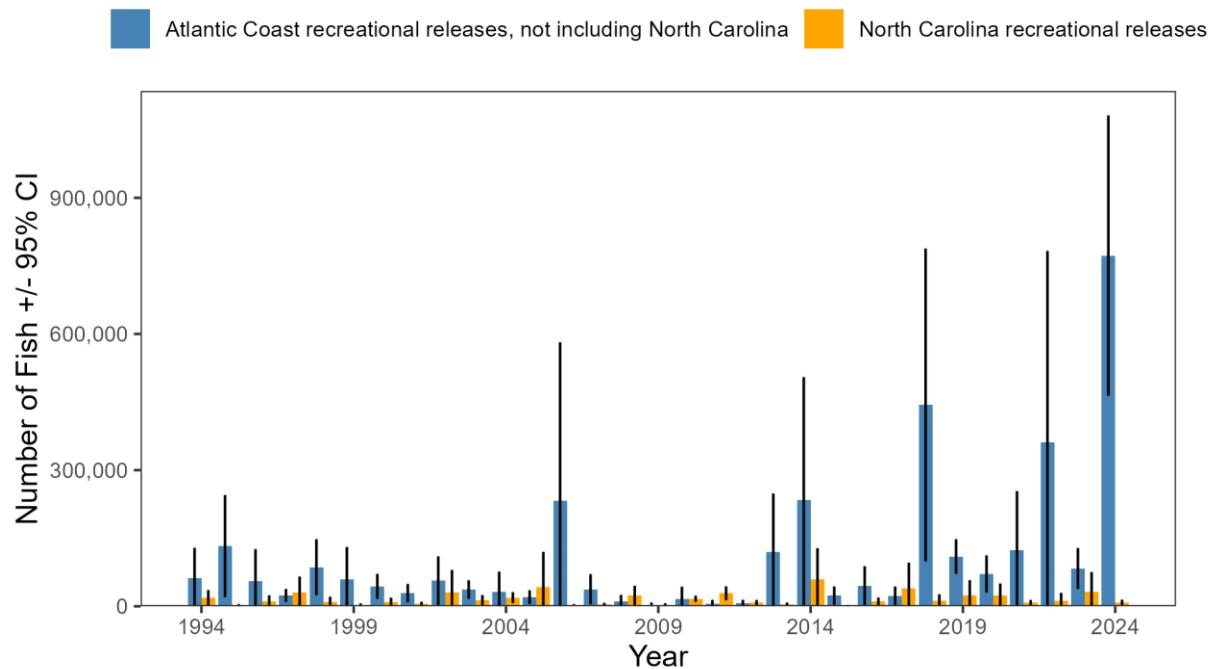


Figure 9. Coastwide and North Carolina recreational Atlantic bonito releases (number of fish), 1994-2024. The black lines represent 95% confidence intervals. (Source: Marine Recreational Information Program)

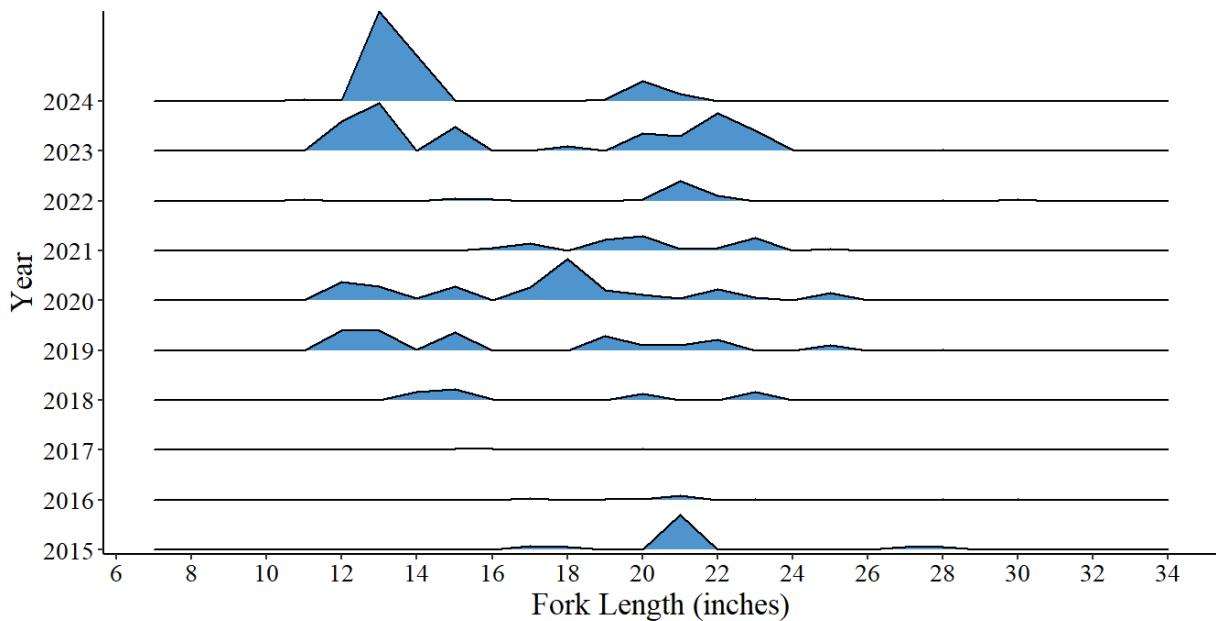


Figure 10. Recreational length frequency (fork length, inches) of harvested Atlantic bonito, 2015-2024. (Source: Marine Recreational Information Program)

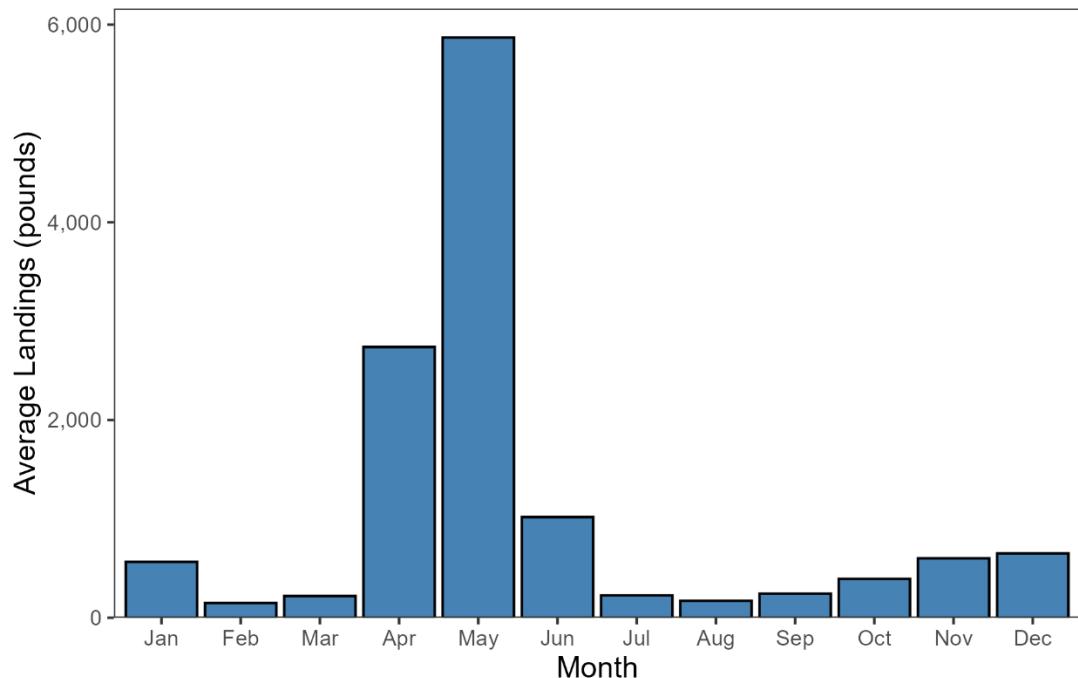


Figure 11. Total North Carolina commercial landings by month, 2005-2024. (Source: North Carolina Trip Ticket Program)

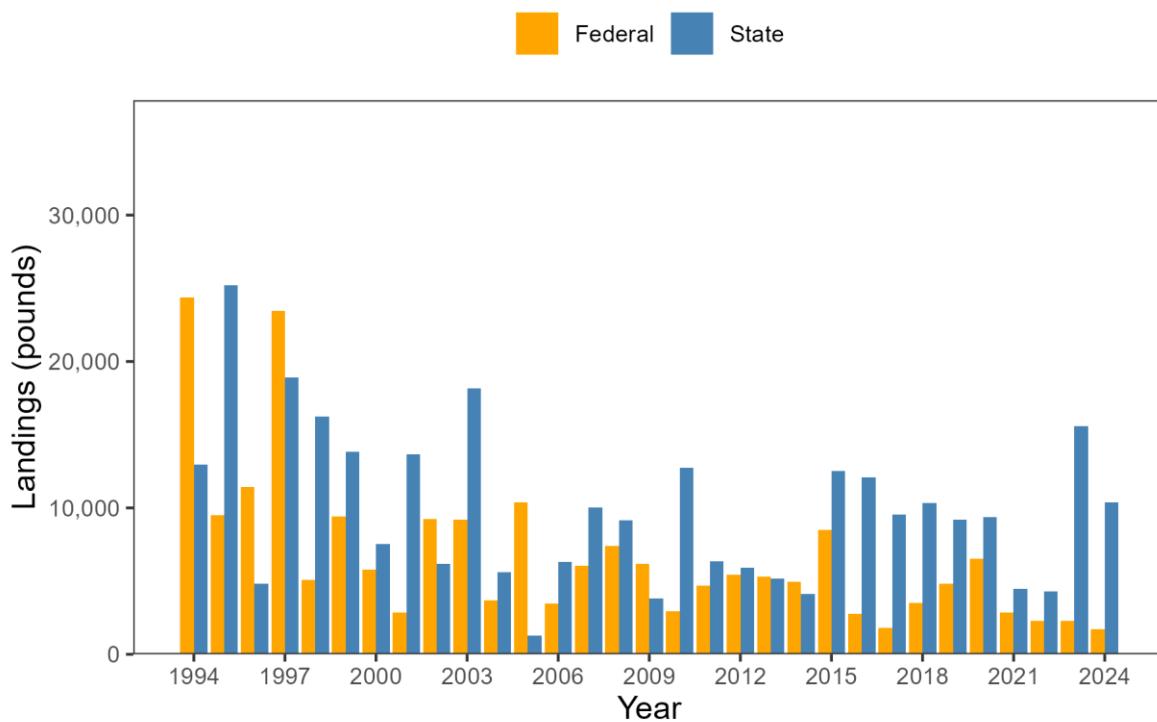


Figure 12. North Carolina commercial Atlantic bonito landings (pounds) by state (0-3 miles) and federal waters (>3 miles), 1994-2024. (Source: North Carolina Trip Ticket Program)

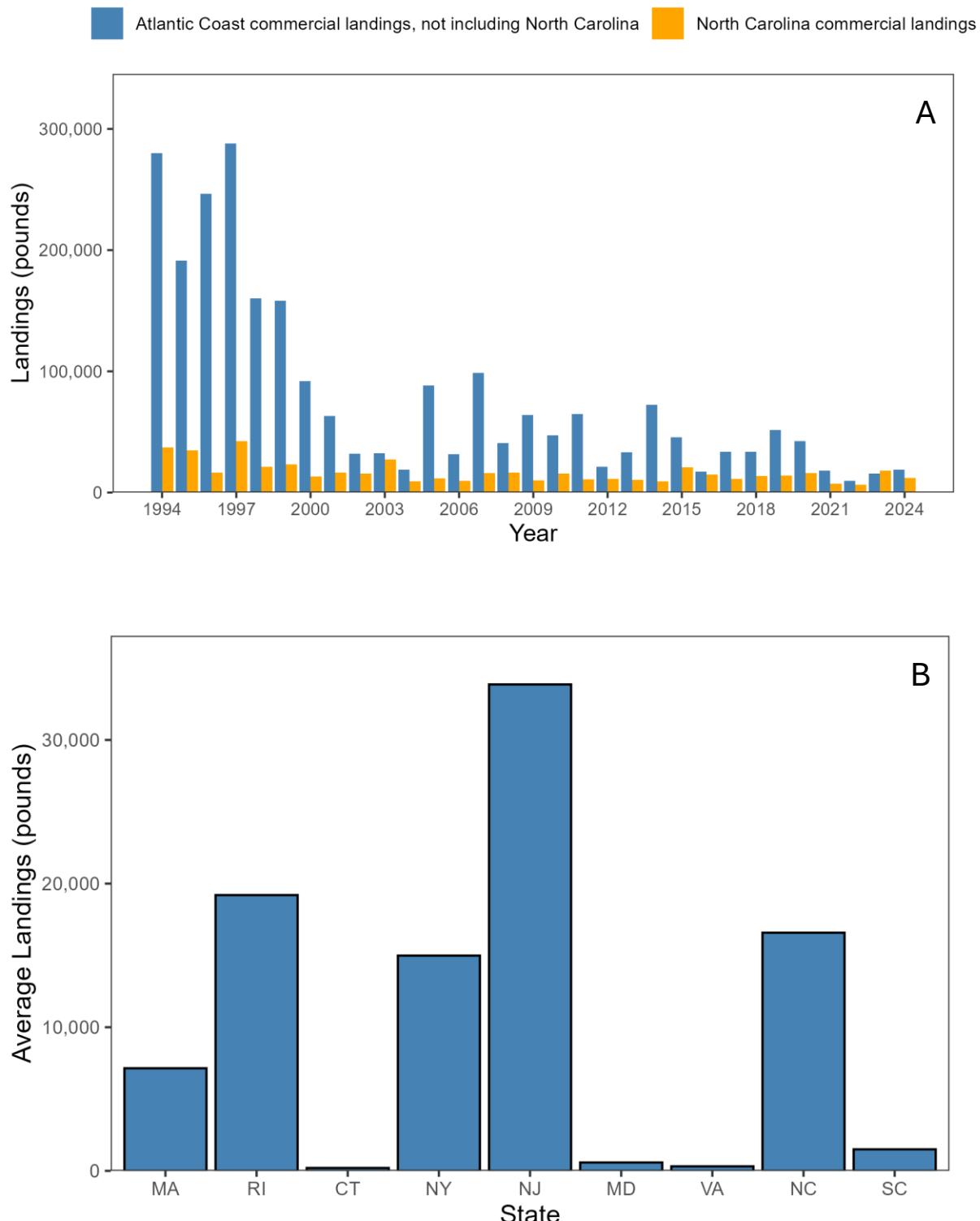


Figure 13. Coastwide and North Carolina commercial Atlantic bonito landings (pounds; A), and average landings, 1994-2024 (pounds; B). (Source: Atlantic Coastal Cooperative Statistics Program and North Carolina Trip Ticket Program)

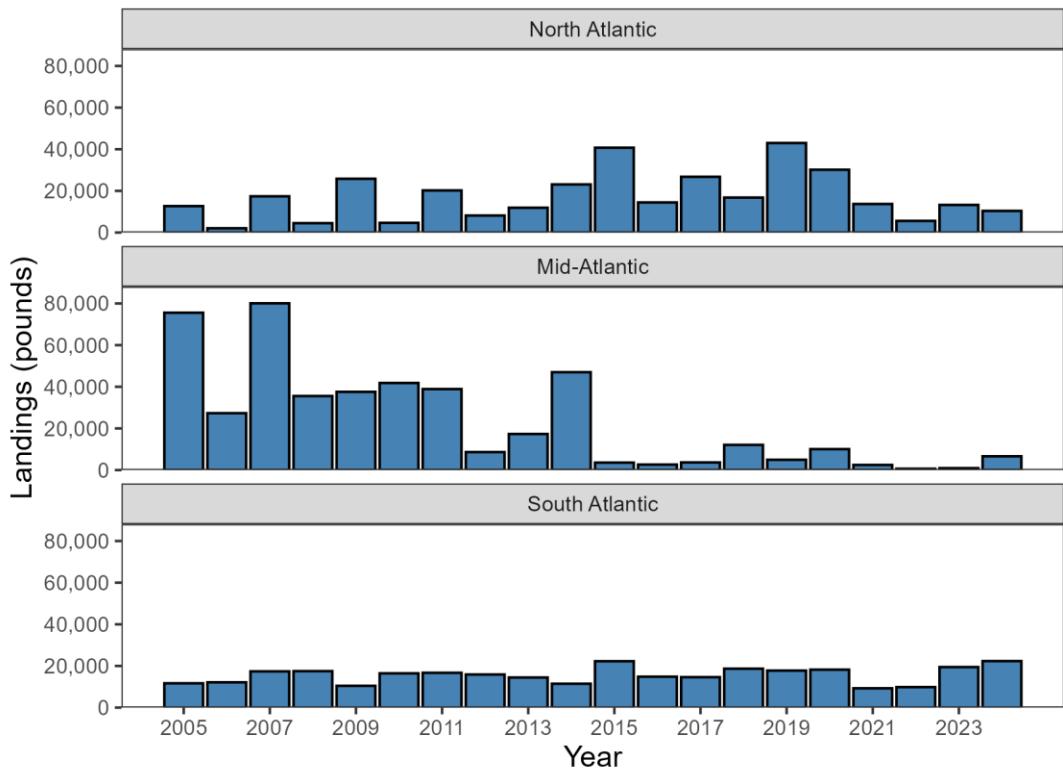


Figure 14. Coastwide commercial landings (pounds) by subregion, 2005-2024. (Source: Atlantic Coastal Cooperative Statistics Program)

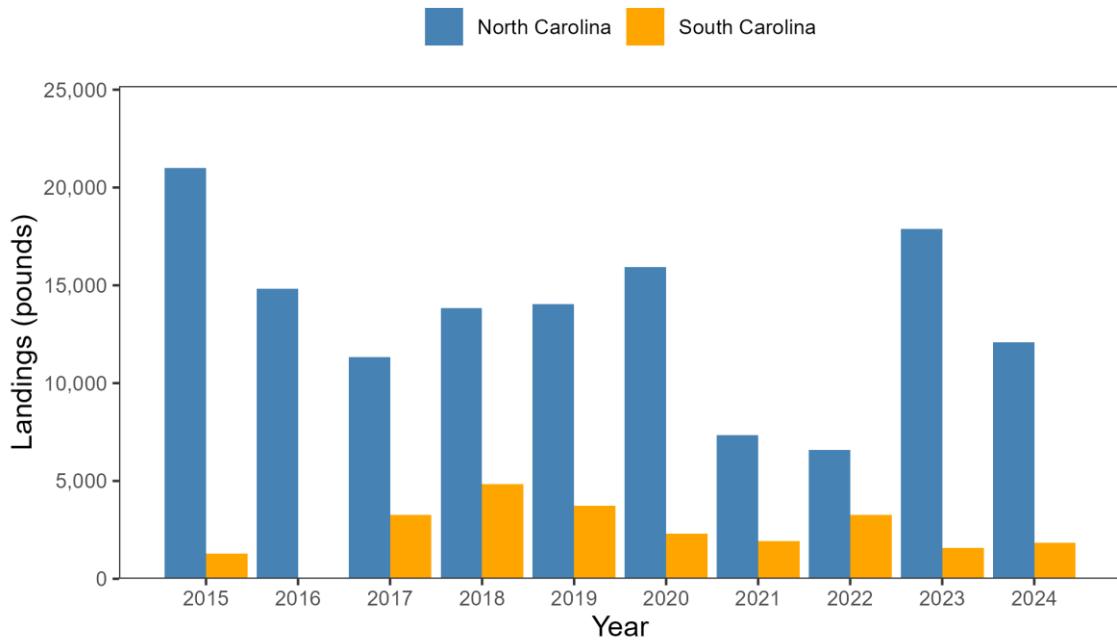


Figure 15. South Atlantic commercial landings (pounds) by state, 2015-2024. Florida and Georgia reported no landings during this time frame. (Source: Atlantic Coastal Cooperative Statistics Program)

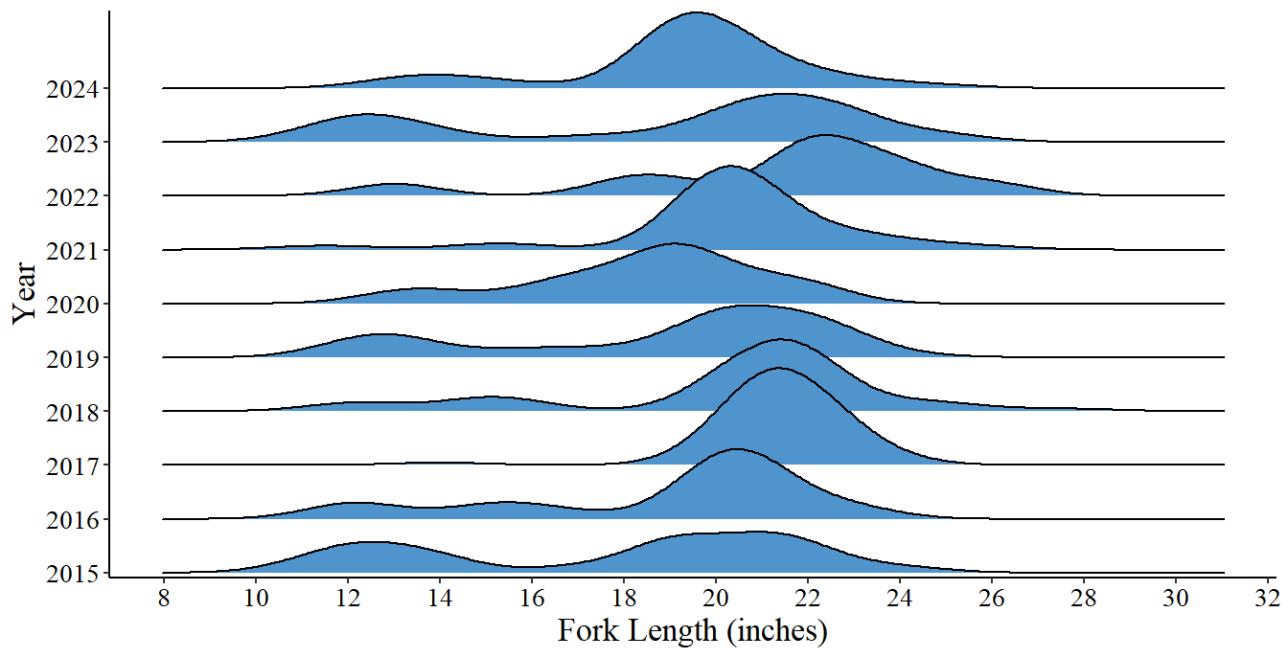


Figure 16. North Carolina commercial Atlantic bonito length frequency distribution, 2015-2024. (Source: NCDMF fish house sampling data)

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# **Periodic Review and Expiration of Existing Rules**

February 2026 Quarterly Business Meeting

## **Documents**

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Initial Periodic Review Report for  
15A NCAC 03Q .0100

Initial Periodic Review Report for  
All Other Rules in 15A NCAC 03

Initial Periodic Review Report for  
15A NCAC 10C .0100

Initial Periodic Review Report for  
15A NCAC 18A .0100, .0300-.0900, .3400

G.S. 150B-21.3A Report for 15A NCAC 03Q - Section .0100, JURISDICTION OF AGENCIES: CLASSIFICATION OF WATERS												
Agency - Marine Fisheries Commission - Wildlife Resources Commission												
Comment Period - March 2 - May 1, 2026												
Date Submitted to APO - Filled in by RRC staff												
Subchapter	Rule Section	Rule Citation	Rule Name	Date and Last Agency Action on the Rule	Agency Determination [150B-21.3A(c)(1)a]	Required to Implement or Conform to Federal Regulation [150B-21.3A(d1)]	Federal Regulation Citation	Public Comment Received [150B-21.3A(c)(1)]	Agency Determination Following Public Comment [150B-21.3A(c)(1)]	RRC Determination of Public Comments [150B-21.3A(c)(2)]	RRC Final Determination of Status of Rule for Report to APO [150B-21.3A(c)(2)]	OAH Next Steps
SUBCHAPTER 03Q JURISDICTION OF AGENCIES: CLASSIFICATION OF WATERS	SECTION .0100 GENERAL REGULATIONS: JOINT	15A NCAC 03Q.0101	SCOPE AND PURPOSE	Readopted Eff. September 1, 2022	Necessary	No		Select One	Select One	Select One	Select One	Select One
		15A NCAC 03Q.0102	INLAND FISHING WATERS	Readopted Eff. September 1, 2022	Necessary	No		Select One	Select One	Select One	Select One	Select One
		15A NCAC 03Q.0103	COASTAL FISHING WATERS	Readopted Eff. September 1, 2022	Necessary	No		Select One	Select One	Select One	Select One	Select One
		15A NCAC 03Q.0104	JOINT FISHING WATERS	Readopted Eff. September 1, 2022	Necessary	No		Select One	Select One	Select One	Select One	Select One
		15A NCAC 03Q.0105	POSTING DIVIDING LINES	Readopted Eff. September 1, 2022	Necessary	No		Select One	Select One	Select One	Select One	Select One
		15A NCAC 03Q.0106	APPLICABILITY OF RULES: JOINT FISHING WATERS	Readopted Eff. September 1, 2022	Necessary	No		Select One	Select One	Select One	Select One	Select One
		15A NCAC 03Q.0107	SPECIAL REGULATIONS: JOINT FISHING WATERS	Readopted Eff. March 15, 2023	Necessary	No		Select One	Select One	Select One	Select One	Select One
		15A NCAC 03Q.0108	MANAGEMENT RESPONSIBILITY FOR ESTUARINE STRIPED BASS IN JOINT FISHING WATERS	Readopted Eff. September 1, 2022	Necessary	No		Select One	Select One	Select One	Select One	Select One
		15A NCAC 03Q.0109	IMPLEMENTATION OF ESTUARINE STRIPED BASS MANAGEMENT PLANS: RECREATIONAL FISHING	Readopted Eff. September 1, 2022	Necessary	No		Select One	Select One	Select One	Select One	Select One

G.S. 150B-21.3A Report for 15 NCAC 03, MARINE FISHERIES												
Agency - Marine Fisheries Commission												
Comment Period - March 2 - May 1, 2026												
Date Submitted to APO - Filled in by RRC staff												
Subchapter	Rule Section	Rule Citation	Rule Name	Date and Last Agency Action on the Rule	Agency Determination [150B-21.3A(c)(1)a]	Required to Implement or Conform to Federal Regulation [150B-21.3A(d1)]	Federal Regulation Citation	Public Comment Received [150B-21.3A(c)(1)]	Agency Determination Following Public Comment [150B-21.3A(c)(1)]	RRC Determination of Public Comments [150B-21.3A(c)(2)]	RRC Final Determination of Status of Rule for Report to APO [150B-21.3A(c)(2)]	OAH Next Steps
SUBCHAPTER 03H - SCOPE OF MANAGEMENT	SECTION .0100 - SCOPE OF MANAGEMENT	15A NCAC 03H .0102	SCOPE OF MANAGEMENT	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January 9, 2018.	Necessary	No		Select One	Select One	Select One	Select One	Select One
		15A NCAC 03H .0103	PROCLAMATIONS, GENERAL	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January 9, 2018.	Necessary	No		Select One	Select One	Select One	Select One	Select One
SUBCHAPTER 03I - GENERAL RULES	SECTION .0100 - GENERAL RULES	15A NCAC 03I .0101	DEFINITIONS	Amended Eff. March 24, 2025	Necessary	No		Select One	Select One	Select One	Select One	Select One
		15A NCAC 03I .0102	TEMPORARY SUSPENSION OF RULES	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January 9, 2018.	Necessary	No		Select One	Select One	Select One	Select One	Select One
		15A NCAC 03I .0103	CONFISCATION AND DISPOSITION	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January 9, 2018.	Necessary	No		Select One	Select One	Select One	Select One	Select One
		15A NCAC 03I .0104	INTRODUCE, TRANSFER, OR HOLD IMPORTED MARINE AND ESTUARINE ORGANISMS	Readopted Eff. March 15, 2023	Necessary	No		Select One	Select One	Select One	Select One	Select One
		15A NCAC 03I .0105	LEAVING DEVICES UNATTENDED	Readopted Eff. March 15, 2023	Necessary	No		Select One	Select One	Select One	Select One	Select One
		15A NCAC 03I .0107	ENDANGERED OR THREATENED SPECIES	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January 9, 2018.	Necessary	No		Select One	Select One	Select One	Select One	Select One
		15A NCAC 03I .0108	OCEAN FISHING PIERS	Readopted Eff. April 1, 2022	Necessary	No		Select One	Select One	Select One	Select One	Select One
		15A NCAC 03I .0109	RESEARCH SANCTUARIES	Readopted Eff. August 23, 2022	Necessary	No		Select One	Select One	Select One	Select One	Select One
		15A NCAC 03I .0110	MILITARY DANGER ZONES AND RESTRICTED AREAS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January 9, 2018	Necessary	No		Select One	Select One	Select One	Select One	Select One
		15A NCAC 03I .0113	DATA COLLECTION	Amended Eff. March 24, 2025	Necessary	No		Select One	Select One	Select One	Select One	Select One
		15A NCAC 03I .0114	RECORDKEEPING REQUIREMENTS	Readopted Eff. March 15, 2023	Necessary	No		Select One	Select One	Select One	Select One	Select One
		15A NCAC 03I .0115	REPLACEMENT COSTS OF MARINE AND ESTUARINE RESOURCES - FISH	Readopted Eff. April 1, 2022	Necessary	No		Select One	Select One	Select One	Select One	Select One
		15A NCAC 03I .0116	CORAL AND LIVE ROCK	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January 9, 2018.	Necessary	No		Select One	Select One	Select One	Select One	Select One
		15A NCAC 03I .0118	DISPOSAL OF EVIDENCE	Readopted Eff. March 15, 2023	Necessary	No		Select One	Select One	Select One	Select One	Select One
		15A NCAC 03I .0119	PROHIBITED FISHING ACTIVITY DUE TO PUBLIC HEALTH OR SAFETY	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January 9, 2018.	Necessary	No		Select One	Select One	Select One	Select One	Select One
		15A NCAC 03I .0120	POSSESSION OR TRANSPORTATION LIMITS THROUGH STATE WATERS; SALE OF NATIVE SPECIES	Readopted Eff. April 1, 2019	Necessary	No		Select One	Select One	Select One	Select One	Select One
		15A NCAC 03I .0121	MAPS AND MARKING	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January 9, 2018.	Necessary	No		Select One	Select One	Select One	Select One	Select One
		15A NCAC 03I .0122	USER CONFLICT RESOLUTION	Readopted Eff. April 1, 2022	Necessary	No		Select One	Select One	Select One	Select One	Select One
SUBCHAPTER 03J NETS, POTS, DREDGES, AND OTHER FISHING DEVICES	SECTION .0100 NET RULES, GENERAL	15A NCAC 03J .0101	FIXED OR STATIONARY NETS	Readopted Eff. March 15, 2023	Necessary	No		Select One	Select One	Select One	Select One	Select One
		15A NCAC 03J .0102	NETS OR NET STAKES	Readopted Eff. April 1, 2019	Necessary	No		Select One	Select One	Select One	Select One	Select One
		15A NCAC 03J .0103	GILL NETS, SEINES, IDENTIFICATION, RESTRICTIONS	Readopted Eff. August 23, 2022	Necessary	No		Select One	Select One	Select One	Select One	Select One
		15A NCAC 03J .0104	TRAWL NETS	Readopted Eff. August 23, 2022	Necessary	No		Select One	Select One	Select One	Select One	Select One
		15A NCAC 03J .0105	PURSE SEINES	Readopted Eff. March 15, 2023	Necessary	No		Select One	Select One	Select One	Select One	Select One
		15A NCAC 03J .0106	CHANNEL NETS	Readopted Eff. August 23, 2022	Necessary	No		Select One	Select One	Select One	Select One	Select One
		15A NCAC 03J .0108	NETS PULLED BY MORE THAN ONE VESSEL	Readopted Eff. April 1, 2019	Necessary	No		Select One	Select One	Select One	Select One	Select One
		15A NCAC 03J .0109	LONG HAUL AND SWIPE NET REQUIREMENTS	Readopted Eff. March 15, 2023	Necessary	No		Select One	Select One	Select One	Select One	Select One

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		15A NCAC 03J .0110	SEINES	Readopted Eff. March 15, 2023	Necessary	No		Select One	Select One	Select One	Select One	Select One	
		15A NCAC 03J .0111	FYKE OR HOOP NETS	Readopted Eff. August 23, 2022	Necessary	No		Select One	Select One	Select One	Select One	Select One	
SECTION .0200 NET RULES, SPECIFIC AREAS	15A NCAC 03J .0202	ATLANTIC OCEAN		Readopted Eff. August 23, 2022	Necessary	No		Select One	Select One	Select One	Select One	Select One	
	15A NCAC 03J .0203	CHOWAN RIVER AND MEHERIN RIVER		Readopted Eff. April 1, 2019	Necessary	No		Select One	Select One	Select One	Select One	Select One	
	15A NCAC 03J .0204	CURRITUCK SOUND AND ITS TRIBUTARIES		Readopted Eff. April 1, 2019	Necessary	No		Select One	Select One	Select One	Select One	Select One	
	15A NCAC 03J .0206	SOUTHPORT BOAT HARBOR		Readopted Eff. April 1, 2019	Necessary	No		Select One	Select One	Select One	Select One	Select One	
	15A NCAC 03J .0207	NUCLEAR PLANT INTAKE CANAL		Readopted Eff. April 1, 2019	Necessary	No		Select One	Select One	Select One	Select One	Select One	
	15A NCAC 03J .0208	NEW RIVER		Readopted Eff. August 23, 2022	Necessary	No		Select One	Select One	Select One	Select One	Select One	
	15A NCAC 03J .0209	ALBEMARLE SOUND AND CHOWAN RIVER RIVER HERRING MANAGEMENT AREAS		Readopted Eff. April 1, 2019	Necessary	No		Select One	Select One	Select One	Select One	Select One	
	15A NCAC 03J .0301	POTS		Readopted Eff. March 15, 2023	Necessary	No		Select One	Select One	Select One	Select One	Select One	
	15A NCAC 03J .0302	RECREATIONAL USE OF POTS		Readopted Eff. March 15, 2023	Necessary	No		Select One	Select One	Select One	Select One	Select One	
	15A NCAC 03J .0303	DREDGES AND MECHANICAL METHODS PROHIBITED		Readopted Eff. April 1, 2019	Necessary	No		Select One	Select One	Select One	Select One	Select One	
	15A NCAC 03J .0304	ELECTRICAL FISHING DEVICE IN CAPE FEAR RIVER		Readopted Eff. April 1, 2019	Necessary	No		Select One	Select One	Select One	Select One	Select One	
	15A NCAC 03J .0305	TROTLINES (MULTIPLE HOOK OR MULTIPLE BAIT)		Readopted Eff. March 15, 2023	Necessary	No		Select One	Select One	Select One	Select One	Select One	
	15A NCAC 03J .0306	HOOK AND LINE		Readopted Eff. April 1, 2019	Necessary	No		Select One	Select One	Select One	Select One	Select One	
SECTION .0400 FISHING GEAR	15A NCAC 03J .0401	FISHING GEAR		Readopted Eff. April 1, 2022	Necessary	No		Select One	Select One	Select One	Select One	Select One	
	15A NCAC 03J .0402	FISHING GEAR RESTRICTIONS		Readopted Eff. August 23, 2022	Necessary	No		Select One	Select One	Select One	Select One	Select One	
	15A NCAC 03J .0404	OCEAN ARTIFICIAL REEF GEAR RESTRICTIONS		Eff. August 23, 2022	Necessary	No		Select One	Select One	Select One	Select One	Select One	
SECTION .0500 - POUND NETS	15A NCAC 03J .0501	DEFINITIONS AND STANDARDS FOR POUND NETS AND POUND NET SETS		Readopted Eff. March 15, 2023	Necessary	No		Select One	Select One	Select One	Select One	Select One	
	15A NCAC 03J .0502	POUND NET SET PERMIT APPLICATION AND PROCESSING		Readopted Eff. June 1, 2022	Necessary	No		Select One	Select One	Select One	Select One	Select One	
	15A NCAC 03J .0503	POUND NET SET PERMIT RENEWAL		Readopted Eff. June 1, 2022	Necessary	No		Select One	Select One	Select One	Select One	Select One	
	15A NCAC 03J .0504	POUND NET SET PERMIT TRANSFER		Readopted Eff. June 1, 2022	Necessary	No		Select One	Select One	Select One	Select One	Select One	
	15A NCAC 03J .0505	POUND NET SET PERMIT CONDITIONS		Readopted Eff. June 1, 2022	Necessary	No		Select One	Select One	Select One	Select One	Select One	
	15A NCAC 03K .0101	PROHIBITED ACTIVITIES IN POLLUTED SHELLFISH AREAS		Amended Eff. March 24, 2025	Necessary	No		Select One	Select One	Select One	Select One	Select One	
SUBCHAPTER 03K - OYSTERS, CLAMS, SCALLOPS, AND MUSSELS	15A NCAC 03K .0102	RAKES PROHIBITED		Readopted Eff. March 15, 2023	Necessary	No		Select One	Select One	Select One	Select One	Select One	
	15A NCAC 03K .0103	SHELLFISH MANAGEMENT AREAS		Readopted Eff. March 15, 2023	Necessary	No		Select One	Select One	Select One	Select One	Select One	
	15A NCAC 03K .0105	RECREATIONAL HARVEST OF SHELLFISH		Readopted Eff. June 1, 2022	Necessary	No		Select One	Select One	Select One	Select One	Select One	
	15A NCAC 03K .0106	TAKING OR UNLOADING OYSTERS AND CLAMS ON SUNDAY OR AT NIGHT		Readopted Eff. June 1, 2022	Necessary	No		Select One	Select One	Select One	Select One	Select One	
	15A NCAC 03K .0107	DEPURATION OF CLAMS AND OYSTERS		Readopted Eff. March 15, 2023	Necessary	No		Select One	Select One	Select One	Select One	Select One	
	15A NCAC 03K .0108	DREDGES AND MECHANICAL METHODS PROHIBITED		Readopted Eff. March 15, 2023	Necessary	No		Select One	Select One	Select One	Select One	Select One	
	15A NCAC 03K .0109	SHELLFISH HARVEST TAGS		Readopted Eff. March 15, 2023	Necessary	No		Select One	Select One	Select One	Select One	Select One	
	15A NCAC 03K .0110	PUBLIC HEALTH AND CONTROL OF OYSTERS, CLAMS, SCALLOPS, AND MUSSELS		Amended Eff. August 1, 2024	Necessary	No		Select One	Select One	Select One	Select One	Select One	
	15A NCAC 03K .0201	OYSTER HARVEST MANAGEMENT		Readopted Eff. June 1, 2022	Necessary	No		Select One	Select One	Select One	Select One	Select One	
	15A NCAC 03K .0202	CULLING REQUIREMENTS FOR OYSTERS		Readopted Eff. March 15, 2023	Necessary	No		Select One	Select One	Select One	Select One	Select One	

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		15A NCAC 03K .0204	MECHANICAL METHODS FOR OYSTERING PROHIBITED	Readopted Eff. March 15, 2023	Necessary	No		Select One	Select One	Select One	Select One	Select One
		15A NCAC 03K .0205	MARKETING OYSTERS TAKEN FROM A SHELLFISH LEASE OR FRANCHISE	Readopted Eff. March 15, 2023	Necessary	No		Select One	Select One	Select One	Select One	Select One
		15A NCAC 03K .0207	OYSTER SIZE AND HARVEST LIMIT EXEMPTIONS	Readopted Eff. March 15, 2023	Necessary	No		Select One	Select One	Select One	Select One	Select One
		15A NCAC 03K .0208	SEED OYSTER MANAGEMENT AREAS	Readopted Eff. March 15, 2023	Necessary	No		Select One	Select One	Select One	Select One	Select One
		15A NCAC 03K .0209	OYSTER SANCTUARIES	Readopted Eff. March 15, 2023	Necessary	No		Select One	Select One	Select One	Select One	Select One
SECTION .0300 HARD CLAMS (MERCEÑARIA)	15A NCAC 03K .0301	SIZE AND HARVEST LIMITS OF CLAMS	Amended Eff. March 24, 2025	Necessary	No			Select One	Select One	Select One	Select One	Select One
		15A NCAC 03K .0302	MECHANICAL HARVEST OF CLAMS FROM PUBLIC BOTTOM	Readopted Eff. June 1, 2022	Necessary	No		Select One	Select One	Select One	Select One	Select One
		15A NCAC 03K .0304	PROHIBITED TAKING OF CLAMS	Readopted Eff. March 15, 2023	Necessary	No		Select One	Select One	Select One	Select One	Select One
		15A NCAC 03K .0305	CLAM SIZE AND HARVEST LIMIT EXEMPTIONS	Readopted Eff. March 15, 2023	Necessary	No		Select One	Select One	Select One	Select One	Select One
SECTION .0400 RANGIA CLAMS	15A NCAC 03K .0402	SIZE AND HARVEST LIMITS	Readopted Eff. April 1, 2019	Necessary	No			Select One	Select One	Select One	Select One	Select One
		15A NCAC 03K .0404	DREDGES AND MECHANICAL METHODS PROHIBITED AND OPEN SEASON	Readopted Eff. April 1, 2019	Necessary	No		Select One	Select One	Select One	Select One	Select One
SECTION .0500 - SCALLOPS	15A NCAC 03K .0501	BAY SCALLOP HARVEST MANAGEMENT	Readopted Eff. April 1, 2019	Necessary	No			Select One	Select One	Select One	Select One	Select One
		15A NCAC 03K .0502	TAKING BAY SCALLOPS AT NIGHT AND ON WEEKENDS	Readopted Eff. April 1, 2019	Necessary	No		Select One	Select One	Select One	Select One	Select One
		15A NCAC 03K .0503	BAY SCALLOP DREDGE PROHIBITED	Readopted Eff. April 1, 2019	Necessary	No		Select One	Select One	Select One	Select One	Select One
		15A NCAC 03K .0504	CALICO SCALLOP HARVEST MANAGEMENT	Readopted Eff. April 1, 2019	Necessary	No		Select One	Select One	Select One	Select One	Select One
		15A NCAC 03K .0505	SEA SCALLOPS SIZE LIMIT AND TOLERANCE	Readopted Eff. March 15, 2023	Necessary	No		Select One	Select One	Select One	Select One	Select One
		15A NCAC 03K .0507	MARKETING SCALLOPS TAKEN FROM A SHELLFISH LEASE OR FRANCHISE	Amended Eff. March 15, 2023	Necessary	No		Select One	Select One	Select One	Select One	Select One
		15A NCAC 03K .0508	SCALLOP AQUACULTURE HARVEST EXEMPTIONS	Readopted Eff. April 1, 2019	Necessary	No		Select One	Select One	Select One	Select One	Select One
SUBCHAPTER 03L - SHRIMP, CRAB, AND LOBSTER	SECTION .0100 - SHRIMP	15A NCAC 03L .0101	SHRIMP HARVEST RESTRICTIONS	Readopted Eff. June 1, 2022	Necessary	No		Select One	Select One	Select One	Select One	Select One
		15A NCAC 03L .0102	WEEKEND SHRIMPING PROHIBITED	Readopted Eff. March 15, 2023	Necessary	No		Select One	Select One	Select One	Select One	Select One
		15A NCAC 03L .0103	PROHIBITED NETS, MESH LENGTHS, AND AREAS	Readopted Eff. March 15, 2023	Necessary	No		Select One	Select One	Select One	Select One	Select One
		15A NCAC 03L .0105	RECREATIONAL SHRIMP LIMITS	Readopted Eff. March 15, 2023	Necessary	No		Select One	Select One	Select One	Select One	Select One
SECTION .0200 - CRAB	15A NCAC 03L .0201	CRAB HARVEST RESTRICTIONS	Readopted Eff. March 15, 2023	Necessary	No			Select One	Select One	Select One	Select One	Select One
		15A NCAC 03L .0202	CRAB TRAWLING	Readopted Eff. March 15, 2023	Necessary	No		Select One	Select One	Select One	Select One	Select One
		15A NCAC 03L .0203	CRAB DREDGING	Readopted Eff. March 15, 2023	Necessary	No		Select One	Select One	Select One	Select One	Select One
		15A NCAC 03L .0204	CRAB POTS	Readopted Eff. March 15, 2023	Necessary	No		Select One	Select One	Select One	Select One	Select One
		15A NCAC 03L .0205	CRAB SPAWNING SANCTUARIES	Readopted Eff. March 15, 2023	Necessary	No		Select One	Select One	Select One	Select One	Select One
		15A NCAC 03L .0207	HORSESHOE CRABS	Readopted Eff. April 1, 2022	Necessary	No		Select One	Select One	Select One	Select One	Select One
		15A NCAC 03L .0208	STONE CRABS	Readopted Eff. April 1, 2019	Necessary	No		Select One	Select One	Select One	Select One	Select One
		15A NCAC 03L .0210	REPACKAGING OF FOREIGN CRAB MEAT PROHIBITED	Eff. August 23, 2022	Necessary	No		Select One	Select One	Select One	Select One	Select One
SECTION .0300 - LOBSTER	15A NCAC 03L .0301	AMERICAN LOBSTER (NORTHERN LOBSTER)	Readopted Eff. August 23, 2022	Necessary	No			Select One	Select One	Select One	Select One	Select One
		15A NCAC 03L .0302	SPINY LOBSTER	Readopted Eff. April 1, 2022	Necessary	No		Select One	Select One	Select One	Select One	Select One
SUBCHAPTER 03M - FINFISH	SECTION .0100 - FINFISH, GENERAL	15A NCAC 03M .0101	MUTILATED FINFISH	Readopted Eff. April 1, 2019	Necessary	No		Select One	Select One	Select One	Select One	Select One
		15A NCAC 03M .0102	UNMARKETABLE FINFISH	Readopted April 1, 2019	Necessary	No		Select One	Select One	Select One	Select One	Select One
		15A NCAC 03M .0103	MINIMUM SIZE LIMITS	Readopted Eff. April 1, 2019	Necessary	No		Select One	Select One	Select One	Select One	Select One
SECTION .0200 - STRIPED BASS	15A NCAC 03M .0201	STRIPED BASS REQUIREMENTS: GENERAL	Readopted Eff. March 15, 2023	Necessary	No			Select One	Select One	Select One	Select One	Select One
		15A NCAC 03M .0202	STRIPED BASS SEASON, SIZE, AND HARVEST LIMIT: INTERNAL WATERS	Readopted Eff. March 15, 2023	Necessary	No		Select One	Select One	Select One	Select One	Select One

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		15A NCAC 03M .0204	STRIPED BASS SEASON, SIZE, AND HARVEST LIMIT: ATLANTIC OCEAN	Readopted Eff. June 1, 2022	Necessary	No		Select One	Select One	Select One	Select One	Select One
		15A NCAC 03M .0205	STRIPED BASS; PROHIBITED TRAWLING	Readopted Eff. March 15, 2023	Necessary	No		Select One	Select One	Select One	Select One	Select One
SECTION .0300 - SPANISH AND KING MACKEREL		15A NCAC 03M .0302	PURSE GILL NET PROHIBITED	Readopted Eff. August 23, 2022	Necessary	No		Select One	Select One	Select One	Select One	Select One
SECTION .0500 - OTHER FINFISH		15A NCAC 03M .0501	RED DRUM	Readopted Eff. April 1, 2019	Necessary	No		Select One	Select One	Select One	Select One	Select One
		15A NCAC 03M .0502	MULLET	Readopted Eff. April 1, 2019	Necessary	No		Select One	Select One	Select One	Select One	Select One
		15A NCAC 03M .0503	FLounder	Readopted Eff. March 15, 2023	Necessary	No		Select One	Select One	Select One	Select One	Select One
		15A NCAC 03M .0506	SNAPPER GROPER COMPLEX	Readopted Eff. April 1, 2019	Necessary	No		Select One	Select One	Select One	Select One	Select One
		15A NCAC 03M .0507	BILLFISH	Readopted Eff. April 1, 2019	Necessary	No		Select One	Select One	Select One	Select One	Select One
		15A NCAC 03M .0508	STURGEON	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January 9, 2018	Necessary	No		Select One	Select One	Select One	Select One	Select One
		15A NCAC 03M .0509	TARPON	Readopted Eff. March 17, 2021	Necessary	No		Select One	Select One	Select One	Select One	Select One
		15A NCAC 03M .0510	AMERICAN EEL	Readopted Eff. April 1, 2019	Necessary	No		Select One	Select One	Select One	Select One	Select One
		15A NCAC 03M .0512	COMPLIANCE WITH FISHERY MANAGEMENT PLANS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January 9, 2018	Necessary	No		Select One	Select One	Select One	Select One	Select One
		15A NCAC 03M .0513	RIVER HERRING	Readopted Eff. April 1, 2019	Necessary	No		Select One	Select One	Select One	Select One	Select One
		15A NCAC 03M .0515	DOLPHIN	Readopted Eff. April 1, 2019	Necessary	No		Select One	Select One	Select One	Select One	Select One
		15A NCAC 03M .0517	WAHOO	Readopted Eff. April 1, 2019	Necessary	No		Select One	Select One	Select One	Select One	Select One
		15A NCAC 03M .0518	KINGFISHES (SEA MULLET)	Readopted Eff. April 1, 2019	Necessary	No		Select One	Select One	Select One	Select One	Select One
		15A NCAC 03M .0519	SHAD	Readopted Eff. August 23, 2022	Necessary	No		Select One	Select One	Select One	Select One	Select One
		15A NCAC 03M .0520	TUNA	Readopted Eff. April 1, 2019	Necessary	No		Select One	Select One	Select One	Select One	Select One
		15A NCAC 03M .0521	SHEEPSHEAD	Readopted Eff. April 1, 2019	Necessary	No		Select One	Select One	Select One	Select One	Select One
		15A NCAC 03M .0522	SPOTTED SEATROUT	Eff. May 1, 2017	Necessary	No		Select One	Select One	Select One	Select One	Select One
SUBCHAPTER 03N - FISH HABITAT AREAS		15A NCAC 03N .0101	SCOPE AND PURPOSE	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January 9, 2018	Necessary	No		Select One	Select One	Select One	Select One	Select One
		15A NCAC 03N .0103	NURSERY AREA BOUNDARIES	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January 9, 2018	Necessary	No		Select One	Select One	Select One	Select One	Select One
		15A NCAC 03N .0104	PROHIBITED GEAR, PRIMARY NURSERY AREAS	Readopted Eff. March 15, 2023	Necessary	No		Select One	Select One	Select One	Select One	Select One
		15A NCAC 03N .0105	PROHIBITED GEAR, SECONDARY NURSERY AREAS	Readopted Eff. March 15, 2023	Necessary	No		Select One	Select One	Select One	Select One	Select One
		15A NCAC 03N .0106	ANADROMOUS FISH SPAWNING AREA BOUNDARIES	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January 9, 2018	Necessary	No		Select One	Select One	Select One	Select One	Select One
SUBCHAPTER 03O - LICENSES, LEASES, FRANCHISES, AND PERMITS	SECTION .0100 - LICENSES	15A NCAC 03O .0101	PROCEDURES AND REQUIREMENTS TO OBTAIN LICENSES, ENDORSEMENTS, AND COMMERCIAL FISHING VESSEL REGISTRATIONS	Amended Eff. March 24, 2025	Necessary	No		Select One	Select One	Select One	Select One	Select One
		15A NCAC 03O .0102	PROCEDURES AND REQUIREMENTS TO RENEW LICENSES, ENDORSEMENTS, AND COMMERCIAL FISHING VESSEL REGISTRATIONS	Readopted Eff. March 15, 2023	Necessary	No		Select One	Select One	Select One	Select One	Select One
		15A NCAC 03O .0103	AUXILIARY VESSELS	Readopted Eff. June 1, 2022	Necessary	No		Select One	Select One	Select One	Select One	Select One
		15A NCAC 03O .0104	COMMERCIAL UNLOADING OF FISH	Readopted Eff. March 15, 2023	Necessary	No		Select One	Select One	Select One	Select One	Select One
		15A NCAC 03O .0105	REQUIREMENTS FOR MUSSEL DEALERS	Readopted Eff. June 1, 2022	Necessary	No		Select One	Select One	Select One	Select One	Select One
		15A NCAC 03O .0106	DISPLAY OF LICENSES AND REGISTRATIONS	Readopted Eff. April 1, 2019	Necessary	No		Select One	Select One	Select One	Select One	Select One
		15A NCAC 03O .0107	LICENSE REPLACEMENT AND FEES	Readopted Eff. June 1, 2022	Necessary	No		Select One	Select One	Select One	Select One	Select One
		15A NCAC 03O .0108	LICENSE AND COMMERCIAL FISHING VESSEL REGISTRATION TRANSFERS	Readopted Eff. March 17, 2021	Necessary	No		Select One	Select One	Select One	Select One	Select One

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		15A NCAC 030 .0109	ASSIGNMENT OF STANDARD COMMERCIAL FISHING LICENSE	Amended Eff. March 24, 2025	Necessary	No		Select One	Select One	Select One	Select One	Select One
		15A NCAC 030 .0110	LICENSE REFUNDS	Readopted Eff. June 1, 2022	Necessary	No		Select One	Select One	Select One	Select One	Select One
		15A NCAC 030 .0111	SURRENDER OF LICENSES	Readopted Eff. March 15, 2023	Necessary	No		Select One	Select One	Select One	Select One	Select One
		15A NCAC 030 .0112	FOR-HIRE LICENSE REQUIREMENTS	Amended Eff. March 24, 2025	Necessary	No		Select One	Select One	Select One	Select One	Select One
		15A NCAC 030 .0113	OCEAN FISHING PIER REPORTING REQUIREMENTS	Readopted Eff. March 15, 2023	Necessary	No		Select One	Select One	Select One	Select One	Select One
		15A NCAC 030 .0114	SUSPENSION, REVOCATION, AND REISSUANCE OF LICENSES	Readopted Eff. March 15, 2023	Necessary	No		Select One	Select One	Select One	Select One	Select One
SECTION .0200 – SHELLFISH LEASES AND FRANCHISES	15A NCAC 030 .0201	STANDARDS AND REQUIREMENTS FOR SHELLFISH LEASES AND FRANCHISES		Amended Eff. March 24, 2025	Necessary	No		Select One	Select One	Select One	Select One	Select One
		15A NCAC 030 .0202	SHELLFISH LEASE APPLICATIONS	Readopted Eff. August 23, 2022	Necessary	No		Select One	Select One	Select One	Select One	Select One
		15A NCAC 030 .0203	SHELLFISH LEASE APPLICATION PROCESSING	Readopted Eff. June 1, 2022	Necessary	No		Select One	Select One	Select One	Select One	Select One
		15A NCAC 030 .0204	MARKING SHELLFISH LEASES AND FRANCHISES	Readopted Eff. August 23, 2022	Necessary	No		Select One	Select One	Select One	Select One	Select One
		15A NCAC 030 .0205	SHELLFISH LEASE RENEWAL	Readopted Eff. June 1, 2022	Necessary	No		Select One	Select One	Select One	Select One	Select One
		15A NCAC 030 .0206	SHELLFISH LEASE APPLICATION: REQUEST FOR REVIEW	Readopted Eff. June 1, 2022	Necessary	No		Select One	Select One	Select One	Select One	Select One
		15A NCAC 030 .0207	SHELLFISH LEASE AND FRANCHISE PRODUCTION REPORTS	Readopted Eff. June 1, 2022	Necessary	No		Select One	Select One	Select One	Select One	Select One
		15A NCAC 030 .0208	TERMINATION PROCEDURES FOR SHELLFISH LEASES AND FRANCHISES	Readopted Eff. June 1, 2022	Necessary	No		Select One	Select One	Select One	Select One	Select One
		15A NCAC 030 .0209	ASSIGNMENT OF SHELLFISH LEASES AND FRANCHISES	Readopted Eff. July 1, 2022	Necessary	No		Select One	Select One	Select One	Select One	Select One
		15A NCAC 030 .0210	STANDARDS AND REQUIREMENTS FOR FRANCHISES	Readopted Eff. June 1, 2022	Necessary	No		Select One	Select One	Select One	Select One	Select One
		15A NCAC 030 .0211	FISHING GEAR REQUIREMENTS FOR SHELLFISH LEASES AND FRANCHISES	Readopted Eff. March 15, 2023	Necessary	No		Select One	Select One	Select One	Select One	Select One
SECTION .0300 – RECREATIONAL COMMERCIAL GEAR LICENSES	15A NCAC 030 .0301	ELIGIBILITY AND REQUIREMENTS FOR RECREATIONAL COMMERCIAL GEAR LICENSES		Amended Eff. March 24, 2025	Necessary	No		Select One	Select One	Select One	Select One	Select One
		15A NCAC 030 .0302	AUTHORIZED GEAR FOR RECREATIONAL COMMERCIAL GEAR LICENSES	Readopted Eff. March 15, 2023	Necessary	No		Select One	Select One	Select One	Select One	Select One
		15A NCAC 030 .0303	POSSESSION LIMITS FOR RECREATIONAL COMMERCIAL GEAR LICENSES	Readopted Eff. March 15, 2023	Necessary	No		Select One	Select One	Select One	Select One	Select One
SECTION .0400 – STANDARD COMMERCIAL FISHING LICENSE ELIGIBILITY	15A NCAC 030 .0401	STANDARD COMMERCIAL FISHING LICENSE ELIGIBILITY BOARD		Readopted Eff. June 1, 2022	Necessary	No		Select One	Select One	Select One	Select One	Select One
		15A NCAC 030 .0402	STANDARD COMMERCIAL FISHING LICENSE ELIGIBILITY APPLICATION PROCESS	Readopted Eff. June 1, 2022	Necessary	No		Select One	Select One	Select One	Select One	Select One
		15A NCAC 030 .0403	STANDARD COMMERCIAL FISHING LICENSE ELIGIBILITY BOARD REVIEW	Readopted Eff. June 1, 2022	Necessary	No		Select One	Select One	Select One	Select One	Select One
		15A NCAC 030 .0404	STANDARD COMMERCIAL FISHING LICENSE ELIGIBILITY CRITERIA	Readopted Eff. June 1, 2022	Necessary	No		Select One	Select One	Select One	Select One	Select One
		15A NCAC 030 .0405	STANDARD COMMERCIAL FISHING LICENSE ELIGIBILITY POOL APPLICATION DOCUMENTATION	Readopted Eff. March 15, 2023	Necessary	No		Select One	Select One	Select One	Select One	Select One

G.S. 150B-21.3A Report for 15 NCAC 03, MARINE FISHERIES												
Agency - Marine Fisheries Commission												
Comment Period - March 2 - May 1, 2026												
Date Submitted to APO - Filled in by RRC staff												
Subchapter	Rule Section	Rule Citation	Rule Name	Date and Last Agency Action on the Rule	Agency Determination [150B-21.3A(c)(1)a]	Required to Implement or Conform to Federal Regulation [150B-21.3A(d1)]	Federal Regulation Citation	Public Comment Received [150B-21.3A(c)(1)]	Agency Determination Following Public Comment [150B-21.3A(c)(1)]	RRC Determination of Public Comments [150B-21.3A(c)(2)]	RRC Final Determination of Status of Rule for Report to APO [150B-21.3A(c)(2)]	OAH Next Steps
		15A NCAC 030 .0406	STANDARD COMMERCIAL FISHING LICENSE ELIGIBILITY POOL CERTIFICATION	Readopted Eff. June 1, 2022	Necessary	No		Select One	Select One	Select One	Select One	Select One
	SECTION .0500 - PERMITS	15A NCAC 030 .0501	PROCEDURES AND REQUIREMENTS TO OBTAIN PERMITS	Amended Eff. March 24, 2025	Necessary	No		Select One	Select One	Select One	Select One	Select One
		15A NCAC 030 .0502	GENERAL PERMIT CONDITIONS	Readopted Eff. March 15, 2023	Necessary	No		Select One	Select One	Select One	Select One	Select One
		15A NCAC 030 .0503	PERMIT CONDITIONS; SPECIFIC	Amended Eff. March 24, 2025	Necessary	No		Select One	Select One	Select One	Select One	Select One
		15A NCAC 030 .0504	SUSPENSION AND REVOCATION OF PERMITS	Readopted Eff. March 15, 2023	Necessary	No		Select One	Select One	Select One	Select One	Select One
		15A NCAC 030 .0505	SPECIAL PERMIT REQUIRED FOR SPECIFIC MANAGEMENT PURPOSES	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January 9, 2018	Necessary	No		Select One	Select One	Select One	Select One	Select One
SUBCHAPTER 03P - ADMINISTRATIVE PROCEDURES	SECTION .0100 - HEARING PROCEDURES	15A NCAC 03P .0101	LICENSE, PERMIT, OR CERTIFICATE DENIAL: REQUEST FOR REVIEW	Readopted Eff. June 1, 2022	Necessary	No		Select One	Select One	Select One	Select One	Select One
		15A NCAC 03P .0102	CONTESTED CASE HEARING PROCEDURES	Readopted Eff. June 1, 2022	Necessary	No		Select One	Select One	Select One	Select One	Select One
	SECTION .0200 - DECLARATORY RULINGS	15A NCAC 03P .0201	DECLARATORY RULINGS: GENERALLY	Readopted Eff. June 1, 2022	Necessary	No		Select One	Select One	Select One	Select One	Select One
		15A NCAC 03P .0202	PROCEDURE FOR REQUESTING DECLARATORY RULINGS	Readopted Eff. June 1, 2022	Necessary	No		Select One	Select One	Select One	Select One	Select One
		15A NCAC 03P .0203	DISPOSITION OF REQUESTS FOR DECLARATORY RULING	Readopted Eff. June 1, 2022	Necessary	No		Select One	Select One	Select One	Select One	Select One
	SECTION .0300 - PETITIONS FOR RULEMAKING	15A NCAC 03P .0301	FORM AND CONTENTS OF PETITIONS FOR RULEMAKING	Readopted Eff. June 1, 2022	Necessary	No		Select One	Select One	Select One	Select One	Select One
		15A NCAC 03P .0302	REVIEW OF RULEMAKING PETITIONS BY A COMMITTEE OF THE COMMISSION	Readopted Eff. June 1, 2022	Necessary	No		Select One	Select One	Select One	Select One	Select One
		15A NCAC 03P .0303	PRESENTATION OF RULEMAKING PETITIONS TO THE COMMISSION	Readopted Eff. June 1, 2022	Necessary	No		Select One	Select One	Select One	Select One	Select One
SUBCHAPTER 03Q - JURISDICTION OF AGENCIES: CLASSIFICATION OF WATERS	SECTION .0200 - BOUNDARY LINES: COASTAL-JOINT-INLAND FISHING WATERS	15A NCAC 03Q .0201	SPECIFIC CLASSIFICATION OF WATERS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January 9, 2018	Necessary	No		Select One	Select One	Select One	Select One	Select One
		15A NCAC 03Q .0202	DESCRIPTIVE BOUNDARIES FOR COASTAL-JOINT-INLAND WATERS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January 9, 2018	Necessary	No		Select One	Select One	Select One	Select One	Select One
SUBCHAPTER 03R	SECTION .0100 - DESCRIPTIVE BOUNDARIES	15A NCAC 03R .0101	SEA TURTLE SANCTUARY	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January 9, 2018	Necessary	No		Select One	Select One	Select One	Select One	Select One
		15A NCAC 03R .0102	MILITARY DANGER ZONES AND RESTRICTED AREAS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January 9, 2018	Necessary	No		Select One	Select One	Select One	Select One	Select One
		15A NCAC 03R .0103	PRIMARY NURSERY AREAS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January 9, 2018	Necessary	No		Select One	Select One	Select One	Select One	Select One
		15A NCAC 03R .0104	PERMANENT SECONDARY NURSERY AREAS	Amended Eff. May 1, 2021	Necessary	No		Select One	Select One	Select One	Select One	Select One
		15A NCAC 03R .0105	SPECIAL SECONDARY NURSERY AREAS	Readopted Eff. May 1, 2021	Necessary	No		Select One	Select One	Select One	Select One	Select One
		15A NCAC 03R .0106	TRAWL NETS PROHIBITED	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January 9, 2018	Necessary	No		Select One	Select One	Select One	Select One	Select One
		15A NCAC 03R .0107	DESIGNATED POT AREAS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January 9, 2018	Necessary	No		Select One	Select One	Select One	Select One	Select One
		15A NCAC 03R .0108	MECHANICAL METHODS PROHIBITED TO TAKE OYSTERS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January 9, 2018	Necessary	No		Select One	Select One	Select One	Select One	Select One

G.S. 150B-21.3A Report for 15 NCAC 03, MARINE FISHERIES												
Agency - Marine Fisheries Commission												
Comment Period - March 2 - May 1, 2026												
Date Submitted to APO - Filled in by RRC staff												
Subchapter	Rule Section	Rule Citation	Rule Name	Date and Last Agency Action on the Rule	Agency Determination [150B-21.3A(c)(1)a]	Required to Implement or Conform to Federal Regulation [150B-21.3A(d1)]	Federal Regulation Citation	Public Comment Received [150B-21.3A(c)(1)]	Agency Determination Following Public Comment [150B-21.3A(c)(1)]	RRC Determination of Public Comments [150B-21.3A(c)(2)]	RRC Final Determination of Status of Rule for Report to APO [150B-21.3A(c)(2)]	OAH Next Steps
		15A NCAC 03R.0109	TAKING CRABS WITH DREDGES	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January 9, 2018	Necessary	No		Select One	Select One	Select One	Select One	Select One
		15A NCAC 03R.0110	CRAB SPAWNING SANCTUARIES	Amended Eff. March 15, 2023	Necessary	No		Select One	Select One	Select One	Select One	Select One
		15A NCAC 03R.0111	PURSE SEINES PROHIBITED	Amended Eff. March 15, 2023	Necessary	No		Select One	Select One	Select One	Select One	Select One
		15A NCAC 03R.0112	ATTENDED GILL NET AREAS	Readopted Eff. April 1, 2019	Necessary	No		Select One	Select One	Select One	Select One	Select One
		15A NCAC 03R.0113	POUND NET SET PROHIBITED AREAS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January 9, 2018	Necessary	No		Select One	Select One	Select One	Select One	Select One
		15A NCAC 03R.0114	SHRIMP TRAWL PROHIBITED AREAS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January 9, 2018	Necessary	No		Select One	Select One	Select One	Select One	Select One
		15A NCAC 03R.0115	ANADROMOUS FISH SPAWNING AREAS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January 9, 2018	Necessary	No		Select One	Select One	Select One	Select One	Select One
		15A NCAC 03R.0116	DESIGNATED SEED OYSTER MANAGEMENT AREAS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January 9, 2018	Necessary	No		Select One	Select One	Select One	Select One	Select One
		15A NCAC 03R.0117	OYSTER SANCTUARIES	Amended Eff. August 1, 2024	Necessary	No		Select One	Select One	Select One	Select One	Select One
		15A NCAC 03R.0118	CRAB HARVEST MANAGEMENT AREAS	Amended Eff. March 15, 2023	Necessary	No		Select One	Select One	Select One	Select One	Select One
		15A NCAC 03R.0119	OCEAN ARTIFICIAL REEFS	Eff. August 23, 2022	Necessary	No		Select One	Select One	Select One	Select One	Select One
SECTION .0200 – FISHERY MANAGEMENT AREAS		15A NCAC 03R.0201	STRIPED BASS MANAGEMENT AREAS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January 9, 2018	Necessary	No		Select One	Select One	Select One	Select One	Select One
		15A NCAC 03R.0202	RIVER HERRING MANAGEMENT AREAS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January 9, 2018	Necessary	No		Select One	Select One	Select One	Select One	Select One

G.S. 150B-21.3A Report for 15A NCAC 10C - Section .0100, INLAND FISHING REGULATIONS												
Agency - Wildlife Resources Commission and Marine Fisheries Commission												
Comment Period - March 2 - May 1, 2026												
Date Submitted to APO - Filled in by RRC staff												
Subchapter	Rule Section	Rule Citation	Rule Name	Date and Last Agency Action on the Rule	Agency Determination [150B-21.3A(c)(1)a]	Required to Implement or Conform to Federal Regulation [150B-21.3A(d1)]	Federal Regulation Citation	Public Comment Received [150B-21.3A(c)(1)]	Agency Determination Following Public Comment [150B-21.3A(c)(1)]	RRC Determination of Public Comments [150B-21.3A(c)(2)]	RRC Final Determination of Status of Rule for Report to APO [150B-21.3A(c)(2)]	OAH Next Steps
SUBCHAPTER 10C INLAND FISHING REGULATIONS	SECTION .0100 JURISDICTION OF AGENCIES: CLASSIFICATION OF WATERS	15A NCAC 10C .0101	SCOPE AND PURPOSE	Readopted Eff. September 1, 2022	Necessary	No		Select One	Select One	Select One	Select One	Select One
		15A NCAC 10C .0102	INLAND FISHING WATERS	Readopted Eff. September 1, 2022	Necessary	No		Select One	Select One	Select One	Select One	Select One
		15A NCAC 10C .0103	COASTAL FISHING WATERS	Readopted Eff. September 1, 2022	Necessary	No		Select One	Select One	Select One	Select One	Select One
		15A NCAC 10C .0104	JOINT FISHING WATERS	Readopted Eff. September 1, 2022	Necessary	No		Select One	Select One	Select One	Select One	Select One
		15A NCAC 10C .0105	POSTING DIVIDING LINES	Readopted Eff. September 1, 2022	Necessary	No		Select One	Select One	Select One	Select One	Select One
		15A NCAC 10C .0106	APPLICABILITY OF RULES: JOINT FISHING WATERS	Readopted Eff. September 1, 2022	Necessary	No		Select One	Select One	Select One	Select One	Select One
		15A NCAC 10C .0107	SPECIAL REGULATIONS: JOINT FISHING WATERS	Readopted Eff. September 1, 2022	Necessary	No		Select One	Select One	Select One	Select One	Select One
		15A NCAC 10C .0108	SPECIFIC CLASSIFICATION OF WATERS	Readopted Eff. September 1, 2022	Necessary	No		Select One	Select One	Select One	Select One	Select One
		15A NCAC 10C .0109	PROTECTION OF SEA TURTLES	Readopted Eff. September 1, 2022	Necessary	No		Select One	Select One	Select One	Select One	Select One
		15A NCAC 10C .0110	MANAGEMENT RESPONSIBILITY FOR ESTUARINE STRIPED BASS IN JOINT FISHING WATERS	Readopted Eff. September 1, 2022	Necessary	No		Select One	Select One	Select One	Select One	Select One
		15A NCAC 10C .0111	IMPLEMENTATION OF ESTUARINE STRIPED BASS MANAGEMENT PLANS: RECREATIONAL FISHING	Readopted Eff. September 1, 2022	Necessary	No		Select One	Select One	Select One	Select One	Select One

G.S. 150B-21.3A Report for 15A NCAC 18A, Sections .0100, .0300 - .0900, and .3400, SANITATION												
Agency - Marine Fisheries Commission												
Comment Period - March 2 - May 1, 2026												
Date Submitted to APO - Filled in by RRC staff												
Subchapter	Rule Section	Rule Citation	Rule Name	Date and Last Agency Action on the Rule	Agency Determination [150B-21.3A(c)(1)a]	Required to Implement or Conform to Federal Regulation [150B-21.3A(d1)]	Federal Regulation Citation	Public Comment Received [150B-21.3A(c)(1)]	Agency Determination Following Public Comment [150B-21.3A(c)(1)]	RRC Determination of Public Comments [150B-21.3A(c)(2)]	RRC Final Determination of Status of Rule for Report to APO [150B-21.3A(c)(2)]	OAH Next Steps
SUBCHAPTER 18A	SECTION .0100 - HANDLING, PACKING, AND SHIPPING OF CRUSTACEA MEAT	15A NCAC 18A .0134	DEFINITIONS	Readopted Eff. April 1, 2022	Necessary	No		Select One	Select One	Select One	Select One	Select One
		15A NCAC 18A .0135	PERMITS	Readopted Eff. March 15, 2023	Necessary	No		Select One	Select One	Select One	Select One	Select One
		15A NCAC 18A .0136	APPLICABILITY OF RULES	Readopted Eff. August 23, 2022	Necessary	No		Select One	Select One	Select One	Select One	Select One
		15A NCAC 18A .0137	GENERAL REQUIREMENTS FOR OPERATION	Readopted Eff. April 1, 2022	Necessary	No		Select One	Select One	Select One	Select One	Select One
		15A NCAC 18A .0138	SUPERVISION	Readopted Eff. April 1, 2022	Necessary	No		Select One	Select One	Select One	Select One	Select One
		15A NCAC 18A .0139	FACILITY FLOODING	Readopted Eff. April 1, 2022	Necessary	No		Select One	Select One	Select One	Select One	Select One
		15A NCAC 18A .0140	FLOORS	Readopted Eff. May 1, 2021	Necessary	No		Select One	Select One	Select One	Select One	Select One
		15A NCAC 18A .0141	WALLS AND CEILINGS	Readopted Eff. May 1, 2021	Necessary	No		Select One	Select One	Select One	Select One	Select One
		15A NCAC 18A .0142	LIGHTING	Readopted Eff. May 1, 2021	Necessary	No		Select One	Select One	Select One	Select One	Select One
		15A NCAC 18A .0143	VENTILATION	Readopted Eff. May 1, 2021	Necessary	No		Select One	Select One	Select One	Select One	Select One
		15A NCAC 18A .0144	INSECT CONTROL	Readopted Eff. April 1, 2022	Necessary	No		Select One	Select One	Select One	Select One	Select One
		15A NCAC 18A .0145	RODENT AND ANIMAL CONTROL	Readopted Eff. April 1, 2022	Necessary	No		Select One	Select One	Select One	Select One	Select One
		15A NCAC 18A .0146	PREMISES	Readopted Eff. May 1, 2021	Necessary	No		Select One	Select One	Select One	Select One	Select One
		15A NCAC 18A .0147	WATER SUPPLY	Readopted Eff. April 1, 2022	Necessary	No		Select One	Select One	Select One	Select One	Select One
		15A NCAC 18A .0148	ICE	Readopted Eff. April 1, 2022	Necessary	No		Select One	Select One	Select One	Select One	Select One
		15A NCAC 18A .0149	PLUMBING	Readopted Eff. April 1, 2022	Necessary	No		Select One	Select One	Select One	Select One	Select One
		15A NCAC 18A .0150	SEWAGE DISPOSAL	Readopted Eff. May 1, 2021	Necessary	No		Select One	Select One	Select One	Select One	Select One
		15A NCAC 18A .0151	TOILETS	Readopted Eff. April 1, 2022	Necessary	No		Select One	Select One	Select One	Select One	Select One
		15A NCAC 18A .0152	SOLID WASTE	Readopted Eff. April 1, 2022	Necessary	No		Select One	Select One	Select One	Select One	Select One
		15A NCAC 18A .0153	PERSONAL HYGIENE	Readopted Eff. April 1, 2022	Necessary	No		Select One	Select One	Select One	Select One	Select One
		15A NCAC 18A .0154	EMPLOYEES' PERSONAL ARTICLES	Readopted Eff. May 1, 2021	Necessary	No		Select One	Select One	Select One	Select One	Select One
		15A NCAC 18A .0155	SUPPLY STORAGE	Readopted Eff. May 1, 2021	Necessary	No		Select One	Select One	Select One	Select One	Select One
		15A NCAC 18A .0156	EQUIPMENT AND UTENSIL CONSTRUCTION	Readopted Eff. April 1, 2022	Necessary	No		Select One	Select One	Select One	Select One	Select One
		15A NCAC 18A .0157	FACILITY AND EQUIPMENT SANITATION	Readopted Eff. April 1, 2022	Necessary	No		Select One	Select One	Select One	Select One	Select One
		15A NCAC 18A .0158	EQUIPMENT STORAGE	Readopted Eff. April 1, 2022	Necessary	No		Select One	Select One	Select One	Select One	Select One
		15A NCAC 18A .0159	SEPARATION OF OPERATIONS	Readopted Eff. May 1, 2021	Necessary	No		Select One	Select One	Select One	Select One	Select One
		15A NCAC 18A .0160	RAW CRUSTACEA RECEIVING AND REFRIGERATION	Readopted Eff. May 1, 2021	Necessary	No		Select One	Select One	Select One	Select One	Select One
		15A NCAC 18A .0161	CRUSTACEA COOKING	Readopted Eff. April 1, 2022	Necessary	No		Select One	Select One	Select One	Select One	Select One
		15A NCAC 18A .0162	COOKED CRUSTACEA AIR COOL	Readopted Eff. April 1, 2022	Necessary	No		Select One	Select One	Select One	Select One	Select One
		15A NCAC 18A .0163	COOKED CRUSTACEA REFRIGERATION	Readopted Eff. May 1, 2021	Necessary	No		Select One	Select One	Select One	Select One	Select One
		15A NCAC 18A .0164	COOKED CRUSTACEA PICKING	Readopted Eff. April 1, 2022	Necessary	No		Select One	Select One	Select One	Select One	Select One
		15A NCAC 18A .0165	PACKING	Readopted Eff. April 1, 2022	Necessary	No		Select One	Select One	Select One	Select One	Select One
		15A NCAC 18A .0166	PICKED CRUSTACEA MEAT REFRIGERATION	Readopted Eff. April 1, 2022	Necessary	No		Select One	Select One	Select One	Select One	Select One
		15A NCAC 18A .0167	DELIVERY WINDOW OR SHELF	Readopted Eff. May 1, 2021	Necessary	No		Select One	Select One	Select One	Select One	Select One
		15A NCAC 18A .0168	SINGLE SERVICE CONTAINERS	Readopted Eff. April 1, 2022	Necessary	No		Select One	Select One	Select One	Select One	Select One
		15A NCAC 18A .0169	FREEZING	Readopted Eff. May 1, 2021	Necessary	No		Select One	Select One	Select One	Select One	Select One
		15A NCAC 18A .0170	SHIPPING	Readopted Eff. May 1, 2021	Necessary	No		Select One	Select One	Select One	Select One	Select One
		15A NCAC 18A .0171	WHOLE CRUSTACEA OR CRUSTACEA PRODUCTS	Readopted Eff. May 1, 2021	Necessary	No		Select One	Select One	Select One	Select One	Select One

G.S. 150B-21.3A Report for 15A NCAC 18A, Sections .0100, .0300 - .0900, and .3400, SANITATION

Agency - Marine Fisheries Commission

**Comment Period - March 2 - May 1, 2026**

**Date Submitted to APO - Filled in by RRC staff**

G.S. 150B-21.3A Report for 15A NCAC 18A, Sections .0100, .0300 - .0900, and .3400, SANITATION												
Agency - Marine Fisheries Commission												
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Date Submitted to APO - Filled in by RRC staff												
Subchapter	Rule Section	Rule Citation	Rule Name	Date and Last Agency Action on the Rule	Agency Determination [150B-21.3A(c)(1)a]	Required to Implement or Conform to Federal Regulation [150B-21.3A(d1)]	Federal Regulation Citation	Public Comment Received [150B-21.3A(c)(1)]	Agency Determination Following Public Comment [150B-21.3A(c)(1)]	RRC Determination of Public Comments [150B-21.3A(c)(2)]	RRC Final Determination of Status of Rule for Report to APO [150B-21.3A(c)(2)]	OAH Next Steps
		15A NCAC 18A .0422	SHELLSTOCK CLEANING	Readopted Eff. April 1, 2024	Necessary	No		Select One	Select One	Select One	Select One	Select One
		15A NCAC 18A .0423	SALE OF LIVE SHELLSTOCK	Readopted Eff. April 1, 2024	Necessary	No		Select One	Select One	Select One	Select One	Select One
		15A NCAC 18A .0424	SHELLFISH RECEIVING	Readopted Eff. April 1, 2024	Necessary	No		Select One	Select One	Select One	Select One	Select One
		15A NCAC 18A .0425	DEALER TAGS	Readopted Eff. March 15, 2023	Necessary	No		Select One	Select One	Select One	Select One	Select One
		15A NCAC 18A .0426	BULK SHIPMENTS BETWEEN SHELLFISH DEALERS	Readopted Eff. April 1, 2024	Necessary	No		Select One	Select One	Select One	Select One	Select One
		15A NCAC 18A .0427	SHELLSTOCK STORAGE	Readopted Eff. June 17, 2024	Necessary	No		Select One	Select One	Select One	Select One	Select One
		15A NCAC 18A .0428	SAMPLING AND TESTING	Readopted Eff. April 1, 2024	Necessary	No		Select One	Select One	Select One	Select One	Select One
		15A NCAC 18A .0429	EMBARGO OR DISPOSAL OF SHELLFISH	Readopted Eff. April 1, 2024	Necessary	No		Select One	Select One	Select One	Select One	Select One
		15A NCAC 18A .0430	BACTERIOLOGICAL AND CONTAMINATION STANDARDS	Readopted Eff. April 1, 2024	Necessary	No		Select One	Select One	Select One	Select One	Select One
		15A NCAC 18A .0432	PUBLIC DISPLAY OF CONSUMER ADVISORY	Readopted Eff. April 1, 2024	Necessary	No		Select One	Select One	Select One	Select One	Select One
		15A NCAC 18A .0433	HAZARD ANALYSIS	Readopted Eff. April 1, 2024	Necessary	No		Select One	Select One	Select One	Select One	Select One
		15A NCAC 18A .0434	HACCP PLAN	Readopted Eff. April 1, 2024	Necessary	No		Select One	Select One	Select One	Select One	Select One
		15A NCAC 18A .0435	SANITATION MONITORING REQUIREMENTS	Readopted Eff. April 1, 2024	Necessary	No		Select One	Select One	Select One	Select One	Select One
SECTION .0500 OPERATION OF SHELLSTOCK PLANTS AND RESHIPPERS	15A NCAC 18A .0501	REQUIREMENTS FOR SHELLSTOCK PLANTS AND RESHIPPERS	Readopted Eff. April 1, 2024	Necessary	No			Select One	Select One	Select One	Select One	Select One
	15A NCAC 18A .0502	GRADING SHELLSTOCK AND COMMILING	Readopted Eff. April 1, 2024	Necessary	No			Select One	Select One	Select One	Select One	Select One
	15A NCAC 18A .0504	RESHIPPERS	Readopted Eff. April 1, 2024	Necessary	No			Select One	Select One	Select One	Select One	Select One
SECTION .0600 OPERATION OF SHELLFISH SHUCKING AND PACKING PLANTS AND REPACKING PLANTS	15A NCAC 18A .0601	REQUIREMENTS FOR SHUCKING AND PACKING PLANTS AND REPACKING PLANTS	Readopted Eff. April 1, 2024	Necessary	No			Select One	Select One	Select One	Select One	Select One
	15A NCAC 18A .0602	SEPARATION OF OPERATIONS	Readopted Eff. April 1, 2024	Necessary	No			Select One	Select One	Select One	Select One	Select One
	15A NCAC 18A .0603	HOT WATER SYSTEM	Readopted Eff. April 1, 2024	Necessary	No			Select One	Select One	Select One	Select One	Select One
	15A NCAC 18A .0605	DELIVERY WINDOW OR SHELF	Readopted Eff. April 1, 2024	Necessary	No			Select One	Select One	Select One	Select One	Select One
	15A NCAC 18A .0606	NON FOOD CONTACT SURFACES	Readopted Eff. April 1, 2024	Necessary	No			Select One	Select One	Select One	Select One	Select One
	15A NCAC 18A .0607	SHUCKING BENCHES	Readopted Eff. April 1, 2024	Necessary	No			Select One	Select One	Select One	Select One	Select One
	15A NCAC 18A .0608	EQUIPMENT CONSTRUCTION	Readopted Eff. April 1, 2024	Necessary	No			Select One	Select One	Select One	Select One	Select One
	15A NCAC 18A .0609	SANITIZING EQUIPMENT	Readopted Eff. April 1, 2024	Necessary	No			Select One	Select One	Select One	Select One	Select One
	15A NCAC 18A .0610	EQUIPMENT SANITATION	Readopted Eff. April 1, 2024	Necessary	No			Select One	Select One	Select One	Select One	Select One
	15A NCAC 18A .0611	EQUIPMENT STORAGE	Readopted Eff. April 1, 2024	Necessary	No			Select One	Select One	Select One	Select One	Select One
	15A NCAC 18A .0612	ICE	Readopted Eff. April 1, 2024	Necessary	No			Select One	Select One	Select One	Select One	Select One
	15A NCAC 18A .0613	SHELLFISH SHUCKING	Readopted Eff. April 1, 2024	Necessary	No			Select One	Select One	Select One	Select One	Select One
	15A NCAC 18A .0614	CONTAINERS	Readopted Eff. April 1, 2024	Necessary	No			Select One	Select One	Select One	Select One	Select One
	15A NCAC 18A .0615	SHELLFISH COOLING	Readopted Eff. April 1, 2024	Necessary	No			Select One	Select One	Select One	Select One	Select One
	15A NCAC 18A .0616	SHELLFISH FREEZING	Readopted Eff. April 1, 2024	Necessary	No			Select One	Select One	Select One	Select One	Select One
	15A NCAC 18A .0618	HEAT SHOCK METHOD OF PREPARATION OF SHELLFISH	Readopted Eff. April 1, 2024	Necessary	No			Select One	Select One	Select One	Select One	Select One
	15A NCAC 18A .0619	REPACKAGING OF SHELLFISH	Readopted Eff. April 1, 2024	Necessary	No			Select One	Select One	Select One	Select One	Select One
	15A NCAC 18A .0620	SHELLFISH THAWING AND REPACKAGING	Readopted Eff. April 1, 2024	Necessary	No			Select One	Select One	Select One	Select One	Select One
SECTION .0700 OPERATION OF DEPURATION (MECHANICAL PURIFICATION) FACILITIES	15A NCAC 18A .0701	REQUIREMENTS FOR DEPURATION	Readopted Eff. April 1, 2024	Necessary	No			Select One	Select One	Select One	Select One	Select One
	15A NCAC 18A .0801	REQUIREMENTS FOR WET STORAGE OF SHELLSTOCK	Readopted Eff. April 1, 2024	Necessary	No			Select One	Select One	Select One	Select One	Select One
SECTION .0900 CLASSIFICATION OF SHELLFISH GROWING WATERS	15A NCAC 18A .0901	DEFINITIONS	Amended Eff. March 24, 2025	Necessary	No			Select One	Select One	Select One	Select One	Select One
	15A NCAC 18A .0902	CLASSIFICATION OF SHELLFISH GROWING WATERS	Readopted Eff. May 1, 2021	Necessary	No			Select One	Select One	Select One	Select One	Select One
	15A NCAC 18A .0903	SANITARY SURVEY	Readopted Eff. May 1, 2021	Necessary	No			Select One	Select One	Select One	Select One	Select One

G.S. 150B-21.3A Report for 15A NCAC 18A, Sections .0100, .0300 - .0900, and .3400, SANITATION											Comments			
Agency - Marine Fisheries Commission														
Comment Period - March 2 - May 1, 2026														
Date Submitted to APO - Filed in by RRC staff														
Subchapter	Rule Section	Rule Citation	Rule Name	Date and Last Agency Action on the Rule	Agency Determination [150B-21.3A(c)(1)a]	Required to Implement or Conform to Federal Regulation [150B-21.3A(d1)]	Federal Regulation Citation	Public Comment Received [150B-21.3A(c)(1)]	Agency Determination Following Public Comment [150B-21.3A(c)(1)]	RRC Determination of Public Comments [150B-21.3A(c)(2)]	RRC Final Determination of Status of Rule for Report to APO [150B-21.3A(c)(2)]	OAH Next Steps		
		15A NCAC 18A .0904	APPROVED WATERS	Readopted Eff. May 1, 2021	Necessary	No		Select One	Select One	Select One	Select One	Select One		
		15A NCAC 18A .0905	CONDITIONALLY APPROVED WATERS	Readopted Eff. May 1, 2021	Necessary	No		Select One	Select One	Select One	Select One	Select One		
		15A NCAC 18A .0906	RESTRICTED AREAS	Amended Eff. March 24, 2025	Necessary	No		Select One	Select One	Select One	Select One	Select One		
		15A NCAC 18A .0907	PROHIBITED WATERS	Readopted Eff. May 1, 2021	Necessary	No		Select One	Select One	Select One	Select One	Select One		
		15A NCAC 18A .0909	BUFFER ZONES	Readopted Eff. May 1, 2021	Necessary	No		Select One	Select One	Select One	Select One	Select One		
		15A NCAC 18A .0911	MARINAS, DOCKING FACILITIES, AND OTHER MOORING AREAS	Readopted Eff. June 1, 2023	Necessary	No		Select One	Select One	Select One	Select One	Select One		
		15A NCAC 18A .0913	PUBLIC HEALTH EMERGENCY	Readopted Eff. May 1, 2021	Necessary	No		Select One	Select One	Select One	Select One	Select One		
		15A NCAC 18A .0914	LABORATORY PROCEDURES	Readopted Eff. May 1, 2021	Necessary	No		Select One	Select One	Select One	Select One	Select One		
SECTION .3400 - COASTAL RECREATIONAL WATERS MONITORING, EVALUATION, AND NOTIFICATION	15A NCAC 18A .3401	DEFINITIONS	Readopted Eff. April 1, 2021		Necessary	No		Select One	Select One	Select One	Select One	Select One		
	15A NCAC 18A .3402	BACTERIOLOGICAL LIMITS FOR SWIMMING AREAS	Readopted Eff. April 1, 2021		Necessary	No		Select One	Select One	Select One	Select One	Select One		
	15A NCAC 18A .3403	PUBLIC NOTICE OF INCREASED HEALTH RISKS IN SWIMMING AREAS	Readopted Eff. April 1, 2021		Necessary	No		Select One	Select One	Select One	Select One	Select One		
	15A NCAC 18A .3404	SWIMMING ADVISORIES FOR POINT SOURCE DISCHARGES INTO SWIMMING AREAS	Readopted Eff. April 1, 2021		Necessary	No		Select One	Select One	Select One	Select One	Select One		
	15A NCAC 18A .3405	RESCINDING A PENDING SWIMMING ADVISORY OR SWIMMING ADVISORY	Readopted Eff. April 1, 2021		Necessary	No		Select One	Select One	Select One	Select One	Select One		