



# *N.C. Marine Fisheries Commission Rulemaking*

*DEPARTMENT OF ENVIRONMENTAL QUALITY*  
Marine Fisheries

Marine Fisheries Commission | Catherine Blum | May 2026



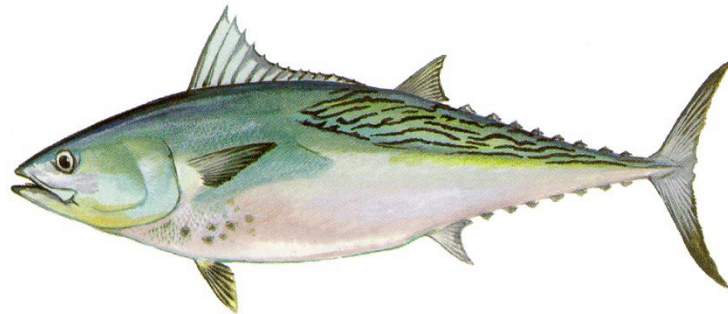
# *N.C. Marine Fisheries Commission Rulemaking Presentation Outline*

- Subjects and next steps:
  - 2024-2025 Rulemaking Cycle (underway)
  - 2025-2026 Rulemaking Cycle (underway)
- 2026-2027 Rulemaking Cycle (action)



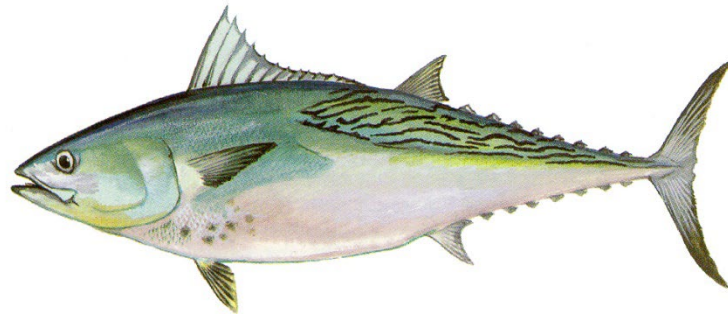
# 2024-2025 Rulemaking Cycle Subjects

- 8 rules
- Subjects:
  - Interstate Wildlife Violator Compact (6 rules)
  - False albacore management (1 rule)
  - Pot marking requirements (1 rule)



# 2024-2025 Rulemaking Cycle Subjects

- 8 rules
- Subjects:
  - Interstate Wildlife Violator Compact (6 rules)
  - **False albacore management (1 rule)**
  - **Pot marking requirements (1 rule)**



## *2025-2026 Rulemaking Cycle Subjects*

- 9 rules
- Subjects:
  - Permits
  - Franchises and shellfish leases



## *2025-2026 Rulemaking Cycle Subjects*

- 9 rules
- Subjects:
  - **Permits**
  - **Franchises and shellfish leases**



*2026-2027  
Rulemaking Cycle  
Subject*

Atlantic bonito management (1 rule)



# *2026-2027 Rulemaking Cycle*

## *Development Steps*

- MFC motion: Develop an issue paper for Atlantic bonito management



# *2026-2027 Rulemaking Cycle*

## *Development Steps*

- MFC motion: Develop an issue paper for Atlantic bonito management
- DMF presentation: life history and catch characteristics of Atlantic bonito



# *2026-2027 Rulemaking Cycle*

## *Development Steps*

- MFC motion: Develop an issue paper for Atlantic bonito management
- DMF presentation: life history and catch characteristics of Atlantic bonito
- MFC motion: Bring proposed rulemaking language for 5-fish recreational bag limit per person for Atlantic bonito to November 2025 MFC meeting



# *2026-2027 Rulemaking Cycle*

## *Development Steps*

- MFC motion: Develop an issue paper for Atlantic bonito management
- DMF presentation: life history and catch characteristics of Atlantic bonito
- MFC motion: Bring proposed rulemaking language for 5-fish recreational bag limit per person for Atlantic bonito to November 2025 MFC meeting
- DMF presentation: preview of proposed rulemaking language options



## *2026-2027 Rulemaking Cycle*

### *Development Steps*

- MFC motion: Develop an issue paper for Atlantic bonito management
- DMF presentation: life history and catch characteristics of Atlantic bonito
- MFC motion: Bring proposed rulemaking language for 5-fish recreational bag limit per person for Atlantic bonito to November 2025 MFC meeting
- DMF presentation: preview of proposed rulemaking language options
- DMF presentation: completed issue paper, including management options



## *2026-2027 Rulemaking Cycle*

### *Development Steps*

- MFC motion: Develop an issue paper for Atlantic bonito management
- DMF presentation: life history and catch characteristics of Atlantic bonito
- MFC motion: Bring proposed rulemaking language for 5-fish recreational bag limit per person for Atlantic bonito to November 2025 MFC meeting
- DMF presentation: preview of proposed rulemaking language options
- DMF presentation: completed issue paper, including management options
- MFC motion: Preferred management option selected



## *2026-2027 Rulemaking Cycle*

### *Atlantic Bonito Management Proposed Rule (Content)*

- Upon rule becoming effective, 5-fish recreational bag limit implemented
- Implementation of additional management measures would involve:
  - DMF present most recent data and any associated management recommendations to MFC;
  - MFC consent that management measures are needed;
  - DMF conduct public outreach; and
  - DMF identify effective date of management measures.



# 2026-2027 Rulemaking Cycle

## Atlantic Bonito Management Proposed Rule (Rule Text)

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

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

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

- (1) specify time;
- (2) specify area;
- (3) specify means and methods;
- (4) specify season;
- (5) specify size; and
- (6) specify quantity, except as provided in Paragraph (a) of this Rule.

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



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# *2026-2027 Rulemaking Cycle*

## *Atlantic Bonito Management Proposed Rule (Timeline)*

- Automatically subject to legislative review
  - S.L. 2019-198 / G.S. 14-4.1
- Rule effective date range: late March 2027 – Summer 2028
  - 2027 long session
  - 2028 short session



# *2026-2027 Rulemaking Cycle*

## *Fiscal Analysis of Atlantic Bonito Proposed Rule*

- Approved by Office of State Budget and Management
- No impact to state, local, or federal government
- No substantial impact, no quantifiable impact



# *2026-2027 Rulemaking Cycle*

## *Fiscal Analysis of Atlantic Bonito Proposed Rule*

- Approved by Office of State Budget and Management
- No impact to state, local, or federal government
- No substantial impact, no quantifiable impact
- Costs to regulated community: possible reduced harvest opportunities
  - No immediate impact if fish are not retained recreationally
  - No immediate impact if fishermen retain 5 or fewer fish recreationally



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- No impact to state, local, or federal government
- No substantial impact, no quantifiable impact
- Costs to regulated community: possible reduced harvest opportunities
  - No immediate impact if fish are not retained recreationally
  - No immediate impact if fishermen retain 5 or fewer fish recreationally
- **Enhance ability to manage Atlantic bonito:**
  - Set precautionary harvest cap
  - Regulatory certainty about potential future management tools
  - Faster, transparent response capability for variable conditions



## *2026-2027 Rulemaking Cycle*

### *Public Comment Opportunities*

- **May 2026:** MFC business meeting
- **August 2026:** MFC business meeting
- **August 3 - October 2, 2026:** Public comment period with hearing
- **November 2026:** MFC business meeting
- **December 2026 or January 2027:** Rules Review Commission meeting
- **After rule would become effective:**
  - MFC business meeting for MFC consent if management is needed
  - DMF outreach to regulated stakeholders



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## *2026-2027 Rulemaking Cycle*

### *Advisory Committee Input*


- **March 10, 2026: Northern Regional Advisory Committee**
  - Passed a motion for status quo on Atlantic bonito management
- **March 11, 2026: Southern Regional Advisory Committee**
  - Motion failed for status quo on Atlantic bonito management
- **March 12, 2026: Finfish Standing Advisory Committee**
  - Atlantic bonito management mentioned by committee member




## 2026-2027 Rulemaking Cycle – Next Steps




- Fiscal analysis of rules prepared by DMF staff and approved by Office of State Budget and Management




- Marine Fisheries Commission votes on approval of Notice of Text for Rulemaking




- Publication of proposed rules in the *N.C. Register*




- Public comment period and public hearing held



- Marine Fisheries Commission receives public comments and votes on final approval of permanent rules




- Rules reviewed / voted on by Office of Administrative Hearings / Rules Review Commission for final approval



- Rules subject to legislative review await the next regular legislative session



- Rules subject to legislative review become effective



- Rulebook supplement available online

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*2026-2027 Rulemaking Cycle*  
*MFC Action*

**Vote to approve Notice of Text for Rulemaking for adoption of 15A NCAC 03M .0524 for Atlantic Bonito Management**





# *N.C. Marine Fisheries Commission Rulemaking Update*

## Questions?

N.C. Division of Marine Fisheries Rulemaking Coordinator

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<https://deq.nc.gov/mfc-proposed-rules>

