

**N.C. Marine Fisheries Commission**  
**Nov. 18-19, 2021**  
**Motions**

**APPROVAL OF AGENDA**

Motion by Martin Posey to approve the meeting agenda.  
Second by Robert McNeil

Motion carries without dissention

**APPROVAL OF MINUTES**

Motion by Pete Kornegay to approve the minutes of the Aug. 25-26, 2021 business meeting and the Sept. 9, 2021 special meeting.  
Second by Doug Cross.

Motion carries without dissention.

**NOMINATIONS FOR THE SAFMC OBLIGATORY SEAT**

Motion by Tom Roller to approve the following names for the South Atlantic Fishery Management Council obligatory seat:

- Tim Griner, a commercial fisherman and dealer from Charlotte and the current N.C. obligatory member on the South Atlantic Fishery Management Council
- Scott Buff, a commercial fisherman and dealer from Oak Island
- Charlie Locke, a commercial fisherman from Wanchese
- Thomas Newman, a commercial fisherman from Williamston

Second by Mike Blanton.

Motion carries without dissention.

**NC FISHERY MANAGEMENT PLAN FOR INTERJURIDICTIONAL FISHERIES AMENDMENT 2**

Motion by Martin Posey to approve the goal and objectives for Amendment 2 to the N.C. FMP for Interjurisdictional Fisheries.

Second by Tom Hendrickson.

Motion carries without dissention.

**NC FISHERY MANAGEMENT PLAN FOR SOUTHERN FLOUNDER AMENDMENT 3**

Motion by Pete Kornegay that the draft Southern Flounder Management Plan not be sent out for public review but that DMF be directed to revise the FMP to provide a current schedule of harvest restrictions and accounting for all sources of fishing mortality that will achieve stock rebuilding by 2028.

Motion fails for lack of a second.

Motion by Tom Roller to send out the draft Southern Flounder FMP Amendment 3 for public and AC review.  
 Second by Robert McNeil

<b>ROLL CALL VOTE</b>				
<b>Commissioner</b>	<b>Aye</b>	<b>Nay</b>	<b>Abstain</b>	<b>Absent</b>
Doug Cross	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mike Blanton	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Tom Hendrickson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
James Kornegay	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Robert McNeill	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Dr. Martin Posey	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Tom Roller	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sam Romano	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Chairman Rob Bizzell	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Motion carries 8-0 with one abstention

**NC FISHERY MANAGEMENT PLAN FOR SHRIMP AMENDMENT 2**

Motion by Tom Roller to accept the DMF’s recommendation as the preferred management options and send them for departmental and legislative committee review.  
 Second by Pete Kornegay

<b>ROLL CALL VOTE</b>				
<b>Commissioner</b>	<b>Aye</b>	<b>Nay</b>	<b>Abstain</b>	<b>Absent</b>
Doug Cross	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mike Blanton	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Tom Hendrickson	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
James Kornegay	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Robert McNeill	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Dr. Martin Posey	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Tom Roller	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sam Romano	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Chairman Rob Bizzell	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Motion fails 4-5

Motion by Doug Cross that the MFC select the following preferred management options:

1. Permanently prohibit ALL trawling in Crab Sanctuary areas.
2. Eliminate the four quarts (heads on) or two and one-half quarts (heads off) recreational creel limit for cast nets only in areas closed to the taking of shrimp.
3. Change the flexible opening date in all SSNA’s to a static 9/1 each year.
4. Continue collaboration with the commercial stakeholder groups through the industry workgroup to identify and test gear modifications to further reduce bycatch in the shrimp fishery.
5. Prohibit shrimp trawling in Bogue Sound and its tributaries except for the Intercoastal Waterway (IWW).
6. Prohibit shrimp trawling in the Carolina Yacht Basin except for the IWW.
7. That the Division of Marine Fisheries collaborate with the CHPP support staff and the Habitat and Water Quality Advisory Committee on issues related to SAV habitat. As the Division deems appropriate and feasible, actions to address that impact will be identified by the appropriate committees and brought to the MFC in the future for action as part of adaptive fisheries management with the collaboration of stakeholder groups and their advisory committees.

Second by Mike Blanton

Motion by Martin Posey to amend the previous motion by adding the other three DMF recommended gear modifications:

- Maintain existing headrope limits for shrimp trawls in internal coastal waters. If needed, implement additional headrope restrictions to resolve user conflicts.
- Investigate the feasibility and utility of a long-term shrimp trawl observer program that encompasses all seasons, areas, and gears.
- Continue collaboration with the commercial stakeholders through the industry workgroup to identify and test gear modifications

Second by Tom Hendrickson

Motion accepted as a friendly amendment.

Motion by Doug Cross, as amended by Martin Posey, that the MFC select the following preferred management options:

1. Permanently prohibit ALL trawling in Crab Sanctuary areas.
2. Eliminate the four quarts (heads on) or two and one-half quarts (heads off) recreational creel limit for cast nets only in areas closed to the taking of shrimp.
3. Change the flexible opening date in all SSNA's to a static 9/1 each year.
4. Continue collaboration with the commercial stakeholder groups through the industry workgroup to identify and test gear modifications to further reduce bycatch in the shrimp fishery.
5. Prohibit shrimp trawling in Bogue Sound and its tributaries except for the Intercoastal Waterway (IWW).
6. Prohibit shrimp trawling in the Carolina Yacht Basin except for the IWW.
7. That the Division of Marine Fisheries collaborate with the CHPP support staff and the Habitat and Water Quality Advisory Committee on issues related to SAV habitat. As the Division deems appropriate and feasible, actions to address that impact will be identified by the appropriate committees and brought to the MFC in the future for action as part of adaptive fisheries management with the collaboration of stakeholder groups and their advisory committees.
8. Maintain existing headrope limits for shrimp trawls in internal coastal waters. If needed, implement additional headrope restrictions to resolve user conflicts.
9. Investigate the feasibility and utility of a long-term shrimp trawl observer program that encompasses all seasons, areas, and gears.

<b>ROLL CALL VOTE</b>				
<b>Commissioner</b>	<b>Aye</b>	<b>Nay</b>	<b>Abstain</b>	<b>Absent</b>
Doug Cross	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mike Blanton	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Tom Hendrickson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
James Kornegay	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Robert McNeill	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Dr. Martin Posey	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Tom Roller	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sam Romano	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Chairman Rob Bizzell	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Motion carries 5-3 with one abstention

Motion by Tom Hendrickson to send the draft N.C. Shrimp Fishery Management Plan Amendment 2 for departmental and legislative committee review.

Second by Doug Cross

<b>ROLL CALL VOTE</b>				
<b>Commissioner</b>	<b>Aye</b>	<b>Nay</b>	<b>Abstain</b>	<b>Absent</b>
Doug Cross	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mike Blanton	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Tom Hendrickson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
James Kornegay	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Robert McNeill	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Dr. Martin Posey	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Tom Roller	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sam Romano	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Chairman Rob Bizzell	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Motion carries 5-3 with one abstention

### **NC COASTAL HABITAT PROTECTION PLAN 2021 AMENDMENT**

Motion by Pete Kornegay that the Marine Fisheries Commission approve the 2021 Amendment to the Coastal Habitat Protection Plan. The Marine Fisheries Commission further encourages that all avenues to obtain federal, State, local and private funds to implement the actions in the plan be pursued, including forming the private/public partnership that the plan recommends. As suggested by the CHPP Steering Committee, the Marine Fisheries Commission will help identify engaged stakeholders to participate in the partnership and encourages the Coastal Resources Commission and the Environmental Management Commission to do the same.

Second by Martin Posey

Motion carries without dissention.

### **ADDITIONAL LABELING REQUIREMENTS FOR REPACKED FOREIGN CRAB MEAT**

Motion by Doug Cross to select the preferred management option for the labeling requirements for repacked foreign crab meat as presented by the division for rule 15A NCAC 03L .0211.

Second by Tom Hendrickson

Motion carries without dissention.

### **FINAL APPROVAL OF RULES**

Motion by Martin Posey to approve, including technical changes presented today and the following:

- Readoption of rules per G.S. 150B-21.3A as follows:
  - o 11 rules in 15A NCAC 03I, 03J: 15A NCAC 03I .0108, .0115, .0122, 03J .0103, .0104, .0106, .0111, .0202, .0208, .0401, 0402;
  - o 8 interjurisdictional species rules: 15A NCAC 03L .0207, .0301, .0302, 03M .0301, .0302, .0511, .0516, .0519;
  - o 34 rules with minor changes relating to standards for handling, packing, and shipping crustacea meat: 15A NCAC 18A .0134, .0137-.0139, .0144, .0145, .0147-.0149, .0151-.0153, .0156-.0158, .0161, .0162, .0164-.0166, .0168, .0174-.0178, .0181-.0187, .0191; and
  - o 2 rules to prohibit repacking of foreign crab meat in North Carolina: 15A NCAC 18A .0136 and .0173; and
- Adoption of 15A NCAC 03L .0210 to prohibit repacking of foreign crab meat in North Carolina.

Seconded by Tom Hendrickson

Motion carries without dissention.