Marine Fisheries Commission Business Meeting
AGENDA

Islander Hotel and Resort, Emerald Isle, NC
November 15-17, 2023

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, November 15th

6:00 p.m. Public Comment Period

Thursday, November 16th

9:00 a.m. Public Comment Period

9:30 a.m. Preliminary Matters

- Commission Call to Order* - Rob Bizzell, Chairman
- Moment of Silence and Pledge of Allegiance
- Conflict of Interest Reminder
- Roll Call
- **Approval of Agenda ****
- **Approval of Meeting Minutes****

10:00 a.m. Chairman's Report

- Letters and Online Comments
- Ethics Training and Statement of Economic Interest Reminder
- 2024 Meeting Schedule
- Commission Committee Assignments
- MFC Workplan

10:30 a.m. Committee Reports

- Nominating Committee – Chris Batsavage

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

- **Vote on slate of nominees for at-large seat for the South Atlantic Fishery Management Council**
- **Vote on slate of nominees for at-large seat for the Mid-Atlantic Fishery Management Council****

11:00 a.m. Director's Report – Director Kathy Rawls

- Reports and updates on recent Division of Marine Fisheries activities
  - Division of Marine Fisheries Operations Update – Deputy Director Mike Loeffler
  - Atlantic States Marine Fisheries Commission – Chris Batsavage
  - Mid-Atlantic Fishery Management Council Update – Chris Batsavage
  - South Atlantic Fishery Management Council Update – Trish Murphey
  - Habitat and Enhancement Section Update – Jacob Boyd
  - Shellfish Sanitation and Recreational Water Quality Section Update – Shannon Jenkins
  - Fisheries Management Section Update – Steve Poland
  - Marine Patrol Update – Col. Carter Witten
  - License and Statistics Section Update – Brandi Salmon
- Informational Materials:
  - Protected Resources Update Memo
    - Observer Program
    - Incidental Take Permit Updates

12:00 p.m. Lunch Break

1:30 p.m. Fishery Management Plans

- Status of ongoing plans – Corrin Flora
- Estuarine Striped Bass FMP Amendment 2 Adaptive Management Update– Nathaniel Hancock, Charlton Godwin
- Hard Clam FMP Amendment 3 and Eastern Oyster FMP Amendment 5 – Lorena de la Garza, Jeff Dobbs, Bennett Paradis, Joe Facendola
  - Review Scoping Outcome
  - **Vote on approval of Goal and Objectives for Hard Clam FMP Amendment 3****
  - **Vote on approval of Goal and Objectives for Eastern Oyster FMP Amendment 5****
- Striped Mullet FMP Amendment 2 (Draft)– Willow Patten, Jeff Dobbs
  - Review draft Amendment 2
  - **Vote on approval of draft Amendment 2 for Public and Advisory Committee Review****

Friday, November 17th

9:00 a.m. Rulemaking

- **Rulemaking Issues Update – Phillip Reynolds****
- **Rule Suspensions Update Memo – Steve Poland****

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

- Rulemaking – Catherine Blum
  - 2022-2023 Rulemaking Cycle Update
  - 2023-2024 Rulemaking Cycle
    - Consider public comments received
    - **Vote on final approval to readopt per G.S. 150B-21.3A, amend, adopt, and repeal 15A NCAC 03K .0110, 18A .0301, .0302, .0305, .0401-.0424, .0426-.0430, .0432-.0439, .0501-.0504, .0601-.0621, .0701- .0713, .0801-.0806****
    - **Vote on final approval to amend 15A NCAC 03I .0113, 03O .0101, .0109, .0112, .0301 for Data Collection and Harassment Prevention for the Conservation of Marine and Estuarine Resources****
    - **Vote on final approval to amend 15A NCAC 03R .0117 for Oyster Sanctuary Changes****
    - **Vote on final approval to amend and repeal 15A NCAC 03I .0101, 03K .0101, .0104, .0301, .0401, .0403, .0405, 03O .0201, .0501, .0503, 18A .0901, .0906 for Conforming Changes for Shellfish Relay Program and Shellfish Leases and Franchises****
  - 2024-2025 Rulemaking Cycle Preview

9:30 a.m. Issues from Commissioners

10:00 a.m. Review of MFC Workplan and Meeting Assignments – Lara Klibansky

10:30 a.m. Adjourn

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