



# *N.C. Marine Fisheries Commission Rulemaking*

*DEPARTMENT OF ENVIRONMENTAL QUALITY*

Marine Fisheries

N.C. Marine Fisheries Commission Meeting | Catherine Blum | May 22, 2025



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

- Subjects and next steps:
  - 2023-2024 Rulemaking Cycle (complete)
  - 2024-2025 Rulemaking Cycle (underway)
  - 2025-2026 Rulemaking Cycle (new)
- Questions from Marine Fisheries Commission (MFC)
- MFC vote on approval to begin process for 9 proposed rules





# *2023-2024 Rulemaking Cycle*

## *Subjects*

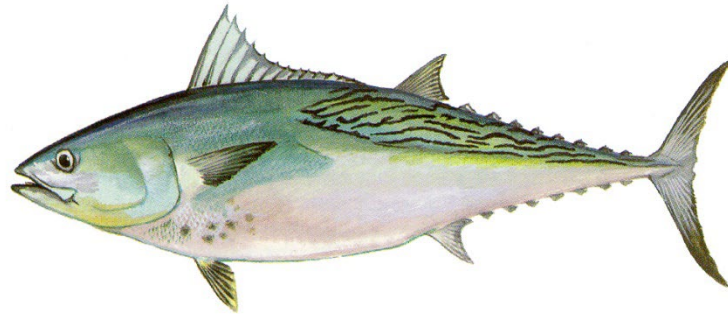
- Subjects:
  - Data collection and harassment prevention for the conservation of marine and estuarine resources (5 rules)
  - Conforming changes for shellfish and lease rules (12 rules)
  - Shellfish plants and inspections (85 rules)
  - Oyster sanctuaries (1 rule)
- All 103 rules are now in effect. The process is complete.



# *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 – 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


2024-2025



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




- Rules not subject to legislative review become effective



- Rulebook supplement available online


2024-2025



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



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## *2025-2026 Rulemaking Cycle Subjects*

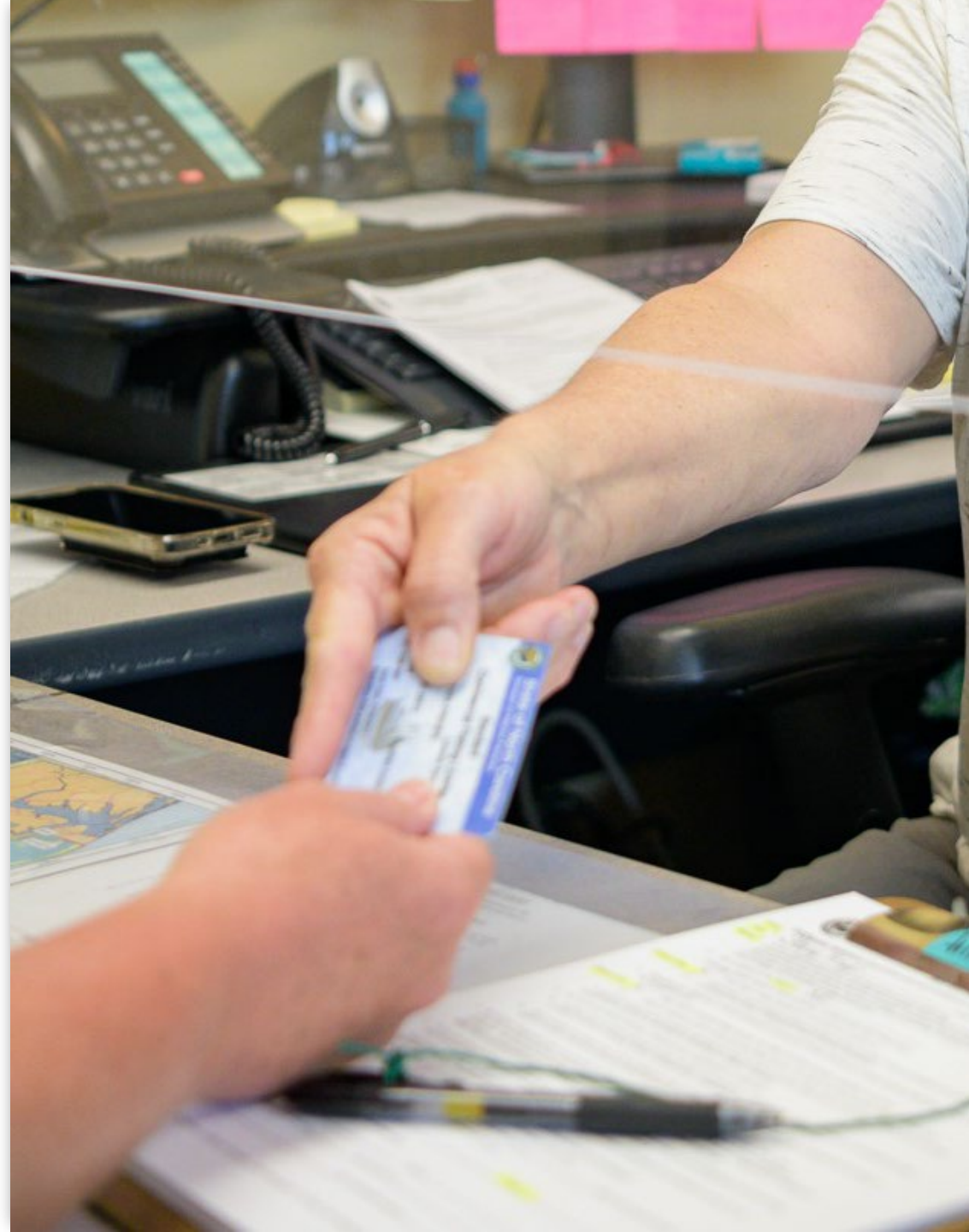
- 9 rules
- Subjects:
  - Permits
  - Franchises and shellfish leases
- OSBM-approved fiscal analyses



# *2025-2026 Rulemaking Cycle*

## *Permits*

- Permits
- Five rules:
  - 15A NCAC 03I .0101
  - 15A NCAC 03I .0114
  - 15A NCAC 03O .0501
  - 15A NCAC 03O .0502
  - 15A NCAC 03O .0503

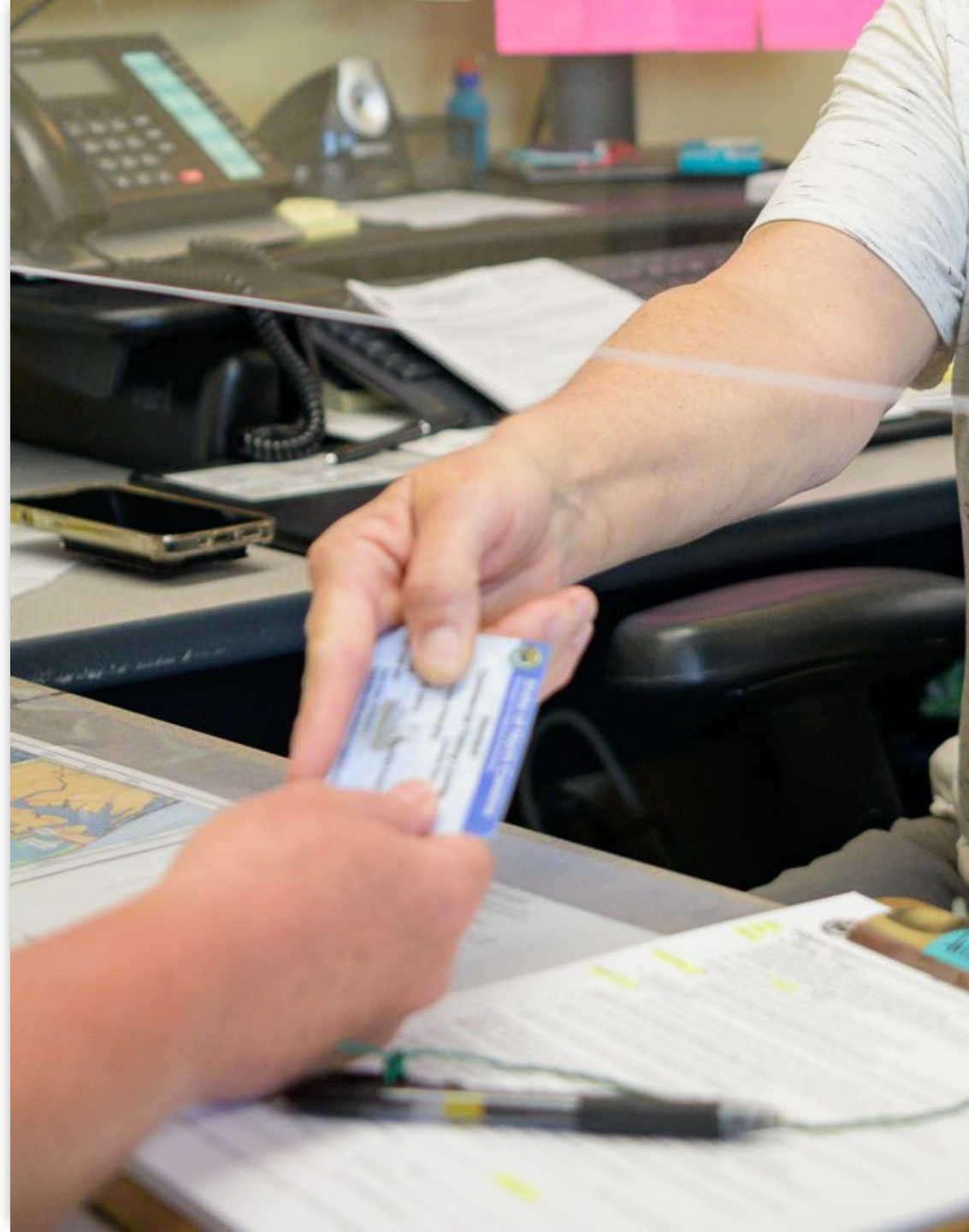




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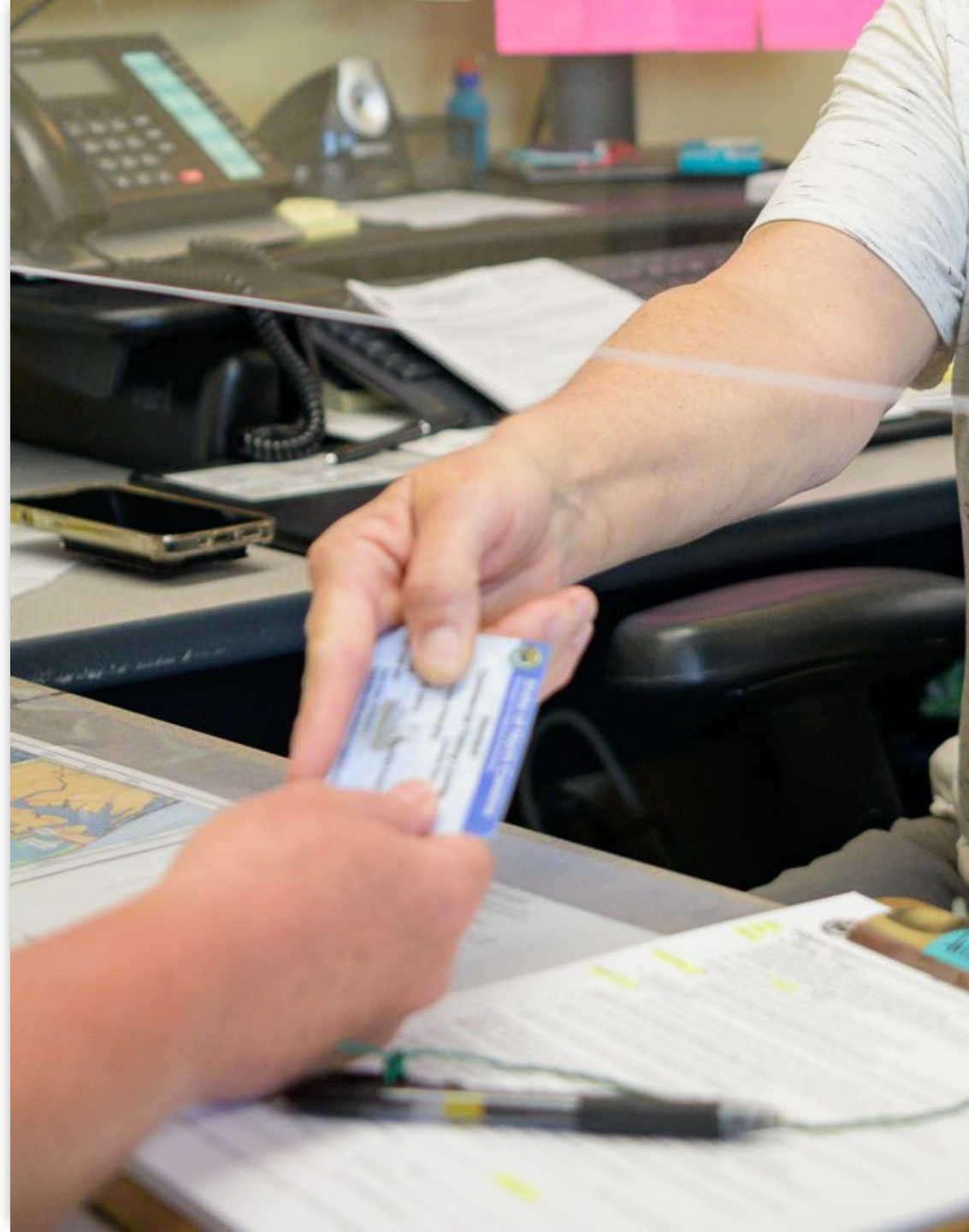




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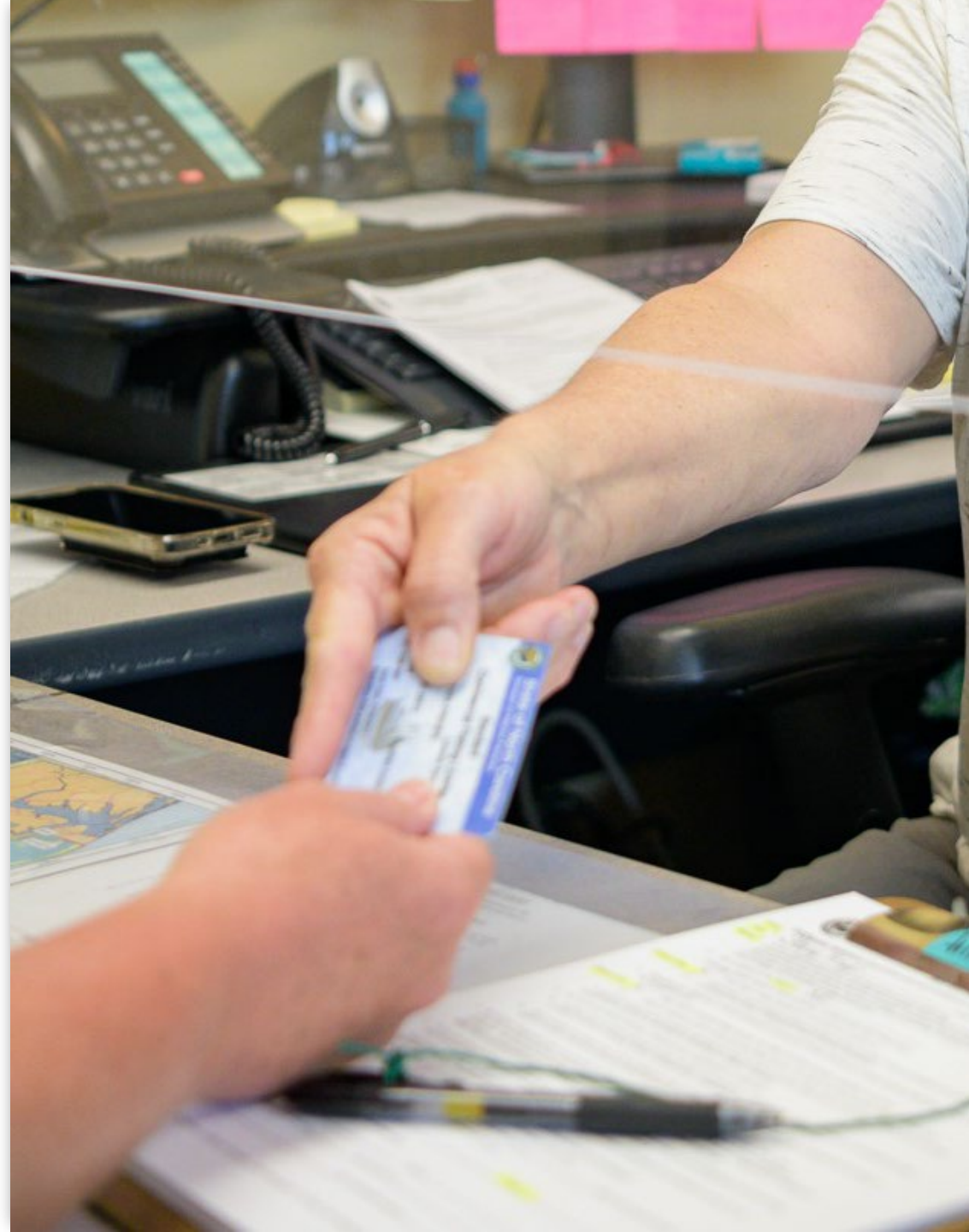
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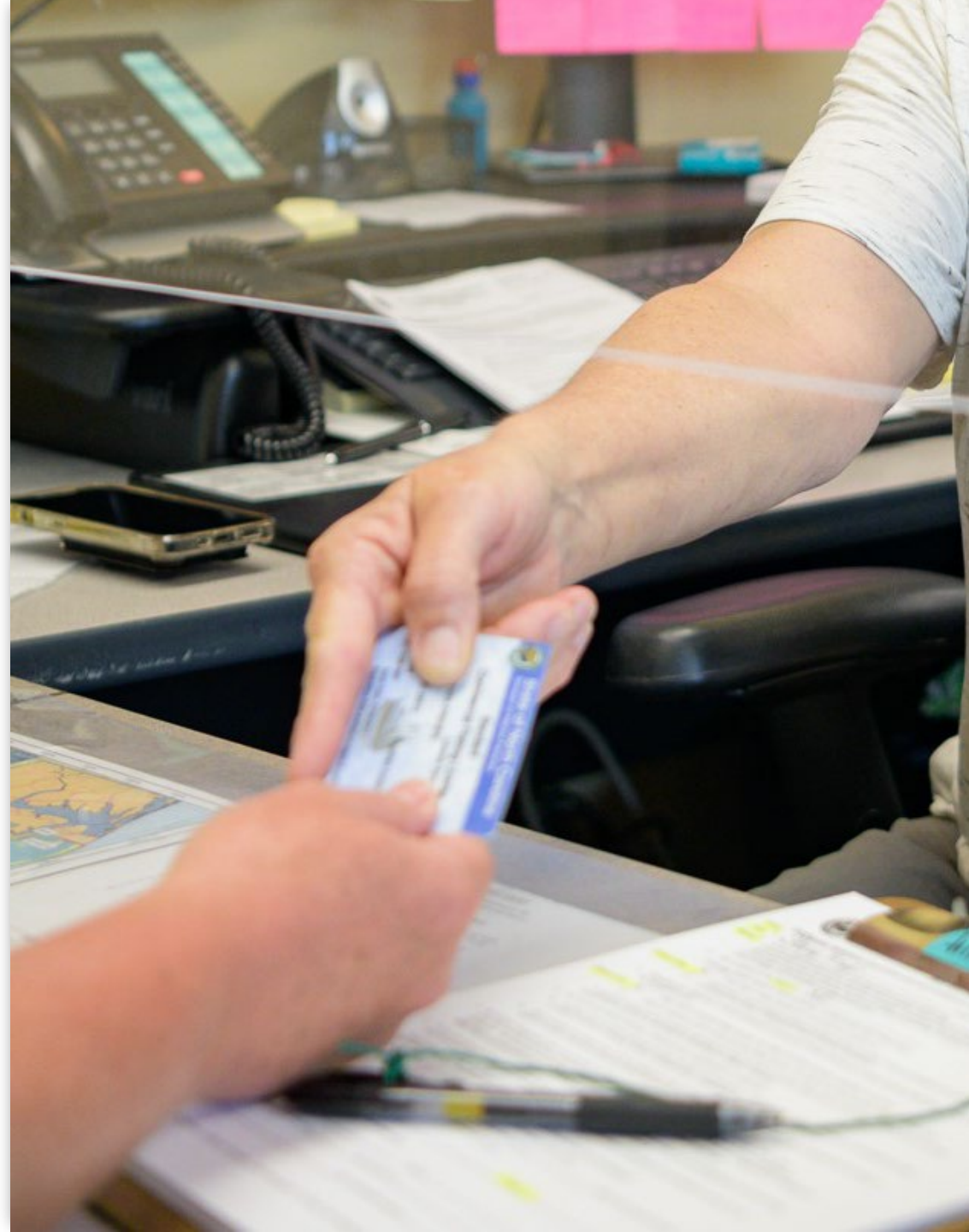
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## *2025-2026 Rulemaking Cycle*

### *Permits*

- Update and clarify rules
- Reduce burden on regulated stakeholders
- Achieve efficiencies

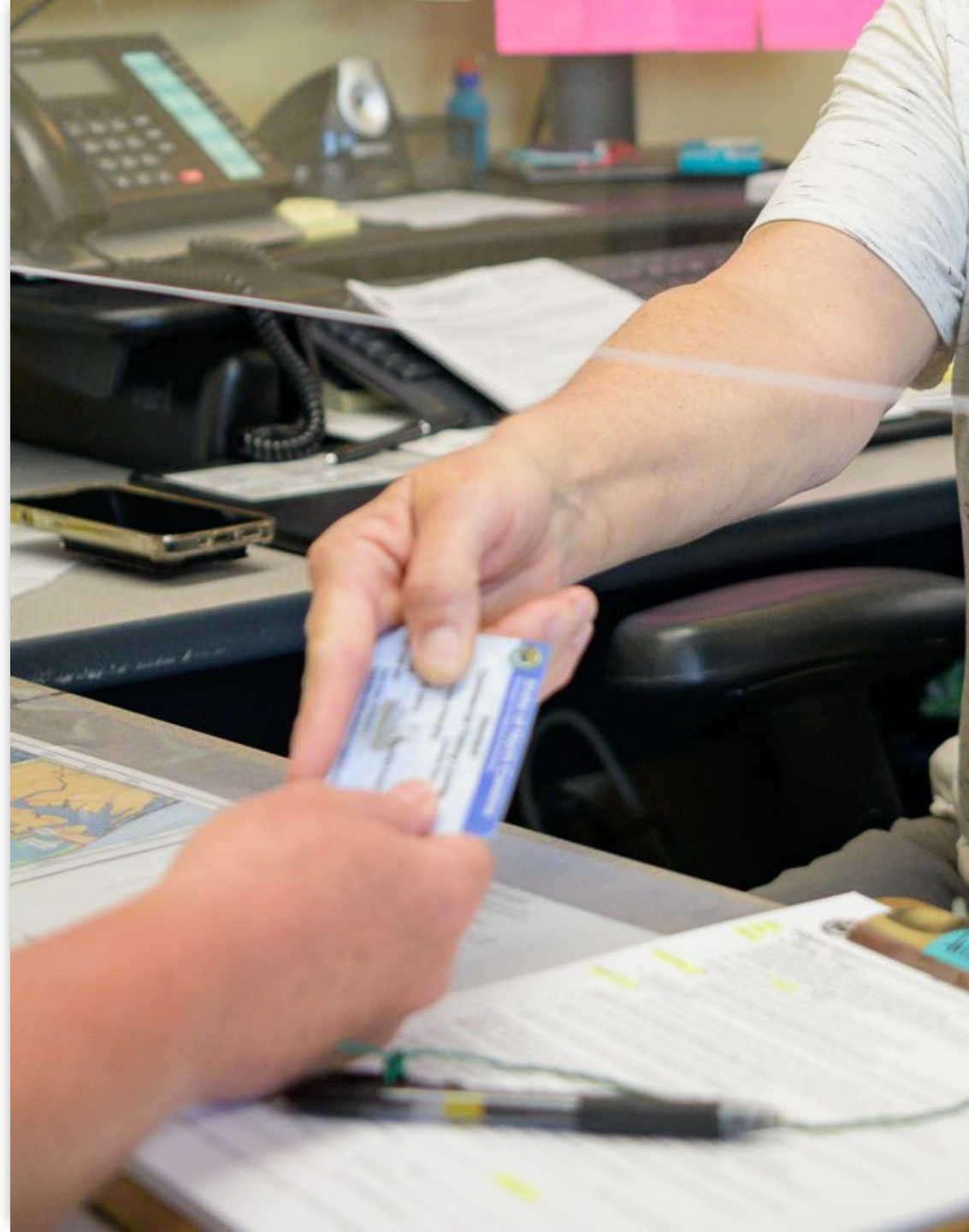




## *2025-2026 Rulemaking Cycle*

### *Permits-Update and Clarify*

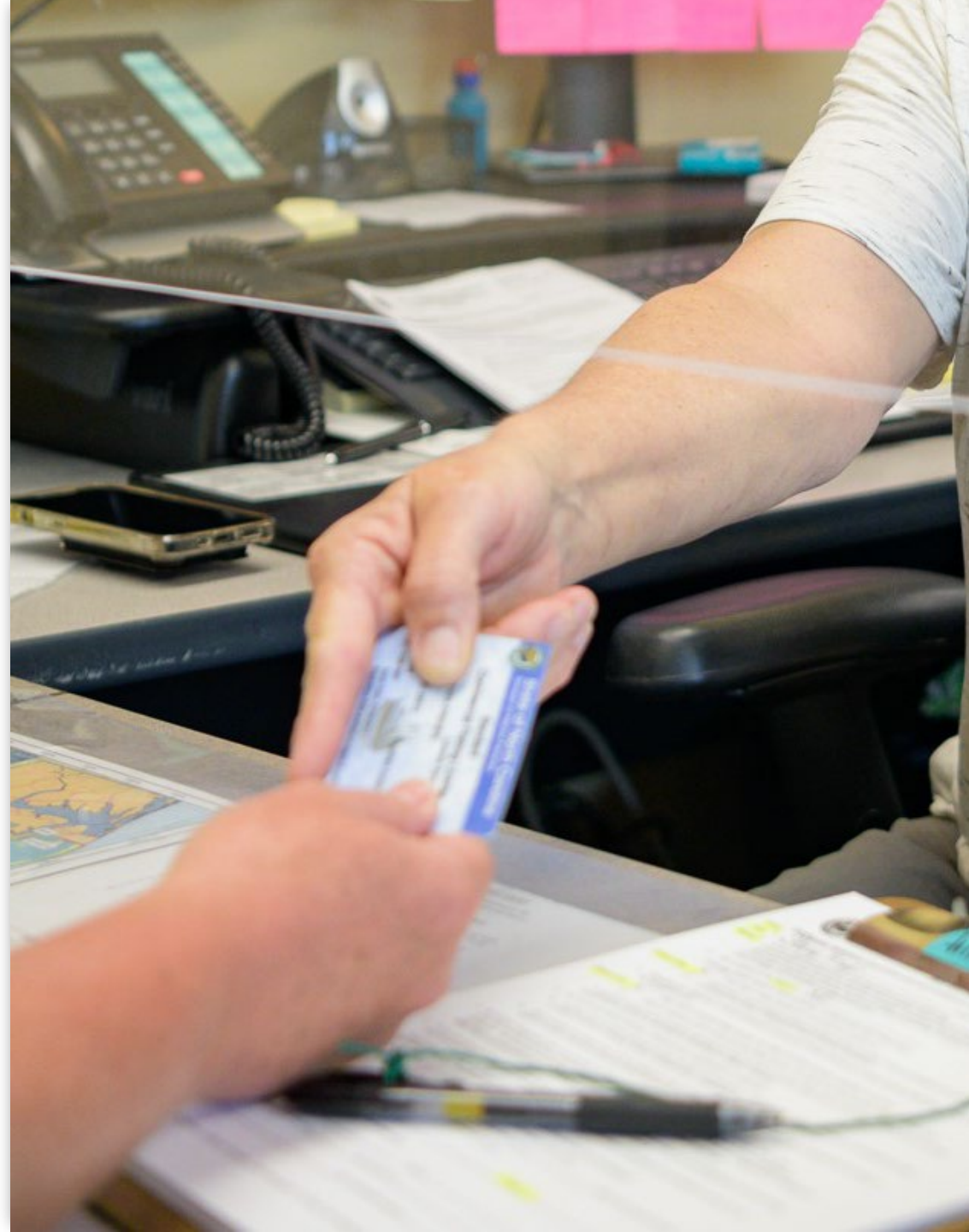
- Move 4 permits and 1 permit condition into rule instead of proclamation
- Broaden “educational institution” definition for 2 permits
- Add webpage links to rules for supporting information
- Repeal Horseshoe Crab Biomedical Use Permit due to lack of use
- Clarify trip ticket requirements for unsold fish
- Make conforming and grammatical amendments



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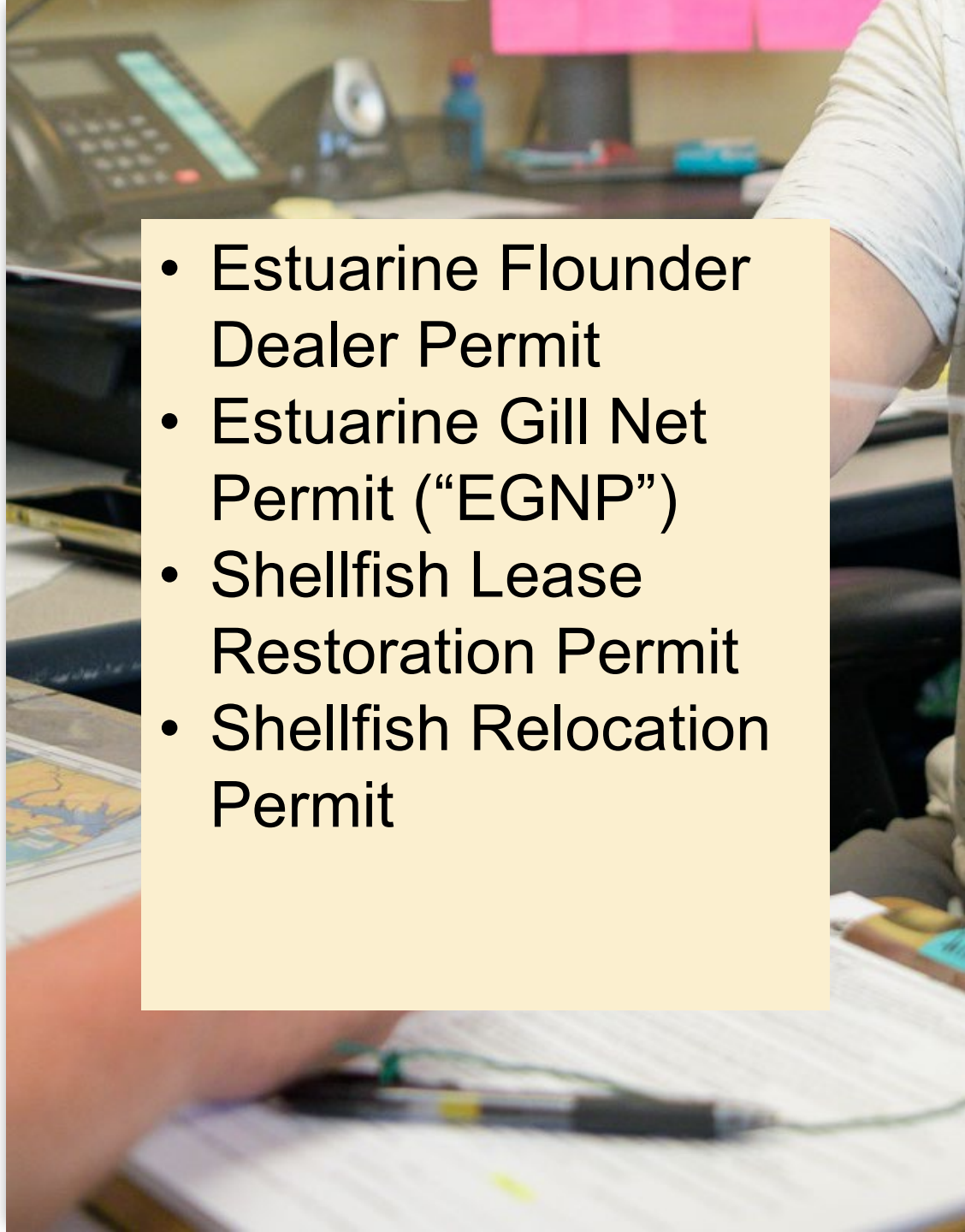
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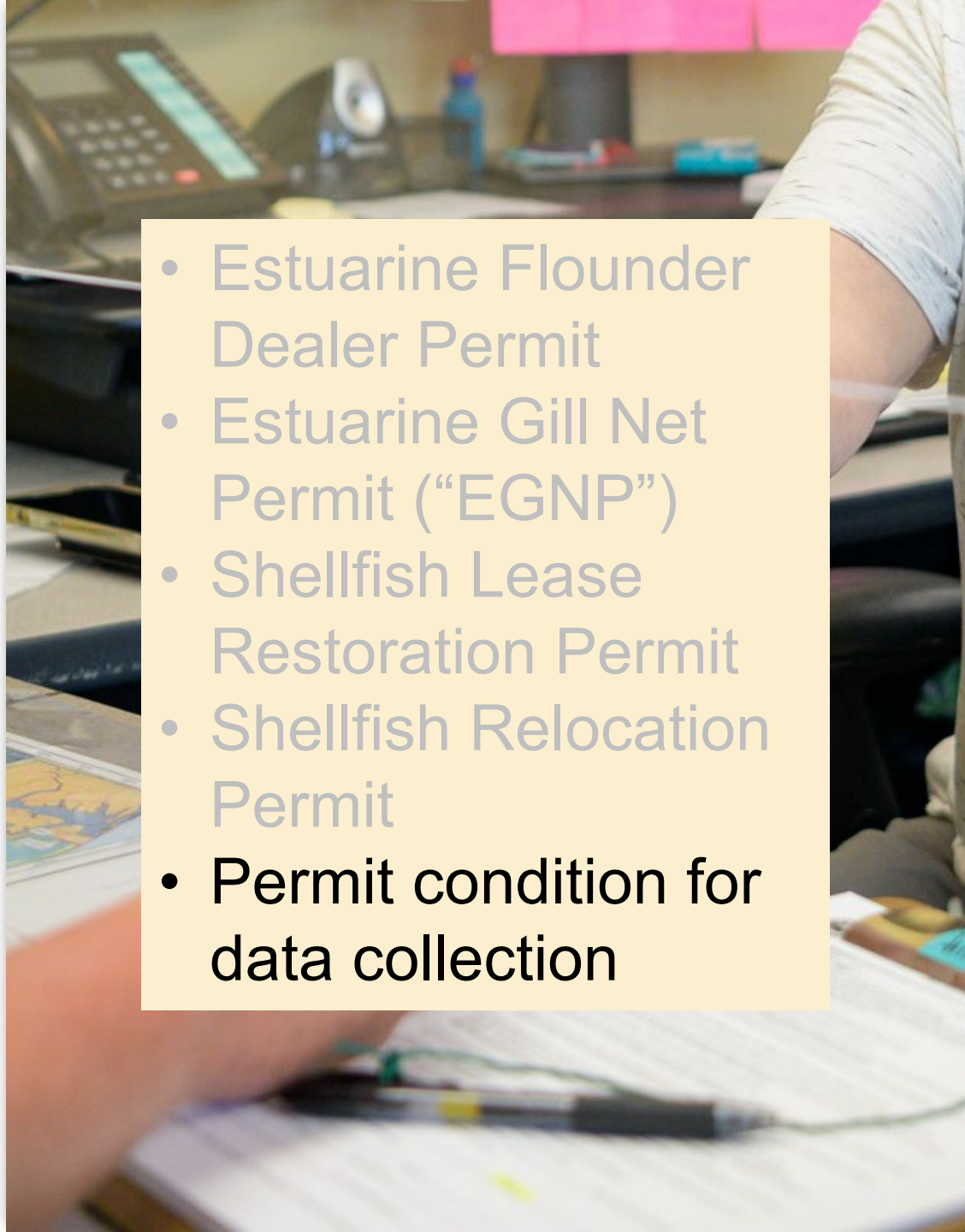
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- Estuarine Flounder Dealer Permit
  - Estuarine Gill Net Permit (“EGNP”)
  - Shellfish Lease Restoration Permit
  - Shellfish Relocation Permit



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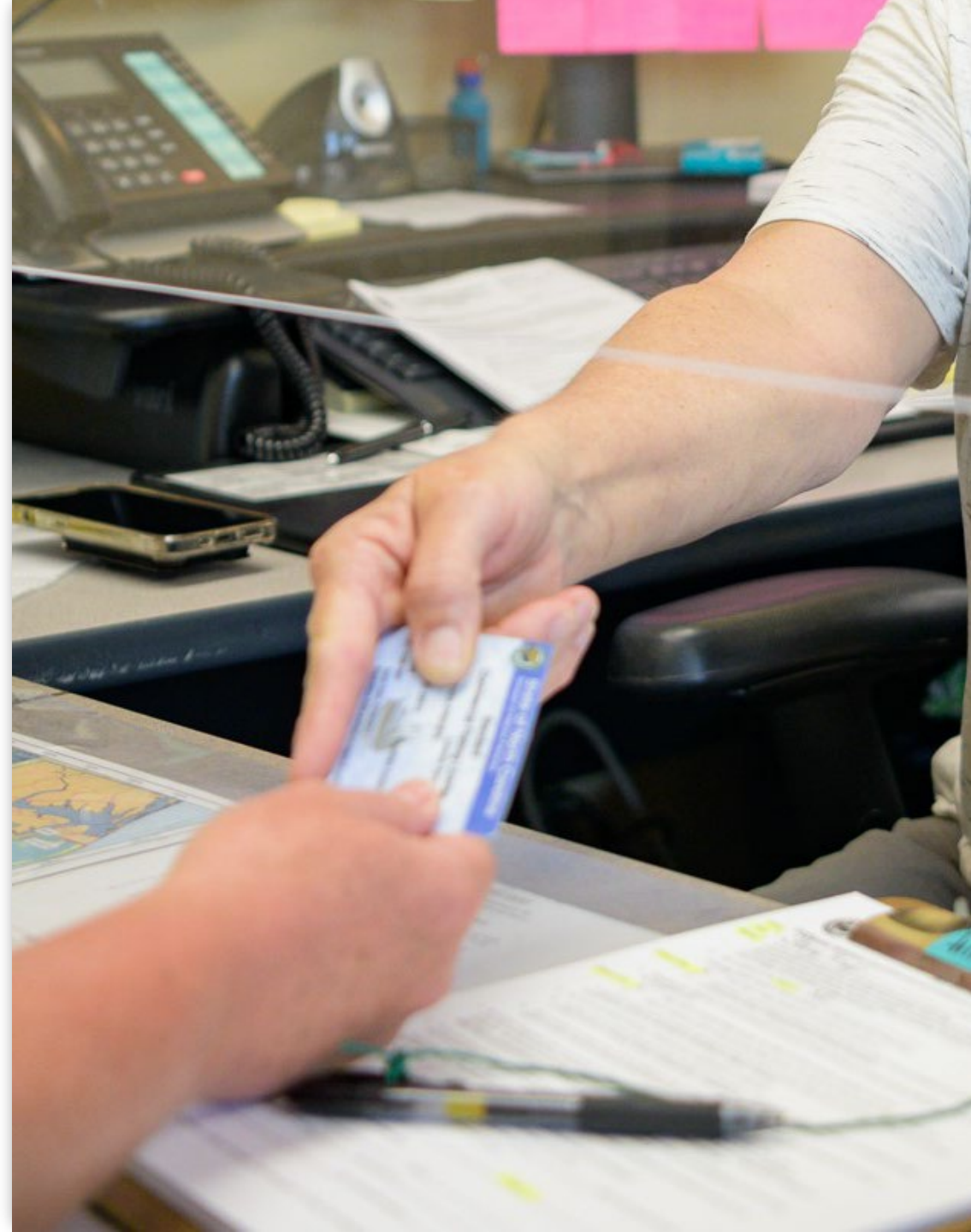
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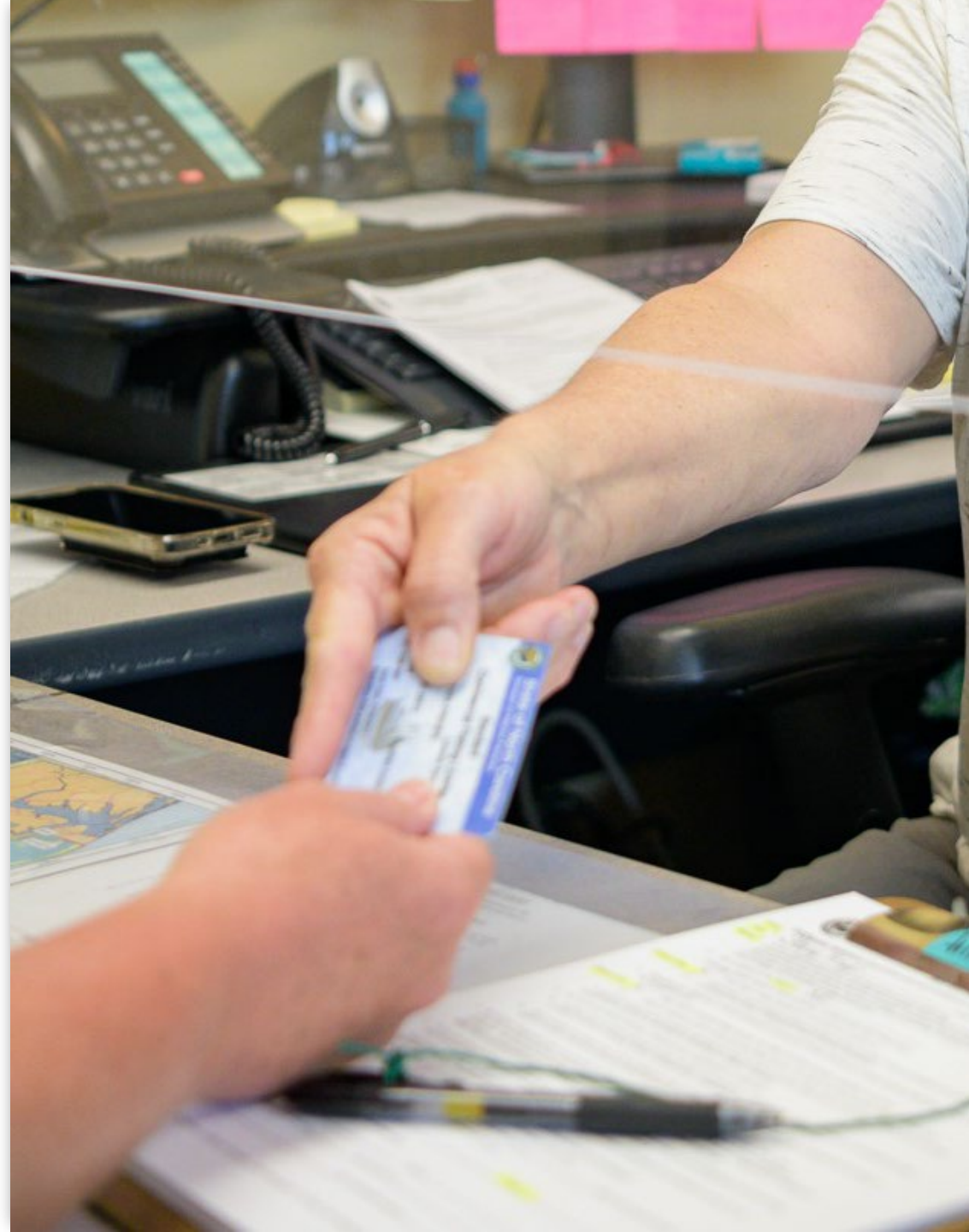
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- Scientific or Educational Activity Permit (“SEAP”)
  - Coastal Recreational Fishing License Exemption Permit (“CRFL Exemption Permit”)
  - Public school unit
  - Education mission

## *2025-2026 Rulemaking Cycle*

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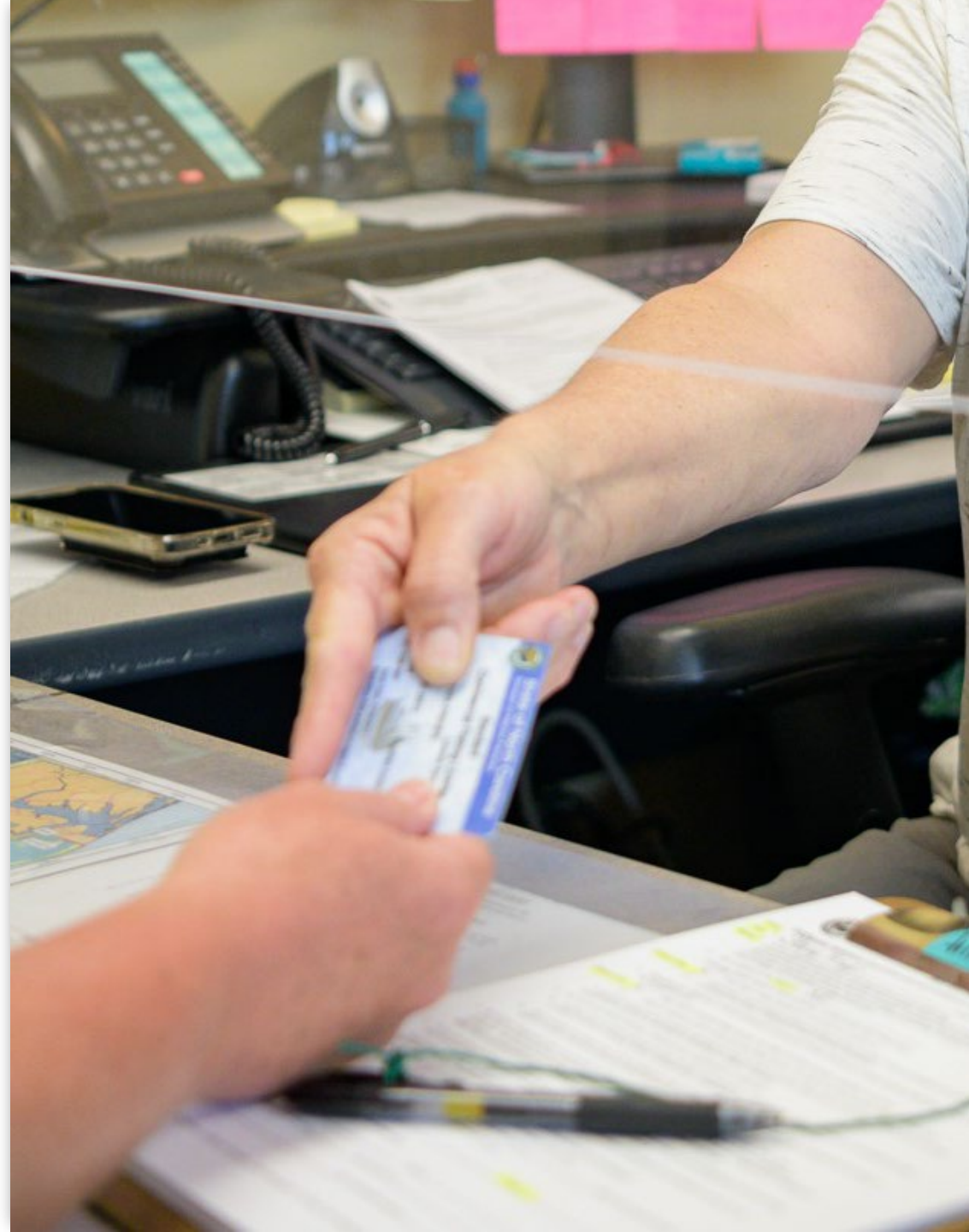
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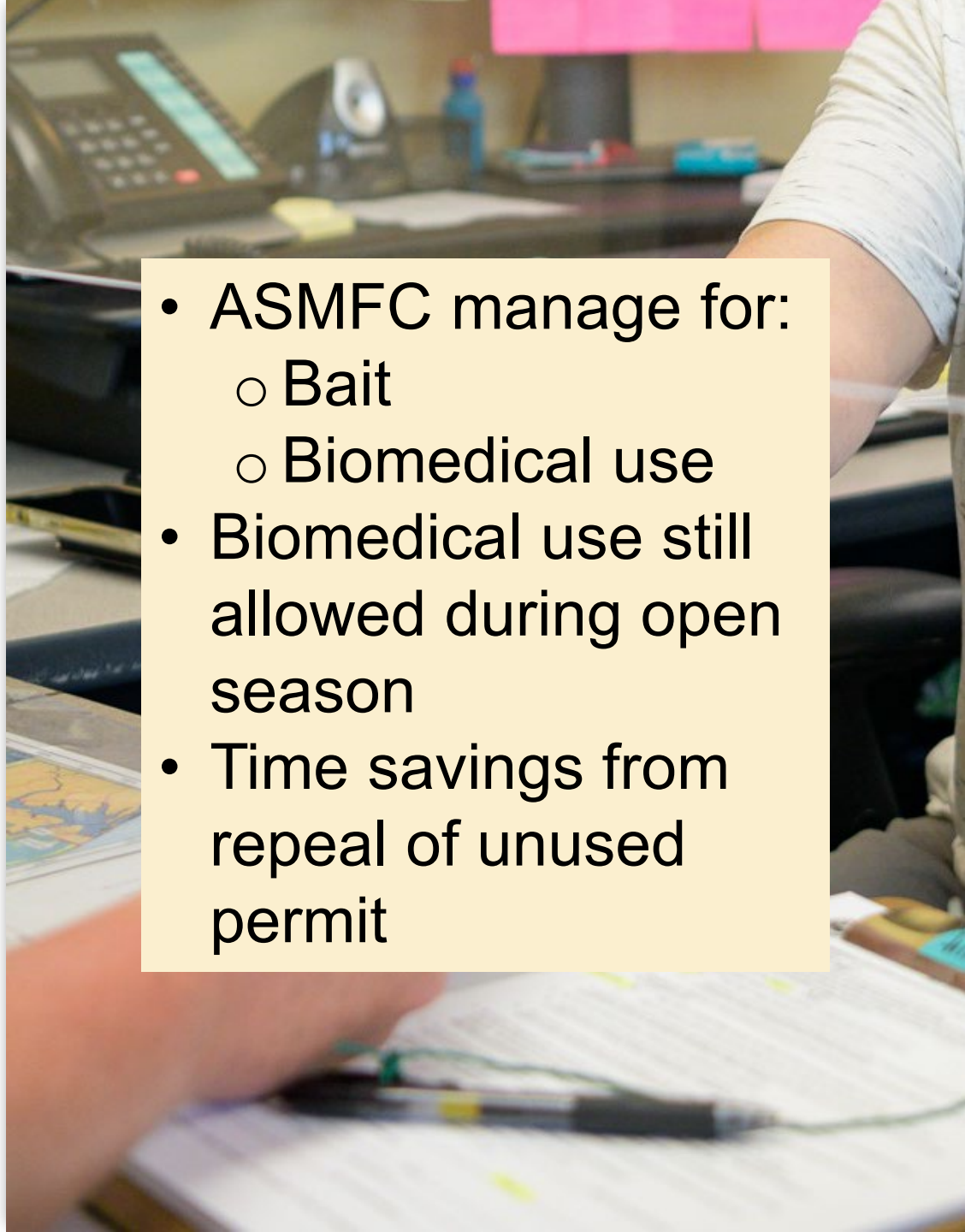




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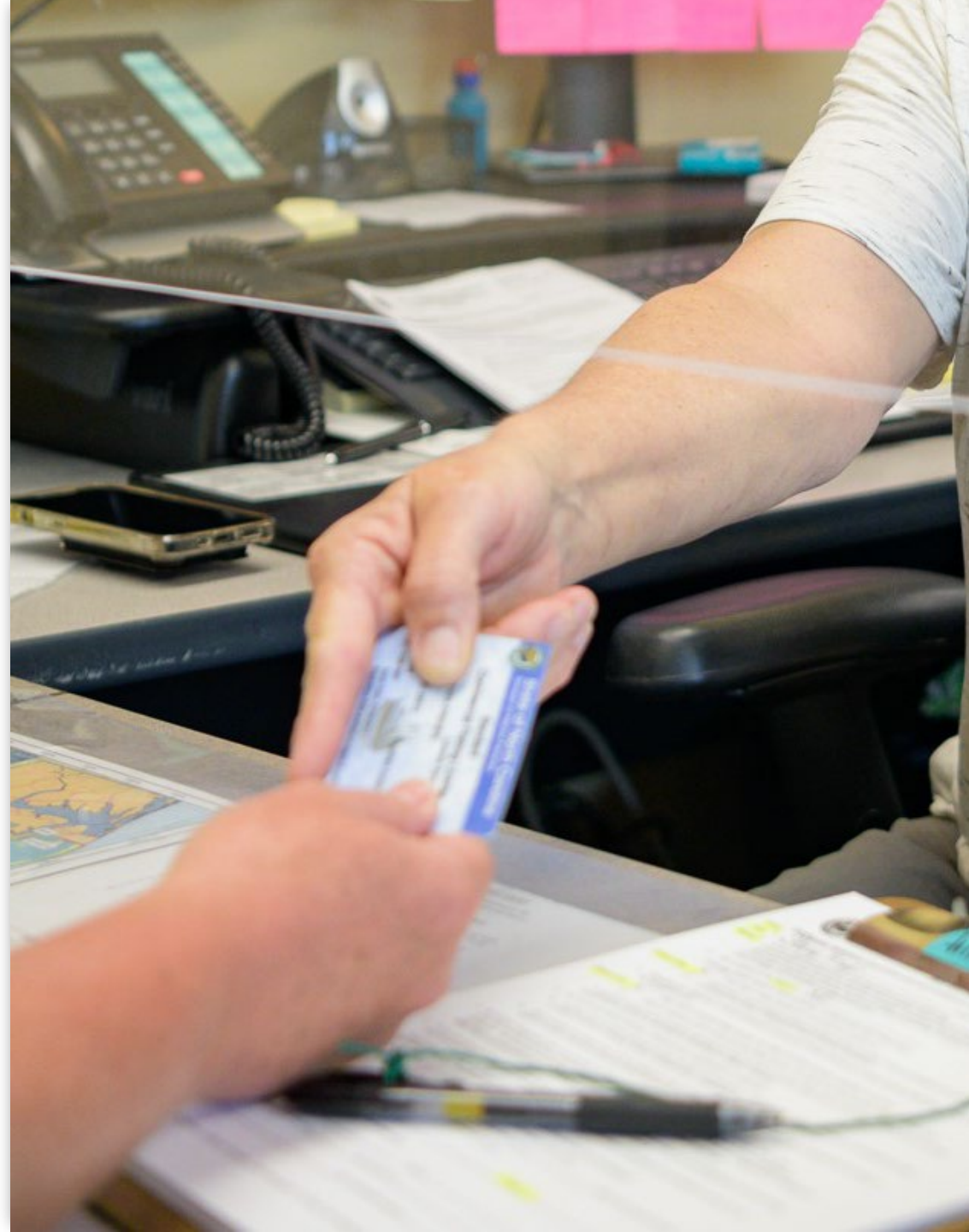
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- ASMFC manage for:
    - Bait
    - Biomedical use
  - Biomedical use still allowed during open season
  - Time savings from repeal of unused permit

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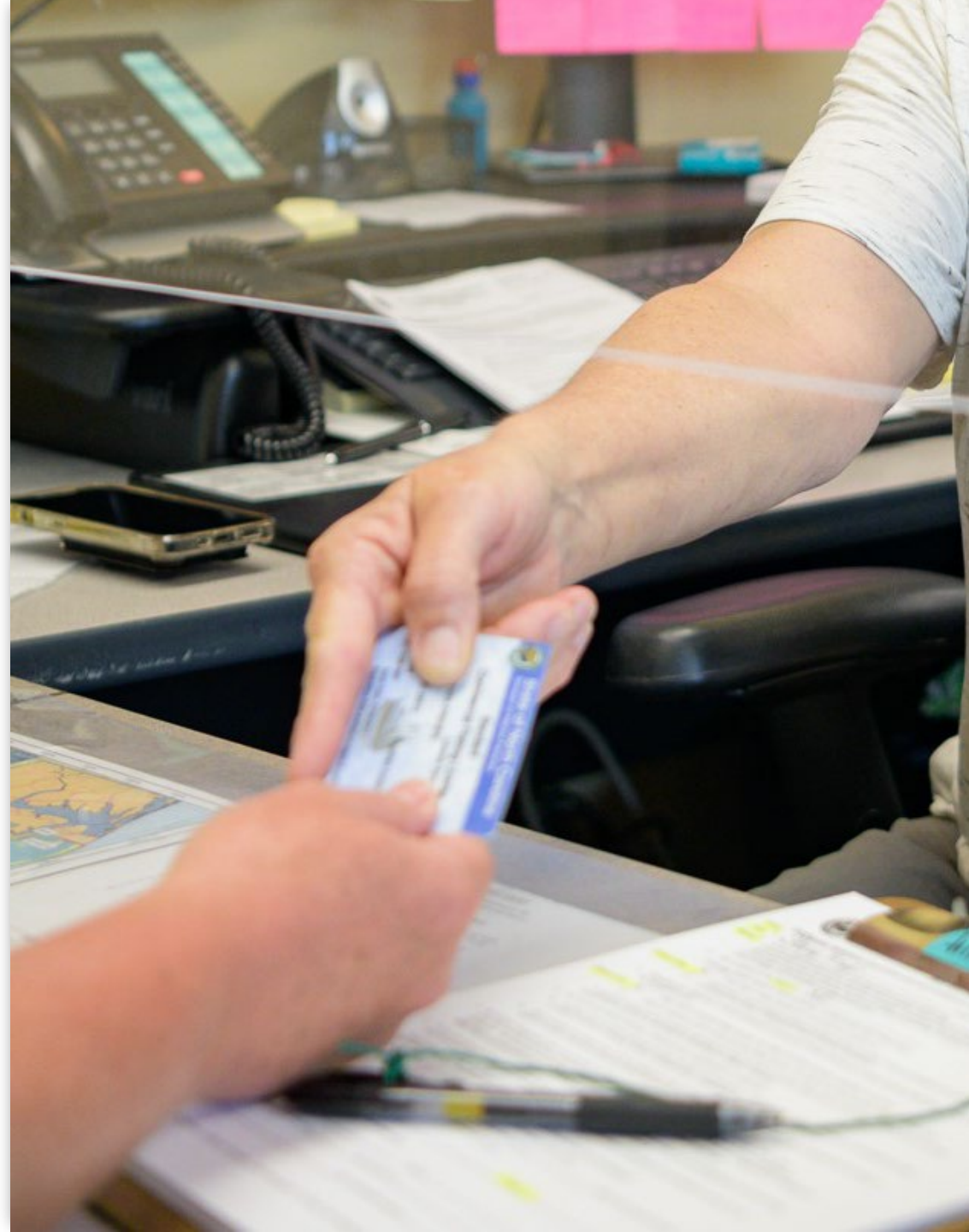
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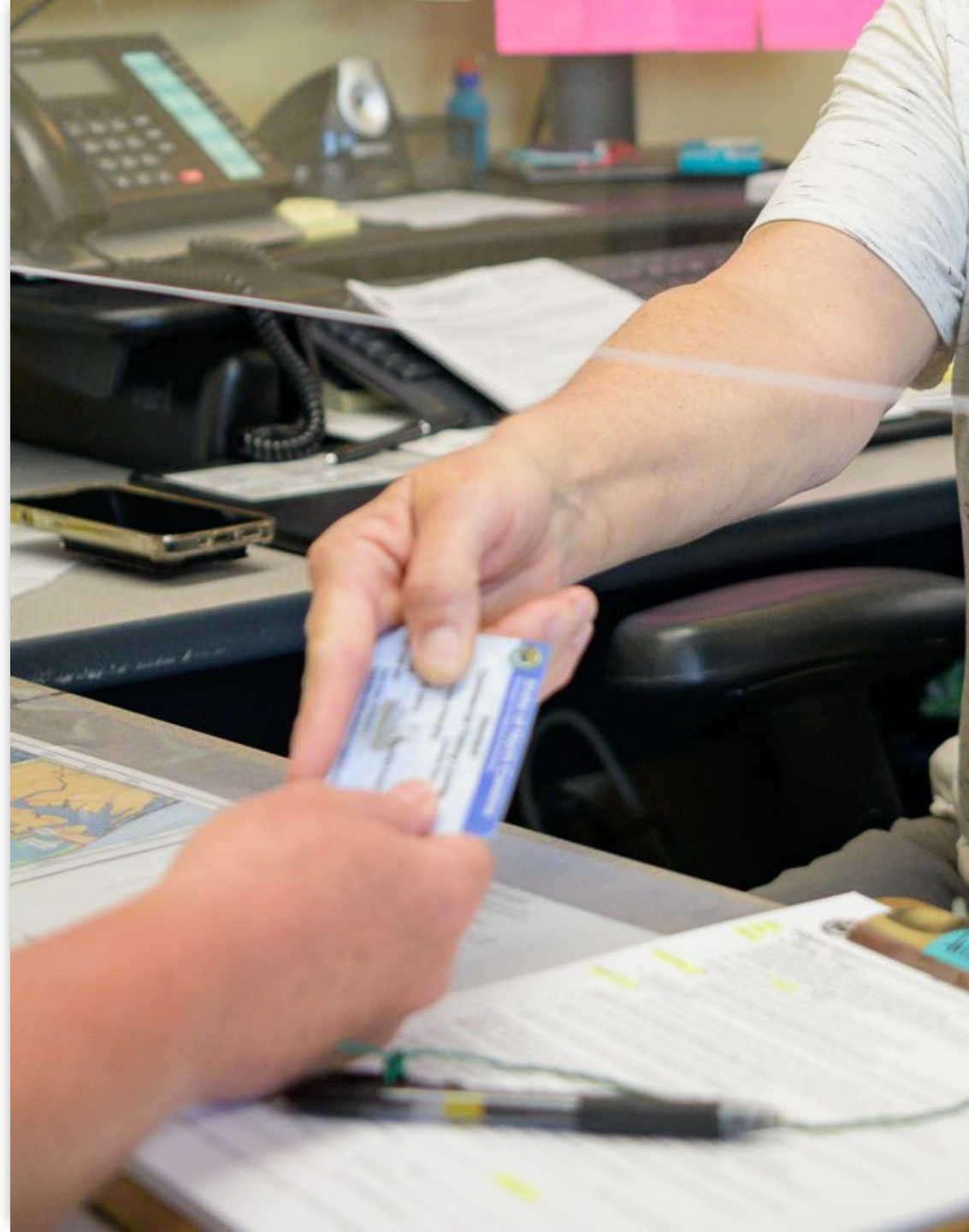




## *2025-2026 Rulemaking Cycle*

### *Permits-Reduce Burden*

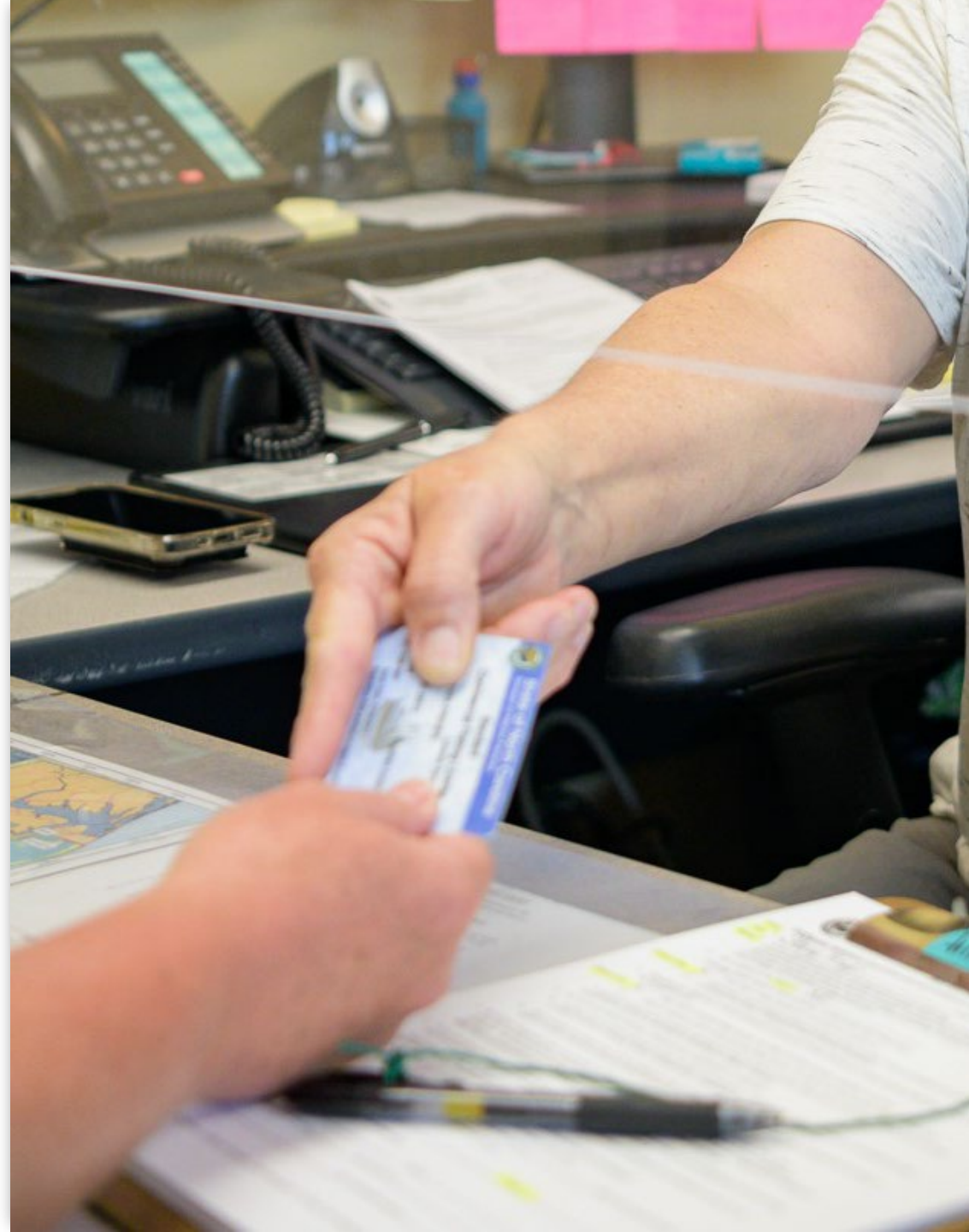
- Add email as an additional way to satisfy call-in requirements for 2 permits:
  - Scientific or Educational Activity
  - Weekend Trawling for Live Shrimp
- Remove requirement to notarize permit applications



## *2025-2026 Rulemaking Cycle*

### *Permits-Achieve Efficiencies*

- Applies to quota-monitored fisheries
- Require any seafood dealer that reports trip tickets electronically to report quota monitoring logs electronically
- Time savings for dealers and division employees
- No additional costs for dealers
- More time to follow up with non-reporters





# *2025-2026 Rulemaking Cycle Franchises and Shellfish Leases*

- Perpetual deeded franchises
- Shellfish leases
- Five rules:
  - 15A NCAC 03I .0101
  - 15A NCAC 03O .0201
  - 15A NCAC 03O .0207
  - 15A NCAC 03O .0208
  - 15A NCAC 03O .0210





# *2025-2026 Rulemaking Cycle*

## *Franchises and Shellfish*

### *Leases*

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# *2025-2026 Rulemaking Cycle*

## *Franchises and Shellfish*

### *Leases*

- Align with current statutory authority and DMF procedures for franchises and shellfish leases
- Clarify franchise requirements
- Align production requirements only with shellfish leases
- Clarify requirements for additional lease acreage



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### *Leases*

- **Align with current statutory authority and DMF procedures for franchises and shellfish leases (Session Law 2024-32)**
- Clarify franchise requirements
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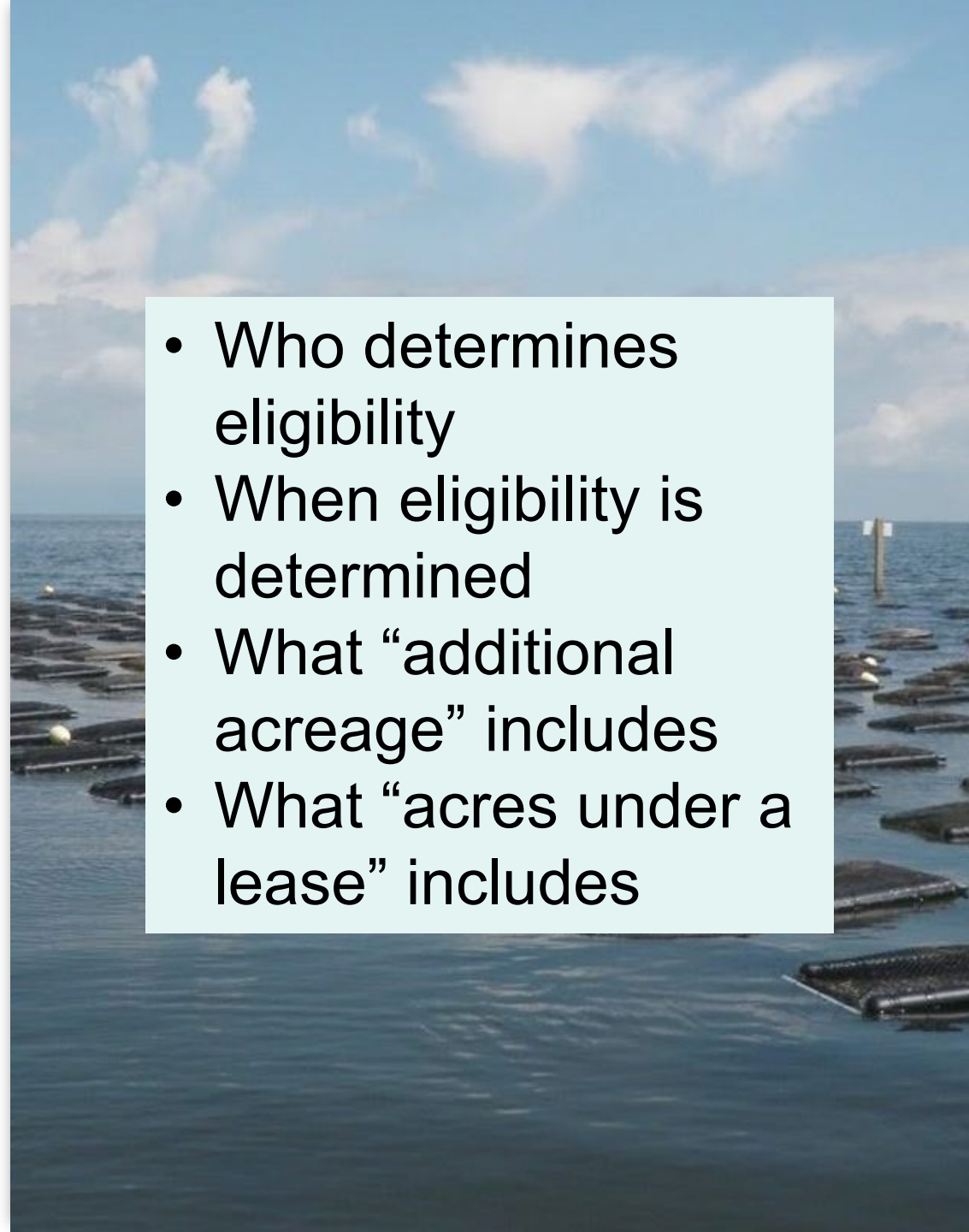


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- **Clarify requirements for additional lease acreage**

- Who determines eligibility
- When eligibility is determined
- What “additional acreage” includes
- What “acres under a lease” includes



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## *MFC Action*

### *2025-2026 Rulemaking Cycle*

- MFC vote on approval for Notice of Text for Rulemaking for 9 rules:
  - Permits
  - Franchises and shellfish leases







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

## Questions?

N.C. Division of Marine Fisheries Rulemaking Coordinator

[Catherine.Blum@deq.nc.gov](mailto:Catherine.Blum@deq.nc.gov)

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

