

MARINE FISHERIES COMMISSION BUSINESS MEETING
Sheraton in Atlantic Beach, N.C.
May 11-13, 2011

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).

May 11

6 p.m. Public Meeting
Receive public comment relative to fisheries management issues

May 12

9 a.m. Call to Order*
 Pledge of Allegiance
 Invocation
 Conflict of Interest Reminder
 Roll Call
 Approval of Agenda**
 Approval of Meeting Minutes**

9:15 a.m. Public Comment
Receive public comment relative to fisheries management issues

10 a.m. Issues from Commissioners

10:30 a.m. Chairman's Report
Review administrative actions and issues from the chair

- Reminder of Meeting Attendance Requirements (Ex. Order 34)
- Council Nomination Update
- Freedom of Information Act Request – BT-9 and BT-11
- Letters

10:45 a.m. Committee Reports
Review of advisory committee and committee meetings

- Coastal Recreational Fishing License
- MFC/WRC Joint Coastal Recreational Fishing License

- Habitat and Water Quality
 - Strategic Habitat Area - Region Two
- 11 a.m. Atlantic Ocean Striped Bass Commercial Hook-and-Line Issue Paper – Michelle Duval
Consideration of options to allow commercial hook-and-line harvest of striped bass in the Atlantic Ocean
- Noon Lunch Recess
- 1:30 p.m. Striped Bass FMP Amendment 1
Minutes from ongoing plan amendment
- 1:45 p.m. Blue Crab FMP Amendment 2 – David Taylor
Presentation of list of management issues under consideration and request for additional issues from MFC
- 2 p.m. Southern Flounder FMP Amendment 1 – Chris Batsavage
Update on commercial harvest reductions
- 2:15 p.m. Rule Suspensions – David Taylor
The commission must vote to continue suspension of any rules the Division of Marine Fisheries director has suspended by proclamation
- **Vote on Rule Suspension for Spotted Seatrout****
 - **Vote on Rule Suspension for Gill Net Yardage Restrictions****
- 2:30 p.m. Rulemaking – Catherine Blum
- 2010-2011 Review
 - **2011-2012 Notice of Text for Rulemaking****
Review proposed rules and applicable advisory committee input and vote on items to begin the rulemaking process, including public hearings
 1. **15A NCAC 03M .0504 - Repeal rule and continue management of the spotted seatrout fishery via existing proclamation authority**
 2. **15A NCAC 03M .0519 - Incorporate the current, long-standing proclamation closure of the American shad ocean fishery into rule**
 3. **15A NCAC 03O .0111 - Streamline the service of process for the surrender of fishing licenses by allowing service to licensees by certified mail**
 4. **15A NCAC 03O .0114 - Establish requirements for the suspension, revocation and reissuance of licenses**
- 3 p.m. Federal Aid Report – Kelly Price
Review of federal aid process and ongoing Division of Marine Fisheries projects
- 3:45 p.m. Director's Report
Reports and updates of recent Division of Marine Fisheries activities
- Legislative Update
 - H 353 Game Fish Designation
 - H 136 Clarifying Amendment to Improving Success of FMPs
 - o Spotted Seatrout FMP
- 5 p.m. Recess
- May 13
- 8:30 a.m. Director's Report, continued
- Budget Update
 - Atlantic States Marine Fisheries Commission
 - Spiny Dogfish

- Striped Bass
 - Black Sea Bass
 - Highly Migratory Species
 - Mandatory Electronic Dealer Reporting – Don Hesselman
 - For-Hire License Workgroup Update – Don Hesselman
 - 2010 Landings – Alan Bianchi
 - Bycatch Reduction Workgroup Update – John Hadley
 - Protected Resources Update – Red Munden
 - Incidental Take Permit
 - Sea Turtle Settlement Agreement
 - Observer Program
 - Atlantic Large Whale Take Reduction Team
 - Atlantic Sturgeon
 - Mid-Atlantic Fishery Management Council Update – Red Munden
 - South Atlantic Fishery Management Council Update – Brian Chevront
- Handouts
- Marine Patrol Report
 - Coastal Recreational Fishing License Sales Report
 - Coastal Angler Program Update
 - Red Drum Quota Update
 - Striped Bass Quota Update

10:30 a.m. Issues from Commissioners

11 a.m. Adjourn

2011 Meeting Schedule:

Feb. 10-11 Pine Knoll Shores

May 11-13 Atlantic Beach

Aug. 10-12 Raleigh

Nov. 2-4 Atlantic Beach

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

****Action Items**