



## **Fisheries Management and You**

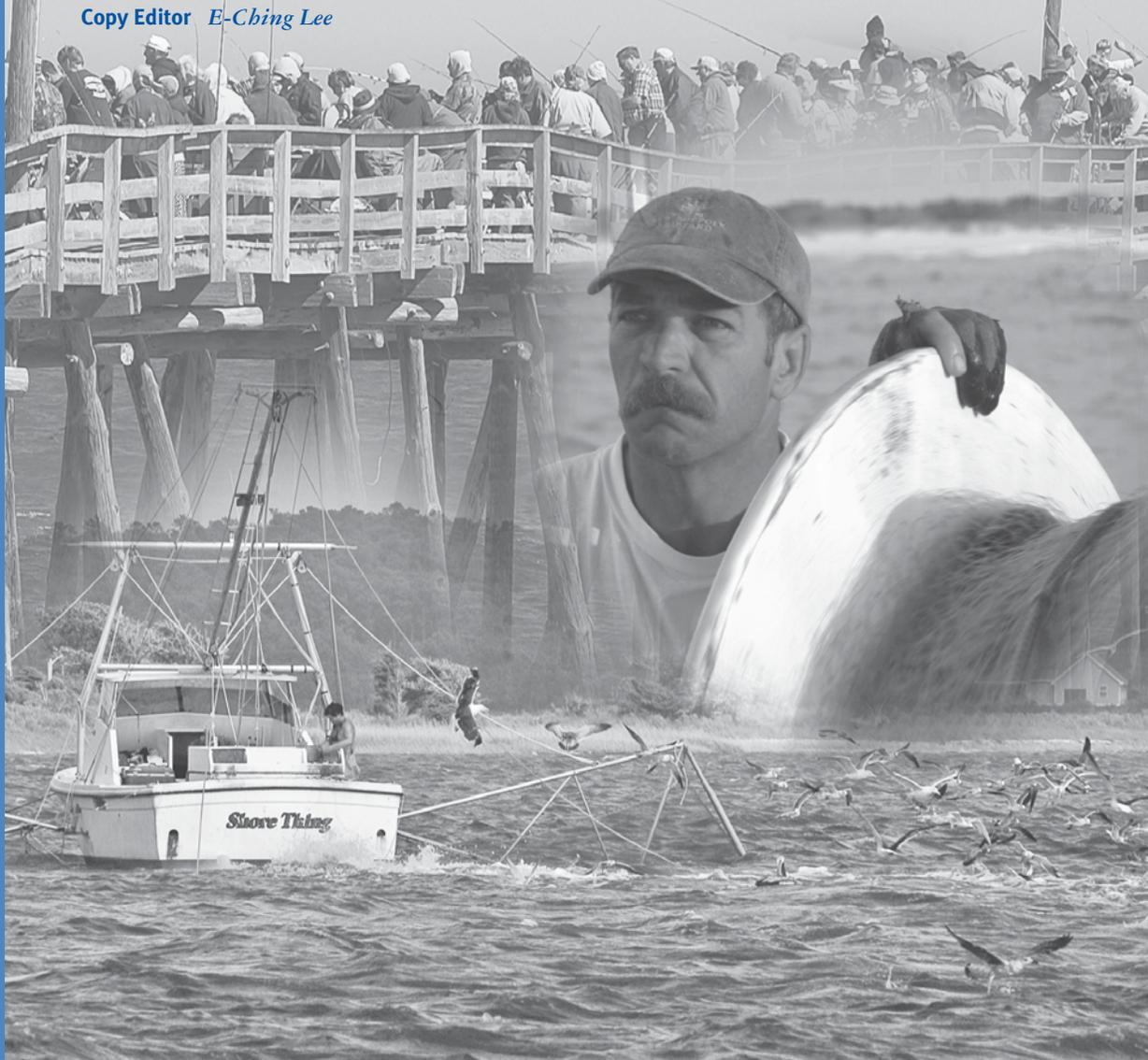
### *A Guide to Public Involvement in North Carolina Marine Fisheries Management*

**A publication by** *North Carolina Sea Grant and North Carolina Division of Marine Fisheries*

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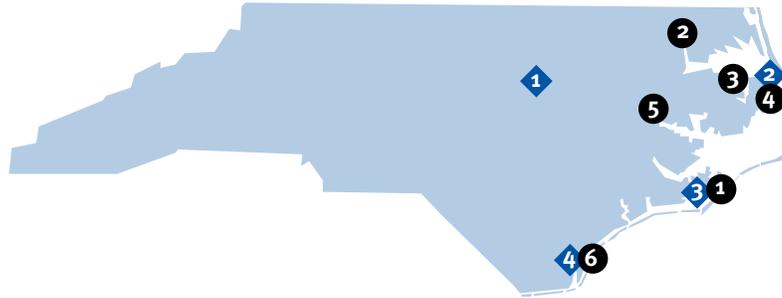
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*Map and locations are approximate.*

# Fisheries Management and You

## *A Guide to Public Involvement in North Carolina Marine Fisheries Management*

### North Carolina Marine Fisheries Commission

The Marine Fisheries Commission (MFC):

- Protects, restores and develops marine and estuarine resources within state waters to provide a comprehensive, continuing and economical coastal fisheries program.
- Adopts rules and policies directed by citizens who are knowledgeable in the protection, restoration, proper use and management of marine and estuarine resources.
- Advises the state regarding fisheries that overlap jurisdiction with federal regulatory bodies established to manage fishing more than three miles offshore in the Atlantic Ocean.
- Applies, when deemed sound, management measures for Atlantic Ocean fisheries consistent with federal management measures.

The N.C. Division of Marine Fisheries (DMF) lays the groundwork for, and ensures compliance with, MFC management strategies and decisions.

The MFC has nine members: two commercial fishermen; one dealer, processor or distributor; two recreational fishermen; one sportfishing industry representative; one scientist; and two at-large members. The governor has sole authority to make all appointments, but the breakdown of interest groups represented is legislatively mandated, and the commission must include representation of women and minorities.

Five of the commissioners – both commercial fishermen; the dealer, processor or distributor; one of two recreational fishermen; and one of two at-large members – must represent each of the three coastal regions. All members serve three-year, staggered terms and may be reappointed to any number of successive terms. While the governor appoints the MFC chairman, the commission elects the vice chairman who can serve any number of consecutive one-year terms.

The MFC must meet at least once a quarter, and at least three of the four meetings will be held in coastal regions. The MFC generally meets up to six or seven times per year. *All meetings are open to the public.*

The business meeting typically begins at 9 a.m. with updates from the MFC chairman, all advisory committees and the DMF director. Management debate and regulatory decisions follow the rest of that day and the day thereafter until business is finished.

The commission often holds either a public meeting or hearing the night before the business meeting, typically beginning at 7 p.m.

Check the MFC meeting agenda for exact meeting times. Agendas for MFC-associated meetings can be obtained in advance through the MFC liaison's office or at: [www.ncfisheries.net](http://www.ncfisheries.net) under "Public Meeting Notices."

Business meeting summaries – the *MFC Advisor* – are available at: [www.ncfisheries.net](http://www.ncfisheries.net) under "Marine Fisheries Commission" or from the MFC liaison.

The MFC liaison – a staff position within DMF that is assigned to MFC activities – maintains minutes of all meetings and hearings for five years before filing them with the N.C. Office of Archives and History.

### Role and Responsibility



### Commission Members

### Business Meetings



### MFC Liaison

## MFC Liaison

*continued*

The liaison has the added responsibility of coordinating the activities of all working advisory committees that help the MFC develop fisheries management policies and rules.

The liaison's office can be reached by phone at 252/726-7021 or 800/682-2632 or by mail at N.C. Division of Marine Fisheries, P.O. Box 769, 3441 Arendell Street, Morehead City, NC 28557.

## Advisory Committees

### MFC Advisory System

Three types of advisory committees (ACs) – Regional, Standing and Ad Hoc Subject-Matter – assist the MFC in the performance of its duties. The listing of committees as of fall 2006 is:

#### Regional Advisory Committees

- Northeast
- Central
- Southeast
- Inland

#### Standing Advisory Committees

- Crustacean
- Shellfish
- Finfish
- Habitat and Water Quality

#### Ad Hoc Subject-Matter Advisory Committees

- Sea Turtle Bycatch
- Core Sound Stakeholder
- Public Information
- Law Enforcement/Civil Penalty Remissions
- Blue Crab Scientist
- Strategic Habitat Area
- Conservation Fund
- Spiny Dogfish Compliance<sup>1</sup>

The MFC chairman convenes other ACs as the MFC deems necessary to deal with emerging issues.

Public participation fuels North Carolina's fishery management process. There are about 225 advisor positions; however, many advisors sit on more than one committee, so the average number of advisors in the system at any time is approximately 150. The complete listing of committee memberships is available from the MFC liaison or from: [www.ncfisheries.net](http://www.ncfisheries.net) under "Marine Fisheries Commission."

A maximum of 11 people can serve on Regional and Standing ACs. Legislation mandates fair representation of commercial and recreational fishermen on Regional ACs. Standing ACs include commercial and recreational fishermen, in addition to scientists and other subject-matter experts. The MFC chairman appoints the AC members and designates one member to serve as the chair of the AC. All committee members serve three-year staggered terms, which can be renewed indefinitely.

Vacancies for committee membership are solicited through the DMF Web site and newsletters, in local media and through word of mouth. Applications are available at any DMF office or by calling the MFC liaison's office.

## Membership

## Function

Advisory committees discuss items of regional scope and importance or items pertaining to a specific topic. Regional and Standing ACs review all matters referred to them by the MFC, such as draft Fishery Management Plans (FMPs), and make findings and recommendations on these matters. The Ad Hoc committees advise the MFC only on specific issues.

Regional and Standing ACs may, on their own motion, make findings and recommendations on any matter related to its subject area. *If your concern is of regional or topical importance, contact the chair of the respective committee to get the issue on the agenda for discussion.*

## Public Meetings

*All AC meetings are open to the public.* Standing AC meetings generally are located along the central coast to accommodate advisors traveling from the north and south. Regional ACs meet within that specific geographic region. Meetings usually are held in the evening and last two to three hours.

<sup>1</sup>The MFC can convene a species-specific compliance AC to determine if there are grounds for the state not to comply with federal management measures.

Look for meeting announcements or sign up to receive e-mail notices of DMF and MFC news releases and public meetings at: [www.ncfisheries.net](http://www.ncfisheries.net) under “Public Meeting Notices.” News releases announcing meetings are submitted to local media as well, although posting is not guaranteed.

## Creation of a Fishery Management Plan

The 1997 Fisheries Reform Act requires DMF to prepare Fishery Management Plans for review and adoption by the MFC. An FMP describes the nature and problems of a particular fishery and makes regulatory recommendations to preserve that fishery. As of fall 2006, the MFC has asked DMF to develop 15 plans, including:

- River herring
- Oyster
- Striped bass
- Southern flounder
- Shrimp
- Kingfishes
- Yellow perch
- Red drum
- Clam
- Blue crab
- Striped mullet
- Bay scallop
- Spotted sea trout
- Catfishes

There is also one composite plan for interjurisdictional fisheries – 22 species jointly managed by NOAA Fisheries or the Atlantic States Marine Fisheries Commission and the MFC. Federal plans for interjurisdictional fisheries usually are adopted by reference unless the MFC decides to develop a more restrictive species plan.

The FMP schedule and resulting management plans can be viewed, downloaded or printed at: [www.ncfisheries.net](http://www.ncfisheries.net) under “Fishery Management Plans.” The MFC liaison will provide hard copies upon request.

The process of developing an FMP is a collaborative effort between fishermen, scientists, environmental groups and other state and federal agencies. Members of each FMP AC are appointed by the MFC chairman. An FMP AC advises the DMF on the development of an individual FMP.

Each FMP is produced by following an established protocol or schedule of events (*see figure on next page*) and normally takes two years to complete. The total number of FMP AC meetings depends on the number of issues to be discussed for that fishery.

At each meeting of an FMP AC, DMF provides impartial information regarding a particular concern along with an array of possible management options to address the issue, including maintaining status quo or no action. The FMP committee then discusses the options and selects its preferred option by majority vote, which is presented to the MFC. Therefore, the FMP ACs serve indirectly as advisors to the MFC. This process is continued until all concerns pertaining to a fishery are addressed.

*As with other AC meetings, all FMP AC meetings are open to the public.* The meetings are generally located along the central coast to accommodate advisors traveling from the north and south.

The DMF will review each species FMP at least once every five years. Typically, the FMP AC is not reactivated for this review process. However, if the DMF determines that a full rewrite of the FMP is necessary, an FMP AC may be established.

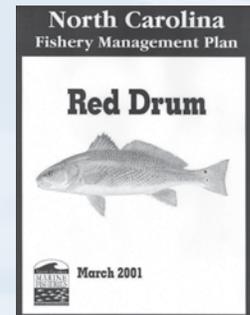
*If you wish to request the adoption, amendment or repeal of an MFC rule before the five-year review, write a petition addressed to the MFC chairman and submit it to the commission staff at:*

Marine Fisheries Commission  
N.C. Division of Marine Fisheries  
P.O. Box 769  
3441 Arendell Street  
Morehead City, NC 28557

Your petition must contain:

- (1) the text of the proposed rule(s);
- (2) the legal authority for the agency to disseminate the rule(s);

## FMP = Fishery Management Plan

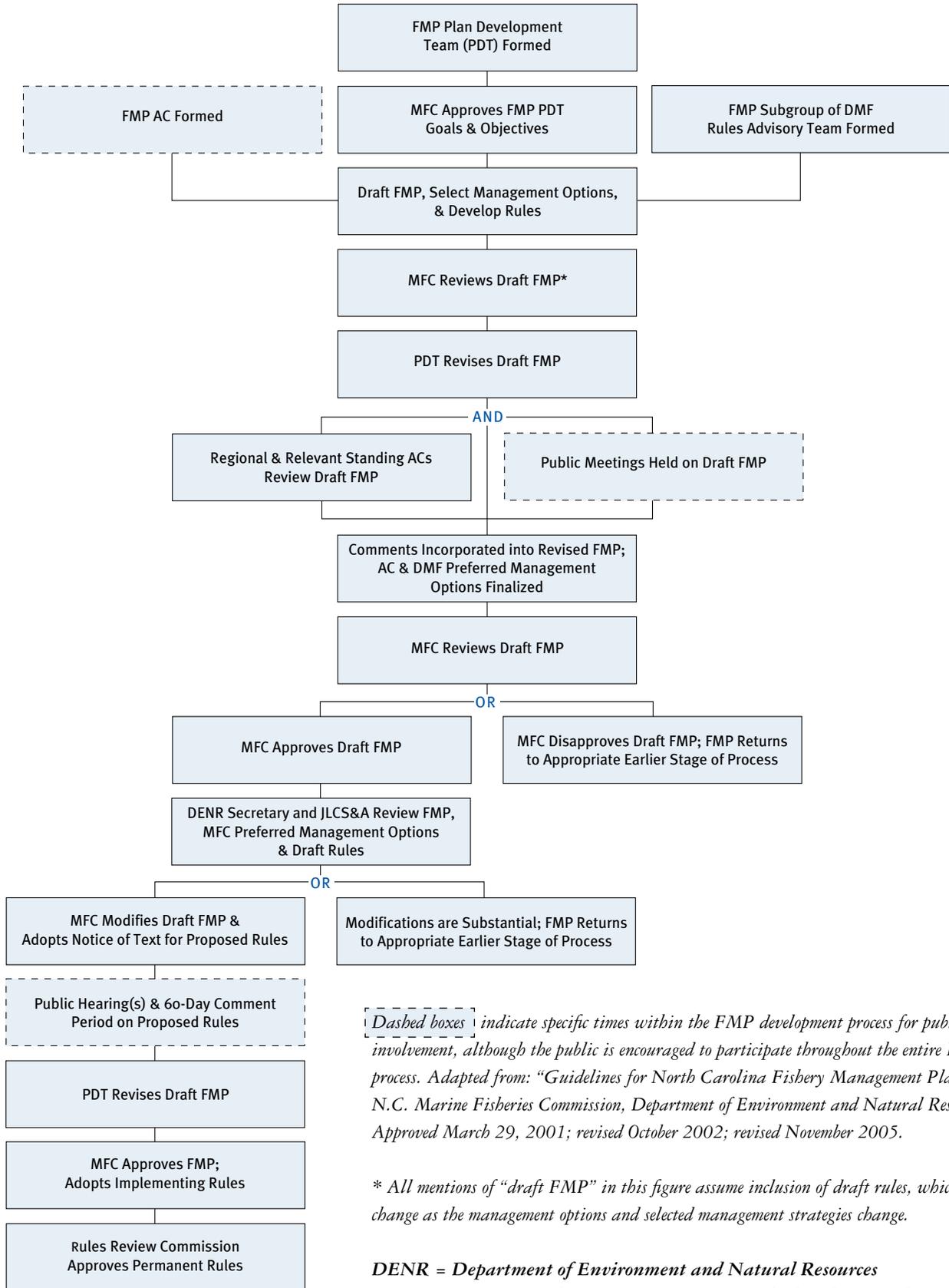


## Collaborative Process

## Modifying a Plan and Voicing Concerns



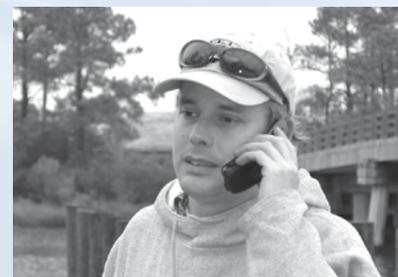
## Fishery Management Plan (FMP) and Rulemaking Process



*Dashed boxes* indicate specific times within the FMP development process for public involvement, although the public is encouraged to participate throughout the entire FMP process. Adapted from: "Guidelines for North Carolina Fishery Management Plans." N.C. Marine Fisheries Commission, Department of Environment and Natural Resources. Approved March 29, 2001; revised October 2002; revised November 2005.

\* All mentions of "draft FMP" in this figure assume inclusion of draft rules, which change as the management options and selected management strategies change.

**DENR** = Department of Environment and Natural Resources  
**JLCS&A** = Joint Legislative Commission on Seafood and Aquaculture



- (3) a statement of the reasons for adoption of the proposed rule(s);
- (4) a statement of the effect on existing rules;
- (5) copies of any documents and data supporting the proposed rule(s);
- (6) a statement of the effect of the proposed rule(s) on existing practices in the area involved, including an estimate of cost factors for persons affected by the proposed rule(s);
- (7) a description of those most likely to be affected by the proposed rule(s); and
- (8) your name(s) and address(es).

If your petitions and supporting documents and data are longer than 10 pages, submit 15 copies of the entire petition and any attachments.

## **How to be Involved in Marine Fisheries Management**

### *Attend public management meetings when and where possible.*

All meetings of the MFC and its advisory committees are open to the public. Comment at the meetings through written or oral testimony. Meeting agendas and exact meeting times and locations are at: [www.ncfisheries.net](http://www.ncfisheries.net) under “Public Meeting Notices.”

### *Call and write to members of the Marine Fisheries Commission.*

Call or write to DMF and MFC members and advisors to suggest solutions to management problems. Contact information for all of these parties is at: [www.ncfisheries.net](http://www.ncfisheries.net) under “Marine Fisheries Commission.”

### *Apply to sit on an MFC Advisory or Fishery Management Plan Committee.*

Applications are available at any DMF office or by calling the MFC liaison at 252/726-7021 or 800/682-2632.

### *Help with data collection.*

Participate in fisheries-related research through the N.C. Fishery Resource Grant Program (FRG) and the Blue Crab Research Program (BCRP). The FRG program and BCRP invest in ideas from the fishing public that will improve, protect and restore North Carolina’s marine fishery resources. Both programs are funded by the N.C. General Assembly and administered by North Carolina Sea Grant.

Copies of the application and supporting materials for both programs are available on the Sea Grant Web site at: [www.ncseagrant.org](http://www.ncseagrant.org) under “Funding Opportunities” and at Sea Grant offices in Raleigh, Manteo, Morehead City and Wilmington. (*For locations, see inside front cover.*)

## **Calling the MFC Liaison or DMF Staff**

- (1) Keep the call short** – no more than 10 minutes. Before you call, outline what you want to say. Be brief and to the point.
- (2) Ask to speak to the MFC liaison** or the person on the DMF staff who deals with your fishery.
- (3) Explain who you are**, describe your question or problem, and ask for help in understanding what is going on.
- (4) Request a list of the committee(s) and key commissioners** responsible for your fishery and then call local MFC AC members.
- (5) Before you hang up, ask to be added to mailing lists** to receive meeting notices and minutes for MFC business meetings and AC meetings.

## **Contact Information**



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1575 Varsity Drive  
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