



EXHIBIT A
March 21, 2019

N.C. Wildlife Resources Commission and N.C. Marine Fisheries Commission
Joint Committee on Delineation of Fishing Waters

Meeting Minutes
January 23, 2019
Craven Community College
Bosch and Siemens Advanced Manufacturing Center Room 104
College Court
New Bern, NC 28562

The first meeting of the Joint Committee on Delineation of Fishing Waters (JCDFW) was called to order on January 23, 2019 at 1:00 pm. Committee members and visitors introduced themselves.

ATTENDANCE

Joint Committee Members

Rob Bizzell – NCMFC

Pete Kornegay – NCMFC

Doug Cross – NCMFC

John Stone - NCWRC

Tommy Fonville - NCWRC

Monty Crump – NCWRC

Visitors

Gordon Myers – NCWRC

Kyle Briggs – NCWRC

Betsy Haywood – NCWRC

Ashton Godwin – NCWRC

Christian Waters – NCWRC

Tim Hergenrader

Glenn Skinner – NC Fisheries Assoc.

Jess Hawkins – NCFA

Terry Pratt – Commercial Fisherman

Ray Howell – CCA NC

Steve Murphey – NCDMF

Nancy Fish – NCDMF

Katy West – NCDMF

Mike Blanton - NCMFC

Carrie Ruhlman – NCWRC

W. Gardner Culpepper – NC Sound Economy

Jerry Schill – NCFA

Wes Potter – NCFA

Rocky Carter – Coastal Conservation Assn. NC

Chris Elkins – CCA NC

BACKGROUND AND STATUTORY CHARGE

NC Wildlife Resources Commission Executive Director Gordon Myers provided and reviewed a background document that described the underlying basis for the establishment of the JCDFW, including relevant statutes and rules. Director Myers outlined the statutory responsibility conferred by the General Assembly in 2013, which amended the Administrative Procedure Act for the Periodic Review and Expiration of Rules (Periodic Review). Pursuant to NCGS §113-129 (4), (9), and (10a), the NC Marine Fisheries Commission (MFC) and NC Wildlife Resources Commission (WRC) jointly determine the boundaries that define North Carolina's Inland, Coastal, and Joint Fishing Waters.

Pursuant to NCGS §113-132(e) the two commissions are authorized to jointly designate Joint Fishing Waters and adopt regulations governing responsibilities of each agency for those waters in which are found a significant number of freshwater fishes, as agreed upon by the MFC and WRC.

Director Myers stated that based on historical review of General Statutes, Session Law 1965-957 renamed "Commercial Fishing Waters" to "Coastal Fishing Waters" and established a definition for Coastal Fishing Waters, but it does not appear that the delineation between Coastal and Inland Fishing waters was adjusted to align with the statutory definition. He further stated that because there are waters currently designated as Coastal Fishing Waters in MFC 03Q .0202 that do not meet the definition in 113-129 (4) and (9), and WRC 10C .0108 references 03Q .0202, readoption of those rules requires modification.

Under the Periodic Review, MFC 15A NCAC 15A NCAC .03Q rules and WRC 15A NCAC 10C rules must be reviewed. Those that were determined to be Necessary with Substantive Public Interest or require modification must be readopted through permanent rulemaking no later than June 30, 2022.

Director Myers provided the JCDFW members a draft timeline for rules readoption, including key milestones. Based on that timeline, he recommended the JCDFW seek to reach agreement on boundaries no later than November 1, 2019. The draft timeline includes the following milestones:

February 27, 2019 – Briefing to Coastal Resources Commission

November 1, 2019 – Latest date to agree on delineation boundaries

November 1, 2020 – Latest date to submit Fiscal Note to OSBM

December 1, 2021 – Latest date for the WRC and MFC to approve Notice of Text

June 30, 2022 – Deadline for final rule adoptions

ORGANIZATION AND GOVERNANCE

The committee members discussed guiding principles and governance which led to the following outcomes:

- **Agendas** – Rob Bizzell, MFC and John Stone, WRC will plan meeting agendas
- **Public Records and Website** – WRC will set up a unique Joint Committee website on agency server infrastructure. The committee agreed the website would serve as a repository for all

committee-related documents and will provide links to relevant information located on agency websites.

- **Minutes** – Nancy Fish, DMF and Betsy Haywood, WRC will collaborate on Minutes to share among committee and interested persons.

MEETING FREQUENCY

It was agreed that meeting monthly or bi-monthly would be necessary to meet deadlines. Upcoming data workshop will determine frequency of meetings. The next Joint Committee meeting will be March 21, 2019 at 1:00 pm at WRC Headquarters, 1751 Varsity Drive, in Raleigh. Nancy Fish and Betsy Haywood will look for locations between Raleigh and the coast and make recommendations to the Joint Committee for future meetings.

WRC staff described ongoing efforts to aggregate historical salinity data to derive estuarine salinity zones. DMF is concurrently looking at species composition, riparian vegetation, and habitats. DMF will provide maps of current fishing water boundaries.

DMF Director, Steve Murphey recommended DMF and WRC Staff work in parallel to provide data, biological and scientific criteria for consideration, and prioritized importance of the criteria, as well as impacts of changes to delineations of waters, separately for the Marine Fisheries and Wildlife Resources commissions.

Beginning at the March meeting, the JCDFW will meet regularly to discuss the collected data and staff recommendations; and evaluate potential stakeholder impacts that may result from the application of those recommendations to the delineation of Coastal, Joint, and Inland fishing waters.

After November 1, 2019, by which time the Joint Committee will agree on the delineation of Fishing Waters, fiscal analysis will begin.

There being no further business, the meeting was adjourned at 1:45 pm.

Presentations from this meeting can be found at NCfishingwaters.org.



Rob Bizzell, NC Marine Fisheries Commission

3/21/19
Date



John Stone, NC Wildlife Resources Commission

3/21/19
Date