

**G.S. 150B-21.3A Report for 15A NCAC 03, MARINE FISHERIES (minus 03Q .0100)**

Agency - Marine Fisheries Commission

Comment Period - February 23, 2017 through May 3, 2017

Date Submitted to APO - December 18, 2017

Subchapter	Rule Section	Rule Citation	Rule Name	Date and Last Agency Action on the Rule	Agency Determination [150B-21.3A(c)(1)a]	Implements or Conforms to Federal Regulation [150B-21.3A(e)]	Federal Regulation Citation	Public Comment Received [150B-21.3A(c)(1)]	Agency Determination Following Public Comment [150B-21.3A(c)(1)]	RRC Determination of Public Comments [150B-21.3A(c)(2)]	RRC Final Determination of Status of Rule for Report to APO [150B-21.3A(c)(2)]	OAH Next Steps	
SUBCHAPTER 03H – SCOPE OF MANAGEMENT	SECTION .0100 – SCOPE OF MANAGEMENT	15A NCAC 03H .0102	SCOPE OF MANAGEMENT	Amended Eff. April 1, 2011	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note	
		15A NCAC 03H .0103	PROCLAMATIONS, GENERAL	Amended Eff. May 1, 2017	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note	
SUBCHAPTER 03I – GENERAL RULES	SECTION .0100 – GENERAL RULES	15A NCAC 03I .0101	DEFINITIONS	Amended Eff. May 1, 2015	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt	
		15A NCAC 03I .0102	TEMPORARY SUSPENSION OF RULES	Recodified from 15A NCAC 3I .0002 Eff. December 17, 1996	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note	
		15A NCAC 03I .0103	CONFISCATION AND DISPOSITION	Recodified from 15A NCAC 3I .0003 Eff. December 17, 1996	Necessary without substantive public interest	No		No	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		15A NCAC 03I .0104	INTRODUCE, TRANSFER OR HOLD IMPORTED MARINE AND ESTUARINE ORGANISMS	Amended Eff. April 1, 2009	Necessary with substantive public interest	No		No	No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		15A NCAC 03I .0105	LEAVING DEVICES UNATTENDED	Amended Eff. September 1, 2005	Necessary with substantive public interest	No		No	No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		15A NCAC 03I .0107	ENDANGERED OR THREATENED SPECIES	Amended Eff. July 1, 1999	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	16 USC 1533 ( c )		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		15A NCAC 03I .0108	OCEAN FISHING PIERS	Recodified from 15A NCAC 3I .0008 Eff. December 17, 1996	Necessary with substantive public interest	No		No	No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		15A NCAC 03I .0109	ARTIFICIAL REEFS AND RESEARCH SANCTUARIES	Recodified from 15A NCAC 3I .0009 Eff. December 17, 1996	Necessary with substantive public interest	No		No	No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		15A NCAC 03I .0110	MILITARY DANGER ZONES AND RESTRICTED AREAS	Amended Eff. August 1, 2004	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	33 CFR 334.410-334.450		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		15A NCAC 03I .0113	BIOLOGICAL SAMPLING	Recodified from 15A NCAC 3I .0013 Eff. December 17, 1996	Necessary with substantive public interest	No		No	No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		15A NCAC 03I .0114	RECORDKEEPING REQUIREMENTS	Amended Eff. June 1, 2013	Necessary with substantive public interest	No		No	No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		15A NCAC 03I .0115	REPLACEMENT COSTS OF MARINE AND ESTUARINE RESOURCES - FISH	Recodified from 15A NCAC 3I .0015 Eff. December 17, 1996.	Necessary with substantive public interest	No		No	No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
15A NCAC 03I .0116	CORAL AND LIVE ROCK	Amended Eff. April 1, 2011	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	50 CFR 622.223, 50 CFR 622.224(a)		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note		
15A NCAC 03I .0118	DISPOSAL OF EVIDENCE	Recodified from 15A NCAC 3I .0018 Eff. December 17, 1996	Necessary with substantive public interest	No		No	No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt		
15A NCAC 03I .0119	PROHIBITED FISHING ACTIVITY DUE TO PUBLIC HEALTH OR SAFETY	Recodified from 15A NCAC 3I .0019 Eff. December 17, 1996	Necessary without substantive public interest	No		No	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note		
15A NCAC 03I .0120	POSSESSION OR TRANSPORTATION LIMITS	Amended Eff. September 1, 2005	Necessary with substantive public interest	No		No	No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt		
15A NCAC 03I .0121	MAPS AND MARKING	Eff. April 1, 2011	Necessary without substantive public interest	No		No	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note		
15A NCAC 03I .0122	USER CONFLICT RESOLUTION	Eff. May 1, 2015	Necessary with substantive public interest	No		No	No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt		

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Subchapter	Rule Section	Rule Citation	Rule Name	Date and Last Agency Action on the Rule	Agency Determination [150B-21.3A(c)(1)a]	Implements or Conforms to Federal Regulation [150B-21.3A(e)]	Federal Regulation Citation	Public Comment Received [150B-21.3A(c)(1)]	Agency Determination Following Public Comment [150B-21.3A(c)(1)]	RRC Determination of Public Comments [150B-21.3A(c)(2)]	RRC Final Determination of Status of Rule for Report to APO [150B-21.3A(c)(2)]	OAH Next Steps
SUBCHAPTER 03J - NETS, POTS, DREDGES, AND OTHER FISHING DEVICES	SECTION .0100 - NET RULES, GENERAL	15A NCAC 03J .0101	FIXED OR STATIONARY NETS	Eff. January 1, 1991	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		15A NCAC 03J .0102	NETS OR NET STAKES	Eff. January 1, 1991	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		15A NCAC 03J .0103	GILL NETS, SEINES, IDENTIFICATION, RESTRICTIONS	Amended Eff. April 1, 2016	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		15A NCAC 03J .0104	TRAWL NETS	Amended Eff. May 1, 2017	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		15A NCAC 03J .0105	PURSE SEINES	Amended Eff. October 1, 2008	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		15A NCAC 03J .0106	CHANNEL NETS	Amended Eff. September 1, 2005	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		15A NCAC 03J .0108	NETS PULLED BY MORE THAN ONE BOAT	Eff. January 1, 1991	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		15A NCAC 03J .0109	LONG-HAUL FISHING OPERATIONS, IDENTIFICATION REQUIREMENTS	Amended Eff. August 1, 2004	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		15A NCAC 03J .0110	SEINES	Eff. August 1, 2000	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		15A NCAC 03J .0111	FYKE OR HOOP NETS	Amended Eff. April 1, 2003	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
	SECTION .0200 - NET RULES, SPECIFIC AREAS	15A NCAC 03J .0202	ATLANTIC OCEAN	Amended Eff. October 1, 2008	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		15A NCAC 03J .0203	CHOWAN RIVER AND ITS TRIBUTARIES	Amended Eff. September 1, 1991	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		15A NCAC 03J .0204	CURRITUCK SOUND AND ITS TRIBUTARIES	Amended Eff. September 1, 1991	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		15A NCAC 03J .0206	SOUTHPORT BOAT HARBOR	Amended Eff. August 1, 2004	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		15A NCAC 03J .0207	DUKE ENERGY PROGRESS BRUNSWICK NUCLEAR PLANT INTAKE CANAL	Amended Eff. May 1, 2015	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		15A NCAC 03J .0208	NEW RIVER	Amended Eff. May 1, 2015	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		15A NCAC 03J .0209	ALBEMARLE SOUND/CHOWAN RIVER RIVER HERRING MANAGEMENT AREAS	Amended Eff. May 1, 2015	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
	SECTION .0300 - POTS, DREDGES, AND OTHER FISHING DEVICES	15A NCAC 03J .0301	POTS	Amended Eff. May 1, 2015	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		15A NCAC 03J .0302	RECREATIONAL USE OF POTS	Amended Eff. April 1, 2011	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		15A NCAC 03J .0303	DREDGES AND MECHANICAL METHODS PROHIBITED	Amended Eff. March 1, 1994	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		15A NCAC 03J .0304	ELECTRICAL FISHING DEVICE	Amended Eff. July 1, 2008	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		15A NCAC 03J .0305	TROTTLINES (MULTIPLE HOOK OR MULTIPLE BAIT)	Eff. August 1, 2000	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		15A NCAC 03J .0306	HOOK-AND-LINE	Eff. April 1, 2009	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt

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	<b>SECTION .0400 - FISHING GEAR</b>	15A NCAC 03J .0401	FISHING GEAR	Amended Eff. June 1, 1996	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		15A NCAC 03J .0402	FISHING GEAR RESTRICTIONS	Amended Eff. October 1, 2004	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
	<b>SECTION .0500 - POUND NETS</b>	15A NCAC 03J .0501	DEFINITIONS AND STANDARDS FOR POUND NETS AND POUND NET SETS	Eff. April 1, 2009	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		15A NCAC 03J .0502	POUND NET SET PERMIT APPLICATION AND PROCESSING	Eff. April 1, 2009	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		15A NCAC 03J .0503	POUND NET SET PERMIT RENEWAL	Eff. April 1, 2009	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		15A NCAC 03J .0504	POUND NET SET PERMIT TRANSFER	Eff. April 1, 2009	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		15A NCAC 03J .0505	POUND NET SET PERMIT CONDITIONS	Eff. April 1, 2009	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
<b>SUBCHAPTER 03K - OYSTERS, CLAMS, SCALLOPS AND MUSSELS</b>	<b>SECTION .0100 - SHELLFISH, GENERAL</b>	15A NCAC 03K .0101	PROHIBITED SHELLFISH AREAS/ACTIVITIES	Amended Eff. October 1, 2008	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		15A NCAC 03K .0102	PROHIBITED RAKES	Amended Eff. October 1, 2008	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		15A NCAC 03K .0103	SHELLFISH MANAGEMENT AREAS	Amended Eff. October 1, 2008	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		15A NCAC 03K .0104	PERMITS FOR PLANTING SHELLFISH FROM PROHIBITED/POLLUTED AREAS	Amended Eff. April 1, 2003	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		15A NCAC 03K .0105	RECREATIONAL HARVEST OF SHELLFISH	Amended Eff. October 1, 2008	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		15A NCAC 03K .0106	TAKING OR UNLOADING OYSTERS AND CLAMS ON SUNDAY OR AT NIGHT	Amended Eff. October 1, 2008	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		15A NCAC 03K .0107	DEPURATION OF SHELLFISH	Amended Eff. October 1, 2008	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		15A NCAC 03K .0108	DREDGES/MECHANICAL METHODS PROHIBITED	Eff. October 1, 2008	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		15A NCAC 03K .0109	SHELLFISH HARVESTER AND DEALER TAGS	Eff. October 1, 2008	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		15A NCAC 03K .0110	PUBLIC HEALTH AND CONTROL OF OYSTERS, CLAMS, SCALLOPS, AND MUSSELS	Amended Eff. May 1, 2017	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	21 CFR 123.3, 6-9, 11, 28	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		15A NCAC 03K .0111	PERMITS TO USE MECHANICAL METHODS FOR SHELLFISH ON SHELLFISH LEASES OR FRANCHISES	Eff. May 1, 2015	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
	<b>SECTION .0200 - OYSTERS</b>	15A NCAC 03K .0201	OYSTER HARVEST MANAGEMENT	Amended Eff. May 1, 2017	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		15A NCAC 03K .0202	CULLING REQUIREMENTS FOR OYSTERS	Amended Eff. May 1, 2017	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		15A NCAC 03K .0204	DREDGES / MECHANICAL METHODS PROHIBITED	Amended Eff. August 1, 2004	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		15A NCAC 03K .0205	MARKETING OYSTERS TAKEN FROM PRIVATE SHELLFISH BOTTOMS	Amended Eff. April 1, 2003	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		15A NCAC 03K .0207	OYSTER SIZE AND HARVEST LIMIT EXEMPTION	Eff. April 1, 2003	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt

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		15A NCAC 03K .0208	SEED OYSTER MANAGEMENT AREAS	Eff. October 1, 2008	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		15A NCAC 03K .0209	OYSTER SANCTUARIES	Eff. October 1, 2008	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
	<b>SECTION .0300 - HARD CLAMS (MERCENARIA)</b>	15A NCAC 03K .0301	SIZE AND HARVEST LIMIT	Amended Eff. March 1, 1994	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		15A NCAC 03K .0302	MECHANICAL HARVEST OF CLAMS FROM PUBLIC BOTTOM	Amended Eff. May 1, 2017	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		15A NCAC 03K .0304	PROHIBITED TAKING	Amended Eff. October 1, 2008	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		15A NCAC 03K .0305	CLAM SIZE AND HARVEST LIMIT EXEMPTION	Amended Eff. September 1, 1991	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
	<b>SECTION .0400 - RANGIA CLAMS</b>	15A NCAC 03K .0401	PROHIBITED (POLLUTED) AREA PERMIT REQUIREMENT	Amended Eff. August 1, 2004	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		15A NCAC 03K .0402	SEASON, SIZE AND HARVEST LIMITS	Amended Eff. August 1, 2004	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		15A NCAC 03K .0403	DISPOSITION OF MEATS	Amended Eff. August 1, 2004	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		15A NCAC 03K .0404	DREDGES/MECHANICAL METHODS PROHIBITED AND OPEN SEASON	Eff. August 1, 2004	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		15A NCAC 03K .0405	OYSTERS, MUSSELS, HARD CLAMS PROHIBITED	Eff. August 1, 2004	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
	<b>SECTION .0500 - SCALLOPS</b>	15A NCAC 03K .0501	BAY SCALLOP HARVEST MANAGEMENT	Amended Eff. May 1, 2015	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		15A NCAC 03K .0502	TAKING BAY SCALLOPS AT NIGHT AND ON WEEKENDS	Amended Eff. May 1, 2015	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		15A NCAC 03K .0503	PROHIBITED BAY SCALLOP DREDGE	Eff. January 1, 1991	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		15A NCAC 03K .0504	CALICO SCALLOP SEASON	Eff. January 1, 1991	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		15A NCAC 03K .0505	SEA SCALLOPS SIZE LIMIT AND TOLERANCE	Eff. January 1, 1991	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		15A NCAC 03K .0507	MARKETING SCALLOPS TAKEN FROM SHELLFISH LEASES OR FRANCHISES	Eff. May 1, 2015	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		15A NCAC 03K .0508	SCALLOP SEASON AND HARVEST LIMIT EXEMPTIONS	Eff. May 1, 2015	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
<b>SUBCHAPTER 03L - SHRIMP, CRAB, AND LOBSTER</b>	<b>SECTION .0100 - SHRIMP</b>	15A NCAC 03L .0101	SHRIMP HARVEST RESTRICTIONS	Amended Eff. May 1, 2015	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		15A NCAC 03L .0102	WEEKEND SHRIMPING PROHIBITED	Amended Eff. May 1, 2017	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		15A NCAC 03L .0103	PROHIBITED NETS, MESH LENGTHS AND AREAS	Amended Eff. May 1, 2015	Necessary with substantive public interest	Yes If yes, include the citation to the federal law	50 CFR 222.102, 223.205(a), 223.206(d), 223.207	No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		15A NCAC 03L .0105	RECREATIONAL SHRIMP LIMITS	Amended Eff. May 1, 2015	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
	<b>SECTION .0200 - CRABS</b>	15A NCAC 03L .0201	CRAB HARVEST RESTRICTIONS	Amended Eff. April 1, 2014	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt

**G.S. 150B-21.3A Report for 15A NCAC 03, MARINE FISHERIES (minus 03Q .0100)**

Agency - Marine Fisheries Commission

Comment Period - February 23, 2017 through May 3, 2017

Date Submitted to APO - December 18, 2017

Subchapter	Rule Section	Rule Citation	Rule Name	Date and Last Agency Action on the Rule	Agency Determination [150B-21.3A(c)(1)a]	Implements or Conforms to Federal Regulation [150B-21.3A(e)]	Federal Regulation Citation	Public Comment Received [150B-21.3A(c)(1)]	Agency Determination Following Public Comment [150B-21.3A(c)(1)]	RRC Determination of Public Comments [150B-21.3A(c)(2)]	RRC Final Determination of Status of Rule for Report to APO [150B-21.3A(c)(2)]	OAH Next Steps
		15A NCAC 03L .0202	CRAB TRAWLING	Amended Eff. April 1, 2014	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		15A NCAC 03L .0203	CRAB DREDGING	Amended Eff. April 1, 2014	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		15A NCAC 03L .0204	CRAB POTS	Amended Eff. April 1, 2014	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		15A NCAC 03L .0205	CRAB SPAWNING SANCTUARIES	Amended Eff. April 1, 2014	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		15A NCAC 03L .0207	HORSESHOE CRABS	Amended Eff. April 1, 2011	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		15A NCAC 03L .0208	STONE CRABS (MENIPPE MERCENARIA)	Eff. December 1, 2006	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
	<b>SECTION .0300 – LOBSTER</b>	15A NCAC 03L .0301	AMERICAN LOBSTER (NORTHERN LOBSTER)	Amended Eff. April 1, 2009	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		15A NCAC 03L .0302	SPINY LOBSTER	Amended Eff. March 1, 1996	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
<b>SUBCHAPTER 03M - FINFISH</b>	<b>SECTION .0100 – FINFISH, GENERAL</b>	15A NCAC 03M .0101	MUTILATED FINFISH	Amended Eff. May 1, 2015	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		15A NCAC 03M .0102	UNMARKETABLE FINFISH	Amended Eff. October 1, 2008	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		15A NCAC 03M .0103	MINIMUM SIZE LIMITS	Amended Eff. April 1, 2014.	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
	<b>SECTION .0200 - STRIPED BASS</b>	15A NCAC 03M .0201	GENERAL	Amended Eff. June 1, 2013	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		15A NCAC 03M .0202	SEASON, SIZE AND HARVEST LIMIT: INTERNAL COASTAL WATERS	Amended Eff. June 1, 2013	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		15A NCAC 03M .0204	SEASON, SIZE AND HARVEST LIMIT: ATLANTIC OCEAN	Amended Eff. October 1, 2008	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		15A NCAC 03M .0205	PROHIBITED TRAWLING	Amended Eff. December 1, 2007	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
	<b>SECTION .0300 - SPANISH AND KING MACKEREL</b>	15A NCAC 03M .0301	SPANISH AND KING MACKEREL	Amended Eff. October 1, 2008	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		15A NCAC 03M .0302	PURSE GILL NET PROHIBITED	Eff. January 1, 1991	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
	<b>SECTION .0500 – OTHER FINFISH</b>	15A NCAC 03M .0501	RED DRUM	Amended Eff. April 1, 2009	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		15A NCAC 03M .0502	MULLET	Amended Eff. July 1, 2006	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		15A NCAC 03M .0503	FLOUNDER	Amended Eff. September 1, 2005	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		15A NCAC 03M .0506	SNAPPER-GROUPER COMPLEX	Amended Eff. October 1, 2008	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		15A NCAC 03M .0507	BILLFISH	Amended Eff. August 1, 2000	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt

**G.S. 150B-21.3A Report for 15A NCAC 03, MARINE FISHERIES (minus 03Q .0100)**

Agency - Marine Fisheries Commission

Comment Period - February 23, 2017 through May 3, 2017

Date Submitted to APO - December 18, 2017

Subchapter	Rule Section	Rule Citation	Rule Name	Date and Last Agency Action on the Rule	Agency Determination [150B-21.3A(c)(1)a]	Implements or Conforms to Federal Regulation [150B-21.3A(e)]	Federal Regulation Citation	Public Comment Received [150B-21.3A(c)(1)]	Agency Determination Following Public Comment [150B-21.3A(c)(1)]	RRC Determination of Public Comments [150B-21.3A(c)(2)]	RRC Final Determination of Status of Rule for Report to APO [150B-21.3A(c)(2)]	OAH Next Steps
		15A NCAC 03M .0508	STURGEON	Amended Eff. July 1, 1993	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	50 CFR 224.101, 16 USC 1533	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		15A NCAC 03M .0509	TARPON	Eff. October 1, 1992	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		15A NCAC 03M .0510	AMERICAN EEL	Amended Eff. May 1, 2015	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		15A NCAC 03M .0511	BLUEFISH	Amended Eff. October 1, 2008	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		15A NCAC 03M .0512	COMPLIANCE WITH FISHERY MANAGEMENT PLANS	Amended Eff. October 1, 2008	Necessary without substantive public interest	Yes If yes, include the citation to the federal law	16 USC §5103-5106; 16 USC § 1856(b) and 50 CFR 600.605-600.630	No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		15A NCAC 03M .0513	RIVER HERRING	Amended Eff. June 13, 2016	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		15A NCAC 03M .0515	DOLPHIN	Amended Eff. September 1, 2005	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		15A NCAC 03M .0516	COBIA	Eff. August 1, 2000	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		15A NCAC 03M .0517	WAHOO	Eff. September 1, 2005	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		15A NCAC 03M .0518	KINGFISH (SEA MULLET)	Eff. October 1, 2008	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		15A NCAC 03M .0519	SHAD	Amended Eff. April 1, 2012	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		15A NCAC 03M .0520	TUNA	Amended Eff. April 1, 2011	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		15A NCAC 03M .0521	SHEEPSHEAD	Eff. April 1, 2014	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
	<b>SUBCHAPTER 03N - FISH HABITAT AREAS</b>	15A NCAC 03N .0101	SCOPE AND PURPOSE	Amended Eff. December 1, 2007	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		15A NCAC 03N .0103	NURSERY AREA BOUNDARIES	Amended Eff. December 1, 2007	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		15A NCAC 03N .0104	PROHIBITED GEAR, PRIMARY NURSERY AREAS	Amended Eff. May 1, 1997	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		15A NCAC 03N .0105	PROHIBITED GEAR, SECONDARY NURSERY AREAS	Amended Eff. August 1, 2004	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		15A NCAC 03N .0106	ANADROMOUS FISH SPAWNING AREA BOUNDARIES	Eff. December 1, 2007	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
<b>SUBCHAPTER 03O - LICENSES, LEASES, FRANCHISES AND PERMITS</b>	<b>SECTION .0100 - LICENSES</b>	15A NCAC 03O .0101	PROCEDURES AND REQUIREMENTS TO OBTAIN LICENSES, ENDORSEMENTS AND COMMERCIAL FISHING VESSEL REGISTRATIONS	Amended Eff. May 1, 2015	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		15A NCAC 03O .0102	RECREATIONAL FISHING TOURNAMENT LICENSE TO SELL FISH	Amended Eff. December 1, 2006	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		15A NCAC 03O .0103	AUXILIARY VESSELS	Amended Eff. August 1, 2000	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		15A NCAC 03O .0104	COMMERCIAL UNLOADING OF FISH	Amended Eff. August 1, 2000	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt

**G.S. 150B-21.3A Report for 15A NCAC 03, MARINE FISHERIES (minus 03Q .0100)**

Agency - Marine Fisheries Commission

Comment Period - February 23, 2017 through May 3, 2017

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Subchapter	Rule Section	Rule Citation	Rule Name	Date and Last Agency Action on the Rule	Agency Determination [150B-21.3A(c)(1)a]	Implements or Conforms to Federal Regulation [150B-21.3A(e)]	Federal Regulation Citation	Public Comment Received [150B-21.3A(c)(1)]	Agency Determination Following Public Comment [150B-21.3A(c)(1)]	RRC Determination of Public Comments [150B-21.3A(c)(2)]	RRC Final Determination of Status of Rule for Report to APO [150B-21.3A(c)(2)]	OAH Next Steps
		15A NCAC 03O .0105	BAIT AND MUSSEL DEALERS	Amended Eff. August 1, 2004	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		15A NCAC 03O .0106	DISPLAY OF LICENSES AND REGISTRATIONS	Amended Eff. May 1, 2015	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		15A NCAC 03O .0107	LOST LICENSE REPLACEMENT	Amended Eff. December 1, 2006	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		15A NCAC 03O .0108	LICENSE TRANSFERS	Amended Eff. August 1, 2000	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		15A NCAC 03O .0109	ASSIGNMENT OF SCFL	Amended Eff. August 1, 2000	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		15A NCAC 03O .0110	LICENSE REFUNDS	Amended Eff. August 1, 2000	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		15A NCAC 03O .0111	SURRENDER OF LICENSES	Amended Eff. October 1, 2012	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		15A NCAC 03O .0112	FOR HIRE COASTAL RECREATIONAL FISHING	Eff. July 1, 2008	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		15A NCAC 03O .0113	OCEAN FISHING PIER REPORTING REQUIREMENTS	Amended Eff. May 1, 2015	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		15A NCAC 03O .0114	SUSPENSION, REVOCATION, AND REISSUANCE OF LICENSES	Amended Eff. May 1, 2017	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
	<b>SECTION .0200 – LEASES AND FRANCHISES</b>	15A NCAC 03O .0201	STANDARDS AND REQUIREMENTS FOR SHELLFISH BOTTOM LEASES AND FRANCHISES AND WATER COLUMN LEASES	Amended Eff. May 1, 2017	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		15A NCAC 03O .0202	SHELLFISH BOTTOM AND WATER COLUMN LEASE APPLICATIONS	Amended Eff. April 1, 2011	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		15A NCAC 03O .0203	SHELLFISH LEASE APPLICATION PROCESSING	Amended Eff. October 1, 2008	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		15A NCAC 03O .0204	MARKING SHELLFISH LEASES AND FRANCHISES	Amended Eff. September 1, 1997	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		15A NCAC 03O .0205	LEASE RENEWAL	Amended Eff. September 1, 2005	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		15A NCAC 03O .0206	LEASE PROTEST	Amended Eff. March 1, 1994	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		15A NCAC 03O .0207	PRODUCTION REPORTS	Amended Eff. September 1, 1991	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		15A NCAC 03O .0208	TERMINATION OF SHELLFISH BOTTOM LEASES AND FRANCHISES AND WATER COLUMN LEASES	Amended Eff. May 1, 2017	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		15A NCAC 03O .0209	TRANSFER OF INTEREST	Amended Eff. April 1, 2011	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		15A NCAC 03O .0210	SHELLFISH FRANCHISES	Amended Eff. October 1, 2008	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		15A NCAC 03O .0211	PROTECTION OF PRIVATE SHELLFISH INTEREST	Amended Eff. August 1, 1998	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt

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Subchapter	Rule Section	Rule Citation	Rule Name	Date and Last Agency Action on the Rule	Agency Determination [150B-21.3A(c)(1)a]	Implements or Conforms to Federal Regulation [150B-21.3A(e)]	Federal Regulation Citation	Public Comment Received [150B-21.3A(c)(1)]	Agency Determination Following Public Comment [150B-21.3A(c)(1)]	RRC Determination of Public Comments [150B-21.3A(c)(2)]	RRC Final Determination of Status of Rule for Report to APO [150B-21.3A(c)(2)]	OAH Next Steps
	SECTION .0300 – RECREATIONAL COMMERCIAL GEAR LICENSES	15A NCAC 03O .0301	ELIGIBILITY FOR RECREATIONAL COMMERCIAL GEAR LICENSES	Amended Eff. August 1, 2000	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		15A NCAC 03O .0302	AUTHORIZED GEAR	Amended Eff. April 1, 2009	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		15A NCAC 03O .0303	RECREATIONAL COMMERCIAL GEAR LICENSE POSSESSION LIMITS	Amended Eff. July 1, 2006	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
	SECTION .0400 – STANDARD COMMERCIAL LICENSE ELIGIBILITY	15A NCAC 03O .0401	ELIGIBILITY BOARD	Eff. August 1, 2000	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		15A NCAC 03O .0402	APPLICATION PROCESS	Amended Eff. October 1, 2008	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		15A NCAC 03O .0403	ELIGIBILITY BOARD REVIEW	Amended Eff. February 1, 2008	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		15A NCAC 03O .0404	ELIGIBILITY CRITERIA	Amended Eff. October 1, 2008	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		15A NCAC 03O .0405	APPLICATION DOCUMENTATION	Eff. August 1, 2000	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		15A NCAC 03O .0406	STANDARD COMMERCIAL FISHING LICENSE ELIGIBILITY POOL CERTIFICATION	Eff. August 1, 2000	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
	SECTION .0500 - PERMITS	15A NCAC 03O .0501	PROCEDURES AND REQUIREMENTS TO OBTAIN PERMITS	Amended Eff. May 1, 2017	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		15A NCAC 03O .0502	PERMIT CONDITIONS; GENERAL	Amended Eff. April 1, 2009	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		15A NCAC 03O .0503	PERMIT CONDITIONS; SPECIFIC	Amended Eff. May 1, 2017	Necessary with substantive public interest	Yes If yes, include the citation to the federal law	50 CFR 223.206	No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		15A NCAC 03O .0504	SUSPENSION/REVOCAION OF PERMITS	Eff. April 1, 2001	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		15A NCAC 03O .0506	SPECIAL PERMIT REQUIRED FOR SPECIFIC MANAGEMENT PURPOSES	Eff. April 1, 2001	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
SUBCHAPTER 03P - HEARING PROCEDURES	SECTION .0100 - HEARING PROCEDURES	15A NCAC 03P .0101	LICENSE, PERMIT, OR CERTIFICATE DENIAL: REQUEST FOR REVIEW	Amended Eff. May 1, 2017	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		15A NCAC 03P .0102	CONTESTED CASE HEARING PROCEDURES	Amended Eff. August 1, 1999	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
	SECTION .0200 - DECLARATORY RULINGS	15A NCAC 03P .0201	DECLARATORY RULINGS: GENERALLY	Eff. April 1, 1999	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		15A NCAC 03P .0202	PROCEDURE FOR REQUESTING DECLARATORY RULINGS	Eff. April 1, 1999	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		15A NCAC 03P .0203	DEFINITION	Eff. April 1, 1999	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
	SECTION .0300 - PETITIONS FOR RULEMAKING	15A NCAC 03P .0301	FORM AND CONTENTS OF PETITION	Eff. April 1, 1999	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt



**G.S. 150B-21.3A Report for 15A NCAC 03, MARINE FISHERIES (minus 03Q .0100)**

Agency - Marine Fisheries Commission

Comment Period - February 23, 2017 through May 3, 2017

Date Submitted to APO - December 18, 2017

Subchapter	Rule Section	Rule Citation	Rule Name	Date and Last Agency Action on the Rule	Agency Determination [150B-21.3A(c)(1)a]	Implements or Conforms to Federal Regulation [150B-21.3A(e)]	Federal Regulation Citation	Public Comment Received [150B-21.3A(c)(1)]	Agency Determination Following Public Comment [150B-21.3A(c)(1)]	RRC Determination of Public Comments [150B-21.3A(c)(2)]	RRC Final Determination of Status of Rule for Report to APO [150B-21.3A(c)(2)]	OAH Next Steps
		15A NCAC 03P .0302	REVIEW BY A COMMITTEE OF THE COMMISSION	Eff. April 1, 1999	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		15A NCAC 03P .0303	PRESENTATION TO THE COMMISSION	Eff. April 1, 1999	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		15A NCAC 03P .0304	RECOURSE TO DENIAL OF THE PETITION	Eff. April 1, 1999	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
<b>SUBCHAPTER 03Q - JURISDICTION OF AGENCIES: CLASSIFICATION OF WATERS</b>	<b>SECTION .0200 - BOUNDARY LINES: COASTAL-JOINT-INL AND FISHING WATERS</b>	15A NCAC 03Q .0201	SPECIFIC CLASSIFICATION OF WATERS	Amended Eff. August 1, 2004	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		15A NCAC 03Q .0202	DESCRIPTIVE BOUNDARIES FOR COASTAL-JOINT-INLAND WATERS	Amended Eff. May 1, 2015	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
<b>SUBCHAPTER 03R - DESCRIPTIVE BOUNDARIES</b>	<b>SECTION .0100 - DESCRIPTIVE BOUNDARIES</b>	15A NCAC 03R .0101	SEA TURTLE SANCTUARY	Amended Eff. August 1, 2004	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		15A NCAC 03R .0102	MILITARY DANGER ZONES AND RESTRICTED AREAS	Amended Eff. August 1, 2004	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		15A NCAC 03R .0103	PRIMARY NURSERY AREAS	Amended Eff. May 1, 2017	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		15A NCAC 03R .0104	PERMANENT SECONDARY NURSERY AREAS	Amended Eff. April 1, 2011	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		15A NCAC 03R .0105	SPECIAL SECONDARY NURSERY AREAS	Amended Eff. April 1, 2011	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		15A NCAC 03R .0106	TRAWL NETS PROHIBITED	Amended Eff. July 1, 2006	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		15A NCAC 03R .0107	DESIGNATED POT AREAS	Amended Eff. April 1, 2014	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		15A NCAC 03R .0108	MECHANICAL METHODS PROHIBITED TO TAKE OYSTERS	Amended Eff. April 1, 2016	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		15A NCAC 03R .0109	TAKING CRABS WITH DREDGES	Amended Eff. August 1, 2004	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		15A NCAC 03R .0110	CRAB SPAWNING SANCTUARIES	Amended Eff. August 1, 2004	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		15A NCAC 03R .0111	PURSE SEINES PROHIBITED	Amended Eff. August 1, 2004	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		15A NCAC 03R .0112	ATTENDED GILL NET AREAS	Amended Eff. April 1, 2016	Necessary with substantive public interest	No		No	Necessary with substantive public interest	No comments with merit	Necessary with substantive public interest and must be readopted	Agency must readopt
		15A NCAC 03R .0113	POUND NET SET PROHIBITED AREAS	Amended Eff. April 1, 2009	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note

**G.S. 150B-21.3A Report for 15A NCAC 03, MARINE FISHERIES (minus 03Q .0100)**

Agency - Marine Fisheries Commission

Comment Period - February 23, 2017 through May 3, 2017

Date Submitted to APO - December 18, 2017

Subchapter	Rule Section	Rule Citation	Rule Name	Date and Last Agency Action on the Rule	Agency Determination [150B-21.3A(c)(1)a]	Implements or Conforms to Federal Regulation [150B-21.3A(e)]	Federal Regulation Citation	Public Comment Received [150B-21.3A(c)(1)]	Agency Determination Following Public Comment [150B-21.3A(c)(1)]	RRC Determination of Public Comments [150B-21.3A(c)(2)]	RRC Final Determination of Status of Rule for Report to APO [150B-21.3A(c)(2)]	OAH Next Steps
		15A NCAC 03R .0114	SHRIMP TRAWL PROHIBITED AREAS	Amended Eff. May 1, 2015	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		15A NCAC 03R .0115	ANADROMOUS FISH SPAWNING AREAS	Amended Eff. May 1, 2015	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		15A NCAC 03R .0116	DESIGNATED SEED OYSTER MANAGEMENT AREAS	Amended Eff. April 1, 2014	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		15A NCAC 03R .0117	OYSTER SANCTUARIES	Amended Eff. April 1, 2011	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		15A NCAC 03R .0118	EXEMPTED CRAB POT ESCAPE RING AREAS	Eff. April 1, 2014	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
	<b>SECTION .0200 – FISHERY MANAGEMENT AREAS</b>	15A NCAC 03R .0201	STRIPED BASS MANAGEMENT AREAS	Amended Eff. June 1, 2013	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
		15A NCAC 03R .0202	RIVER HERRING MANAGEMENT AREAS	Eff. May 1, 2015	Necessary without substantive public interest	No		No	Necessary without substantive public interest	No comments with merit	Necessary without substantive public interest and should remain in effect without further action	Keep in Code - Update History Note
<b>SUBCHAPTER 03S – ECONOMIC ASSISTANCE TO THE FISHING INDUSTRY</b>	<b>SECTION .0100 – ECONOMIC ASSISTANCE PROGRAMS</b>	15A NCAC 03S .0101	GENERAL	Eff. October 1, 2004	Unnecessary	No		No	Unnecessary	No comments with merit	Unnecessary and should expire on the first day of the month following the consultation	Rule expired - remove from Code
		15A NCAC 03S .0102	GRANTS TO COMMERCIAL SHRIMPING INDUSTRY FOR ECONOMIC LOSSES DUE TO FOREIGN IMPORTED SHRIMP	Eff. November 1, 2004	Unnecessary	No		No	Unnecessary	No comments with merit	Unnecessary and should expire on the first day of the month following the consultation	Rule expired - remove from Code
		15A NCAC 03S .0103	GRANTS TO COMMERCIAL BLUE CRABBING INDUSTRY	Eff. November 1, 2004	Unnecessary	No		No	Unnecessary	No comments with merit	Unnecessary and should expire on the first day of the month following the consultation	Rule expired - remove from Code