



TEMPORARY RULE-MAKING FINDINGS OF NEED

[Authority G.S. 150B-21.1]

OAH USE ONLY

VOLUME:

ISSUE:

1. Rule-Making Agency:

North Carolina Wildlife Resources Commission

2. Rule citation & name:

15A NCAC 10C .0422 STRIPED MULLET AND WHITE MULLET

3. Action:

☐ Adoption

☒ Amendment

☐ Repeal

4. Was this an Emergency Rule:

☐ Yes

Effective date:

☒ No

5. Provide dates for the following actions as applicable:

a. Proposed Temporary Rule submitted to OAH: 4/19/24

b. Proposed Temporary Rule published on the OAH website: 4/23/24

c. Public Hearing date: 5/14/24

d. Comment Period: 4/22/24 – 5/20/24

e. Notice pursuant to G.S. 150B-21.1(a3)(2): 4/22/24

f. Adoption by agency on: 6/6/24

g. Proposed effective date of temporary rule if other than effective date established by G.S. 150B- 21.1(b) and G.S. 150B-21.3:

6. Reason for Temporary Action. Attach a copy of any cited law, regulation, or document necessary for the review.

- ☐ A serious and unforeseen threat to the public health, safety or welfare.
- ☐ The effective date of a recent act of the General Assembly or of the U.S. Congress.
Cite: S.L. 2023-137, S.6
Effective date: 10/10/23
- ☐ A recent change in federal or state budgetary policy.
Effective date of change:
- ☐ A recent federal regulation.
Cite:
Effective date:
- ☐ A recent court order.
Cite order:
- ☒ Other: 150B-21.1(a)(7)c.

Explain:

To be consistent with the preferred management option for the Striped Mullet Fisheries Management Plan Amendment 2, the proposed rule amendment will reduce the daily creel limit for Striped and White Mullet from 200 to 100 fish in aggregate and establish a limit of no more than 400 fish total per boat.

7. Why is adherence to notice and hearing requirements contrary to the public interest and the immediate adoption of the rule is required?

The WRC was informed that the Division of Marine Fisheries (DMF) Director will be issuing a proclamation to reduce the creel limit for Mullet. Because the WRC does not have proclamation authority, a temporary rule is the quickest way to match the DMF creel limit and avoid angler confusion.

8. Rule establishes or increases a fee? (See G.S. 12-3.1)

☐ Yes

Agency submitted request for consultation on:

Consultation not required. Cite authority:

☒ No

9. Rule-making Coordinator: Carrie Ruhlman

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10. Signature of Agency Head*:



* If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form.

Typed Name: Monty R. Crump

Title: Chairman

E-Mail: monty@gorockingham.com

RULES REVIEW COMMISSION USE ONLY

Action taken:

Submitted for RRC Review:

☐ Date returned to agency:

1 15A NCAC 10C .0422 is amended under temporary procedures as follows:

2
3 **15A NCAC 10C .0422 STRIPED MULLET AND WHITE MULLET**

4 (a) The daily creel limit for striped mullet and white mullet is ~~200~~ 100 fish per person in aggregate and no more than
5 400 fish per boat.

6 (b) There is no minimum size limit.

7 (c) There is no closed season.

8
9 *History Note: Authority G.S. 113-134; 113-292; 113-304; 113-305;*

10 *Temporary Adoption Eff. September 1, 2022;*

11 *Eff. March 15, 2023.*