



**RESOLUTION
OPPOSING RECLASSIFICATION OF JURISDICTIONAL WATERS**

WHEREAS, in January of 2019 the NC Marine Fisheries Commission (MFC) and the NC Wildlife Resources Commission (WRC) formed a joint committee for the purpose of determining boundaries defining inland and coastal waters; and

WHEREAS, the joint committee had its last meeting in May of 2019, after having disagreements between the agencies on the “salinity value” to determine boundaries; and

WHEREAS, in August of 2019, the WRC business meeting was held with little direct notice to the MFC or to the NC Department of Environmental Quality (NCDEQ). At this meeting the WRC decided to move forward with the proposed boundaries based on the arbitrary “2.6 ppt salinity value”; and

WHEREAS, in 2017 the MFC conducted a review of rules pertaining to delineation (15A NCAC 03Q.0200 et seq) and determined there was no basis to adjust jurisdictional boundaries; and

WHEREAS, the proposed Reclassification of Jurisdictional Waters would be a loss of approximately 144,984 square acres of 226.5 square miles of coastal and commercial fishing waters. Thus, creating even more confusion and regulations to the already over-regulated NC commercial fishing industry; and

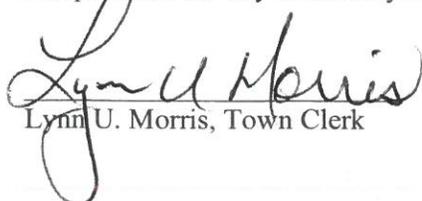
WHEREAS, the MFC would be required by law to perform a comprehensive financial analysis to modify jurisdictional boundaries, which would include a review of all existing rules and a detailed mapping effort expected to take over a year to complete with added costs to the taxpayers of North Carolina; and

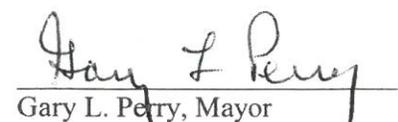
WHEREAS, the financial impact as proposed would exceed \$1,000,000.00 for sustainable economic impact as prescribed in the NC Administrative Procedure Act; and

WHEREAS, fisheries management plans of important commercial and recreational species under MFC authority follow a criterion initially to establish coastal and joint waters but not inland waters, thus a complete review of all MFC rules would have to be completed at NC taxpayer expense.

THEREFORE, BE IT RESOLVED, that the Kitty Hawk Town Council strongly opposes the reclassification of Jurisdictional Waters as prescribed by the NC Wildlife Resources Commission. Under such research we have not found where a salinity value is a determination of boundary lines between coastal and inland waterways.

Adopted this 6th day of January 2020.


Lynn U. Morris, Town Clerk


Gary L. Perry, Mayor