

**MEETING SUMMARY OF THE
ATLANTIC STATES MARINE FISHERIES COMMISSION
EXECUTIVE COMMITTEE**

**The Westin Crystal City
Arlington, VA
February 7, 2018**

INDEX OF MOTIONS

1. **Approval of Agenda by Consent. (Page 2)**
2. **Approval of Meeting Summary from October 18, 2017 by Consent. (Page 2)**
3. **Move the Executive Committee adopt “A member of the Nominating Committee will contact the Administrative Commissioner from each state and request they communicate with the States’ L/GA Commissioners” for the appropriate approach to contact Commissioners for nominations; and “Commissioners and Ongoing Proxies are eligible to serve as Officers. However the appointing Commissioner must agree to the eligibility of a proxy”. Motion made by Mr. Abbott, seconded by Mr. Estes. Motion passed unanimously. (Page X)**
4. **Adjournment by Consent (Page X)**

ATTENDANCE

Committee Members

Pat Keliher, ME	Roy Miller, DE (GA Chair)
Doug Grout, NH	Andy Shiels, PA
Dennis Abbott, NH (LA Chair)	David Blazer, MD
David Pierce, MA	John Bull, VA
Mark Alexander, CT (proxy for Craig Miner)	Steve Murphey, NC
Jason McNamee, RI	Robert Boyles, SC
Jim Gilmore, NY	Doug Haymans, GA
Jeff Brust, NJ	Jim Estes, FL
John Clark, DE	

Other Commissioners

David Borden, RI (GA)	Ed O'Brien, MD (LA proxy)
David Bush, NC, (LA proxy)	Ritchie White NH (GA)
Raymond Kane, MA (GA)	Spud Woodward, GA (GA)

Staff

Bob Beal	Deke Tompkins
Laura Leach	Geoff White
Mike Cahall	

Others

Chris Batsavage, NC DMF	Dan McKiernan, MA DMF
Michelle Duval, NC DMF	Derek Orner, NOAA Fisheries
David Gouveia, NOAA Fisheries	Cheri Patterson, NHF&G
Lynn Fegley, MD DNR	

CALL TO ORDER

The Executive Committee of the Atlantic States Marine Fisheries Commission convened in the Crystal VI Room of The Westin Crystal City in Arlington, Virginia February 7, 2018. The meeting was called to order at 7:55 a.m. by Chair Jim Gilmore. Mr. Gilmore welcomed two new Executive Committee members, Steve Murphey from North Carolina and Doug Haymans from Georgia.

APPROVAL OF AGENDA

The agenda was approved as presented.

APPROVAL OF PROCEEDINGS

The summary minutes from the October 18, 2017 meeting were approved as presented.

PUBLIC COMMENT

There was no public comment.

ACCSP UPDATE

Mike Cahall provided an update on the Atlantic Coastal Cooperative Statistics Program.

Regarding funding Mike noted:

- Eight maintenance projects were approved
- This is the last year of full funding for extant maintenance projects
- Three new projects were approved

Regarding data collection, ACCSP is preparing for For-Hire Mid-Atlantic and South-East mandatory reporting.

State conduct of the Access-point Angler Intercept Survey (APAIS) is going very well; some states are coming in under budget and

there was a 9% increase in interviews over 2016. The Socio-economic Survey was also successful with ~75% of the interviews completing the survey.

LEADERSHIP NOMINATING & ELECTION PROCESS

The Executive Committee discussed the appropriate approach for contacting Commissioners for nominations for leadership; as well as who should be eligible to serve as an officer.

After a robust discussion the following motion was made by Mr. Abbott and seconded by Mr. Estes: Move the Executive Committee adopt “A member of the Nominating Committee will contact the Administrative Commissioner from each state and request they communicate with the States’ L/GA Commissioners” for the appropriate approach to contact Commissioners for nominations; and “Commissioners and Ongoing Proxies are eligible to serve as Officers. However the appointing Commissioner must agree to the eligibility of a proxy”. The motion passed unanimously.

It was suggested and agreed to that legal counsel should review the use of proxies in a leadership position with a report provided at the Spring Meeting.

Staff was directed to supply the list of ongoing proxies to the nominating committee.

Staff was also directed to revise the Leadership Nominating & Election Process to incorporate this motion.

Mr. Boyles cautioned that we want to be careful not to make this process too cumbersome.

INDIRECT COST RATE

Mrs. Leach reported that, in response to the audit findings of the FY16 audit regarding the Commission's indirect cost recovery, staff is working on developing an Indirect Cost Policy for approval by the Executive Committee.

APPEALS PROCESS

The Executive Committee reviewed past experiences with the appeals process to determine if it works as envisioned.

Several concerns were raised; among them:

Mr. Clark noted that the frustration with the Delaware appeal of Addendum 4, it seemed that the criteria can be subjective, but the Commission did not want to further define.

Mr. McNamee believes that Appeals Process Criteria #3 (*Insufficient/inaccurate/incorrect application of technical information*) is problematic for what we do because fisheries management uses imperfect data so is always changing. He thinks concepts of risk should be added in to this criteria, and a fact finding committee should be used as a component of the process.

Mr. Grout believes the Commission needs to get away from using the application of technical information as criteria.

Mr. Alexander suggested changing the criteria to insufficient technical information, instead of insufficient application.

Mr. Brust suggested that Criteria #4 (*Historical landings period not adequately addressed*) should be revised to include alternative allocation options. Future allocations may be based on other information than historic landings to account for differing species distribution.

Chair Gilmore asked Mr. McNamee and Mr. Brust to forward recommendations for rewriting Criteria #3 & 4 to make them more contemporary.

Dr. Pierce suggested that Criteria #5 (Management actions resulting in unforeseen circumstances/impacts) might need to be re-written also, since it is subjective and the eye of the beholder needs to be clarified.

CONSERVATION EQUIVALENCY PROCESS

The Executive Committee reviewed the Conservation Equivalency (CE) Policy and Technical Guidance document to determine if it works as envisioned. Using the New Jersey Summer Flounder appeal; if the technical committee (TC) says there is no CE is that the end of the road, or should the TC be able to work with a state to craft CE options or alternative strategies?

Mr. McNamee has a couple of recommended fixes. Chair Gilmore asked him to share his ideas with staff and the Executive Committee will further discuss this issue at the Spring Meeting.

Dr. Pierce asked if we have been consistent with the following guidance contained in the CE document.

The PRT is responsible for evaluating all conservation equivalency programs during

annual FMP reviews to determine if the conditions and goals of the FMP are maintained, unless a different timeline was established through board approval. If the state is not completing the necessary monitoring to evaluate their approved conservation equivalency program, this may be grounds for termination of the plan. The PRT will report to the Board on the performance of the conservation equivalency program, and can make recommendations to the Board if changes are deemed necessary.

Executive Director Beal responded “not always,” and noted that CE is more of a recreational fisheries tool.

Mr. Shiels feels there was not enough time for the CE review on the New Jersey Summer Flounder issue, and there needs to be a reasonable timeline for the CE proposals to be reviewed.

Mr. Grout believes we should follow the processes already established in the CE document. It does state that inside of 2 weeks CE would not be considered.

Mr. McNamee believes we are not devoting enough time to the process and the system currently in place is not adequate for what is at stake and needs to be revised.

Mr. Blazer agreed there is room for improvement but cautioned that we proceed slowly and keep this topic on the agenda so we can continue to work on it.

The question was asked if the Assessment Science Committee has reviewed this?

OTHER BUSINESS

Staff was asked to contact Chesapeake Bay Foundation regarding their email bombing, with a request to ask them to collect names and submit to the Commission.

ADJOURN

CHAIR JIM GILMORE adjourned the Executive Committee meeting at 9:30 a.m.