

Atlantic States Marine Fisheries Commission

Executive Committee

October 18, 2017

8:00 – 10:00 a.m.

Norfolk, Virginia

Draft Agenda

The order in which these items will be taken is subject to change;
other items may be added as necessary.

A portion of this meeting may be a closed session for Committee members and Commissioners only

Please Note: Breakfast will be served when you arrive; you may arrive as early as 7:30 a.m.

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|--|------------|
| 1. Welcome/Call to Order (<i>D. Grout</i>) | 8:00 a.m. |
| 2. Committee Consent | 8:00 a.m. |
| • Approval of Agenda | |
| • Approval of Meeting Summary from August 2017 | |
| 3. Public Comment | 8:05 a.m. |
| 4. Consider Approval of Fiscal Year 2017 Audit Action | 8:10 a.m. |
| 5. Consider the Continued Need for Technical Meeting Weeks | 8:20 a.m. |
| • Review Survey Results | |
| • Review Assessment Science Committee Recommendations | |
| 6. Discuss Quarterly Meeting Schedule | 8:35 a.m. |
| 7. Discuss Process to Develop the 2019-2023 Strategic Plan | 8:45 a.m. |
| 8. Discuss Officer Nominations Process | 9:00 a.m. |
| 9. Discuss Secretarial Response to Request for Additional Information
on Compliance Issue | 9:15 a.m. |
| 10. Other Business/Adjourn | 10:00 a.m. |

The meeting will be held at the Waterside Marriott Hotel, 235 East Main Street, Norfolk VA; 757.627.4200

Vision: Sustainably Managing Atlantic Coastal Fisheries

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

**Westin Alexandria
Alexandria, VA
August 1, 2017**

INDEX OF MOTIONS

- 1. Approval of Agenda by Consent. (Page 2)**
- 2. Approval of Meeting Summary from May 10, 2017 by Consent. (Page 2)**
- 3. Adjournment by Consent (Page 4)**

ATTENDANCE

Committee Members

Doug Grout, NH	Roy Miller, DE (GA Chair)
Dennis Abbott, NH (LA Chair)	David Blazer, MD
David Pierce, MA	John Bull, VA
Mark Alexander, CT (proxy for Craig Miner)	Michelle Duval, NC (proxy for Braxton Davis)
Jason McNamee, RI	Robert Boyles, SC
Jim Gilmore, NY	Spud Woodward, GA
Russ Allen, NJ	Jim Estes, FL
John Clark, DE	

Other Commissioners

David Bush, NC (LA Proxy)
Adam Nowalsky, NJ (GA)
Ed O'Brien, MD (LA proxy)
Lance Stewart, CT (GA)
Dan McKiernan, MA (AA Proxy)

Staff

Bob Beal	Toni Kerns
Laura Leach	Deke Tompkins

Others

John Bullard, NOAA Fisheries	Bill Anderson, MD DNR
Sean Donahue, Donahue & Goldberg, LLP	Heather Konell, ACCSP
Lindsay Fullenkamp, NOAA Fisheries	Brian Fredien, NOAA Fisheries
Derek Orner, NOAA Fisheries	Hannah Hafey, NOAA Fisheries

CALL TO ORDER

The Executive Committee of the Atlantic States Marine Fisheries Commission convened in the Bell Room of the Westin Alexandria in Alexandria, Virginia August 1, 2017. The meeting was called to order at 8:00 a.m. by Chair Doug Grout.

APPROVAL OF AGENDA

The agenda was approved as presented.

APPROVAL OF PROCEEDINGS

The summary minutes from the May 10, 2017 meeting were approved as presented.

PUBLIC COMMENT

There was no public comment.

COUNCIL/COMMISSION LINE IN NOAA BUDGET

Executive Director Beal gave a brief presentation on the background of the Council/Commission line in the NOAA Budget.

In 2008 the fisheries commissions and the Regional Fishery Management Council (RFMC) lines were combined in the Federal budget. Since that time the line has gone up approximately \$10 million and the Atlantic Coastal Act ACA had not received any of the increase, until 2017. In 2017, the budget line increased ~\$800,000 and ACA was increased by \$171,000, which was allocated among the states. After discussing possible solutions, the Executive Committee agreed the funds in the ACA/RFMC line of the Federal budget should be allocated to restore the 2008 ratio, which was 72% RFMC and 28% ACA. Executive Director Beal will convey this to

the National Marine Fisheries Service and to the Congressional appropriations staff.

SECRETARY OF COMMERCE DECISION REGARDING SUMMER FLOUNDER

This discussion was conducted in two parts; the first was “lessons learned”, and the second, conducted in a closed session, was “where do we go from here.”

Several observations were made by Executive Committee members regarding the Secretary’s decision:

- The analysis by the Technical Committee (TC) was not supported by the Secretary, without any justification . Technical justification would help the TC and Commission understand why the Secretary did not support the Commission’s decision. Usually when there is uncertainty responsible management errs on side of conservation.
- It was concerning that the Secretary did not ask NOAA Fisheries for its opinion.
- Concern was expressed about this being solely a political decision given the link between the Administration and the New Jersey Governor, as we as Secretary Ross being from New Jersey. It was noted that New Jersey did a good job making its case.
- An existential question was posed – “Are the states the best venue to manage interstate fisheries?”

- Should we have had a discussion with NMFS prior to sending future non-compliance letters to the Secretary of Commerce?

Chair Grout summed up the “lessons learned” discussion by saying that the role of the Commission is the states working together to manage fisheries. The concept of conservation equivalency is a key part of the Commission’s success. It is the responsibility of our Federal partners to support the ACA. He does not think our Federal partners did their job this time. There is significant concern for this scenario repeating itself in many species. We have to do things better and will challenge the Federal government to do their job better.

CLOSED SESSION

The Committee went into closed session to discuss “where do we go from here” regarding the Secretary’s decision on summer flounder; and the Executive Director’s Performance Review. (A summary of the closed session has been recorded)

ADJOURN

CHAIR DOUG GROUT adjourned the Executive Committee meeting at 10:35 a.m.



Atlantic States Marine Fisheries Commission

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Douglas E. Grout (NH), Chair

James J. Gilmore, Jr. (NY), Vice-Chair

Robert E. Beal, Executive Director

Vision: Sustainably Managing Atlantic Coastal Fisheries

TO: ASMFC Executive Committee

DATE: October 18, 2017

SUBJECT: Results of Survey on Proposed Change to Technical Meeting Weeks

Traditionally, ASMFC has condensed all technical meetings into three Technical Meeting Weeks each calendar year, typically held in spring (April), summer (June), and fall (September). The intent of Technical Meeting Weeks was to gain efficiencies, minimize travel demands on committee members, and provide advance notice of ASMFC meeting dates. Technical Committee members serving on multiple committees would travel less, and result in cost savings for travel. The practice was considered successful for many years.

In the last few years, there have often been:

- Fewer technical meetings needed in general, in part due to increased use of webinars.
- Minimal membership overlaps in Technical Committees that did need to meet at similar times.
- Conflicts from Technical Committee members scheduling other activities over the pre-set Technical Meeting Weeks, causing members to miss Technical Meetings.

For these reasons, ASMFC is reconsidering the utility of Technical Meeting Weeks. ASMFC is considering a new process to replace Technical Meeting Weeks:

- 1) Use recent board meetings' tasking to determine which Technical Committees need to meet in the next 3+ months
- 2) Identify potential overlap in the Technical Committees that need to meet
- 3) Where meeting needs and Technical Committees' memberships overlap, schedule those meetings within a single week

ASMFC's intent is to maintain the efficiencies gained by holding meetings together when overlaps occur, while reducing the schedule and conflict burden. The most notable change would be scheduling activity by the FMP Coordinators and Technical Committee Chairs immediately following each ASMFC Meeting Week. Additionally, the annual Technical Meeting Weeks memo would no longer be distributed to all Technical Committees at the beginning of each year.

To gauge Technical Committee members' thoughts on potential changes, ASMFC surveyed Technical Committee members about Technical Meeting Weeks. A complete list of the survey questions and answers can be found on page three of this document.

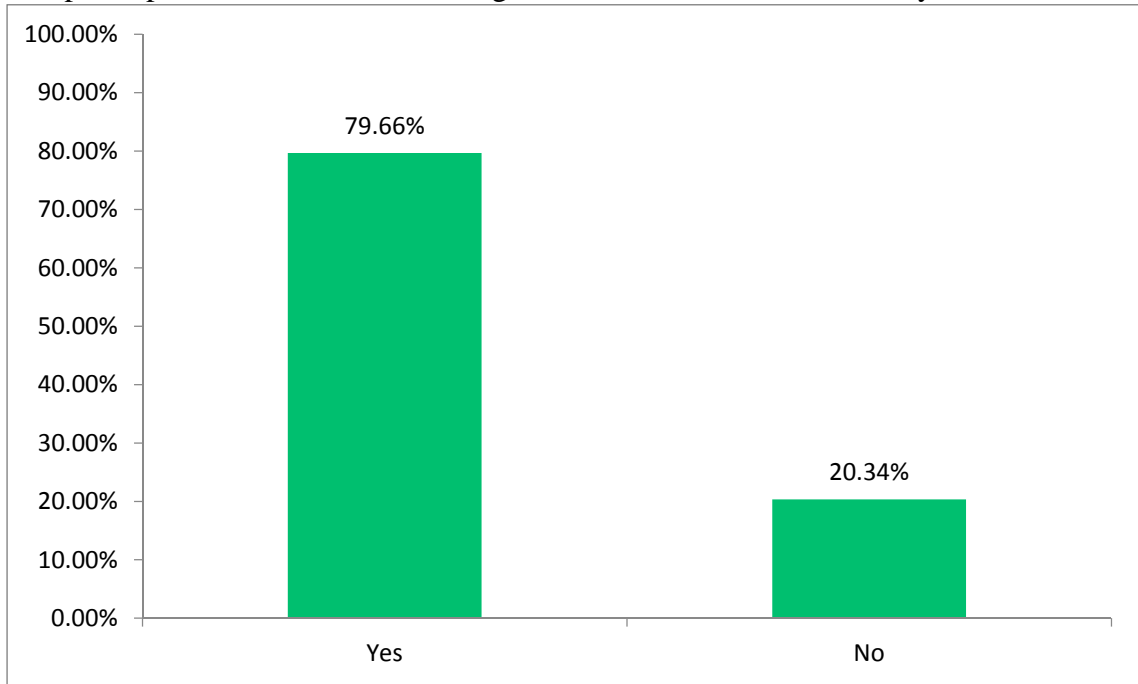
Overall, responding Technical Committee members considered both Technical Meeting Weeks and the practice of combining multiple meetings into one week useful. Respondents were split over maintaining the current system which provides more advance notice or shifting to a more flexible system with shorter notice. Comments in favor of the advance notice noted the requirement by some states to have 4-6 weeks notice for state authorization. Only 40% of the respondents block off and hold TC Meeting Week dates as a priority. Members felt less active

Technical Committees might not require Technical Meeting Weeks and could conduct their business by webinar or conference call. Technical Committees with heavier workloads would benefit more from face-to-face meetings, especially during stock assessments, but it should be determined further ahead of time which Technical Committees needed to meet during these weeks.

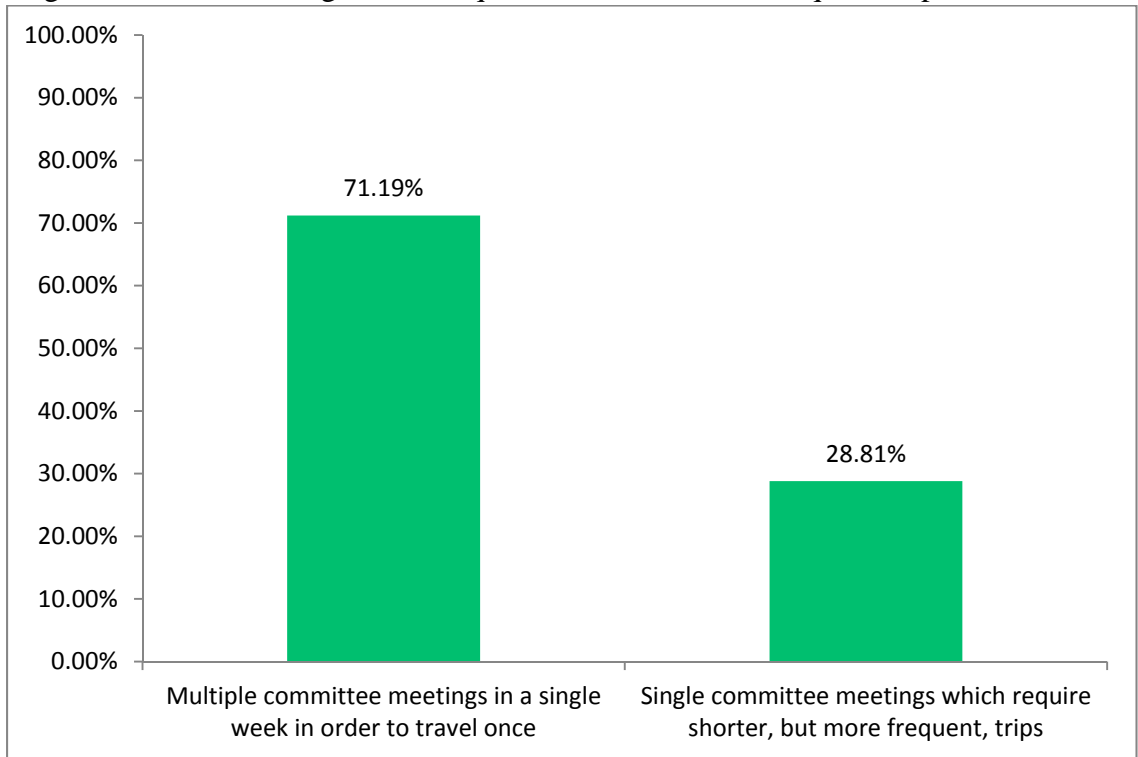
The Assessment Science Committee (ASC) provided the following recommendations regarding Technical Meeting Weeks:

- The ASC recommended that Technical Meeting Weeks go back to being scheduled the year before, with ASMFC staff meeting to discuss what Technical Committees need to meet for the next year to get those on the calendar ahead of time. States are continually increasing the amount of time necessary for them to gain clearance for travel. Giving only a month or so notice for a meeting is not viable.
- The group recommended that we move away from the model of only scheduling Technical Meeting Weeks after a Board meeting and be more proactive vs reactive to Board needs the year before. Many of the staff already know their meeting needs the year before, especially if they have an assessment, update, or other large task to get through, but they have not been allowed to schedule meetings ahead of time for those weeks.
- Tasks the Board gives a Technical Committee that can be fit into a Technical Committee Meeting that is already taking place will work, while tasks that require another whole meeting be squeezed in may need to be moved into the Technical Meeting Week after. For example, if a Board tasks a Technical Committee in May, but that Technical Committee is not meeting at the June Technical Meeting Week and it's a large undertaking, we can schedule the Technical Committee Meeting for the September Technical Meeting Week instead. ASC was cognizant of tasks that require a quick turnaround, however, so there will obviously be some exceptions and meetings will sometimes need to be scheduled quickly anyway.

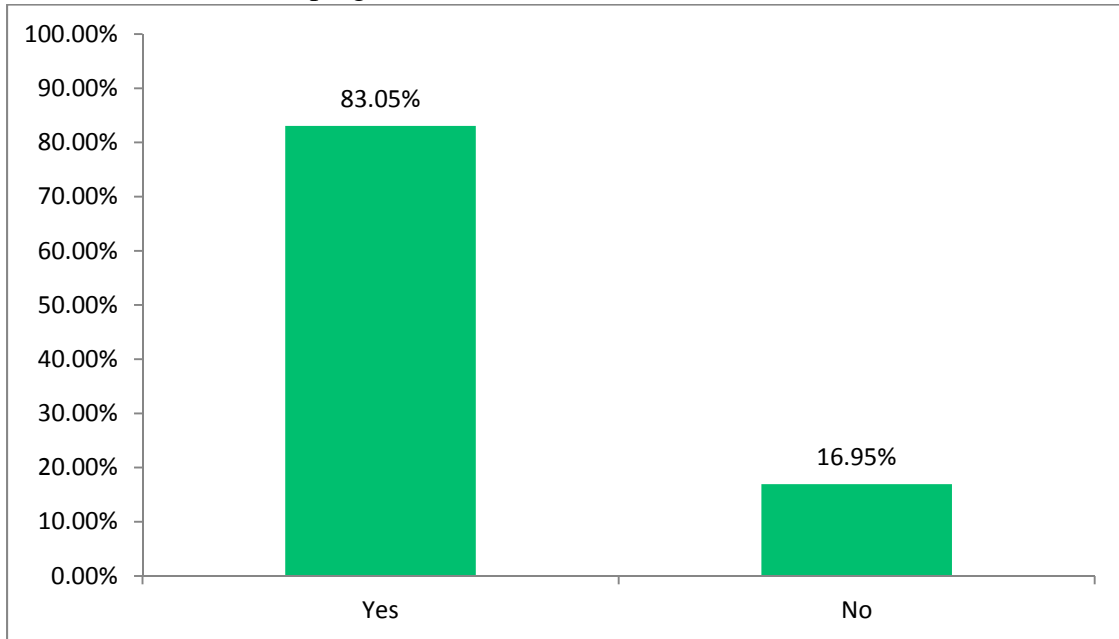
1. Has participation in Technical Meeting Weeks been an efficient use of your time?



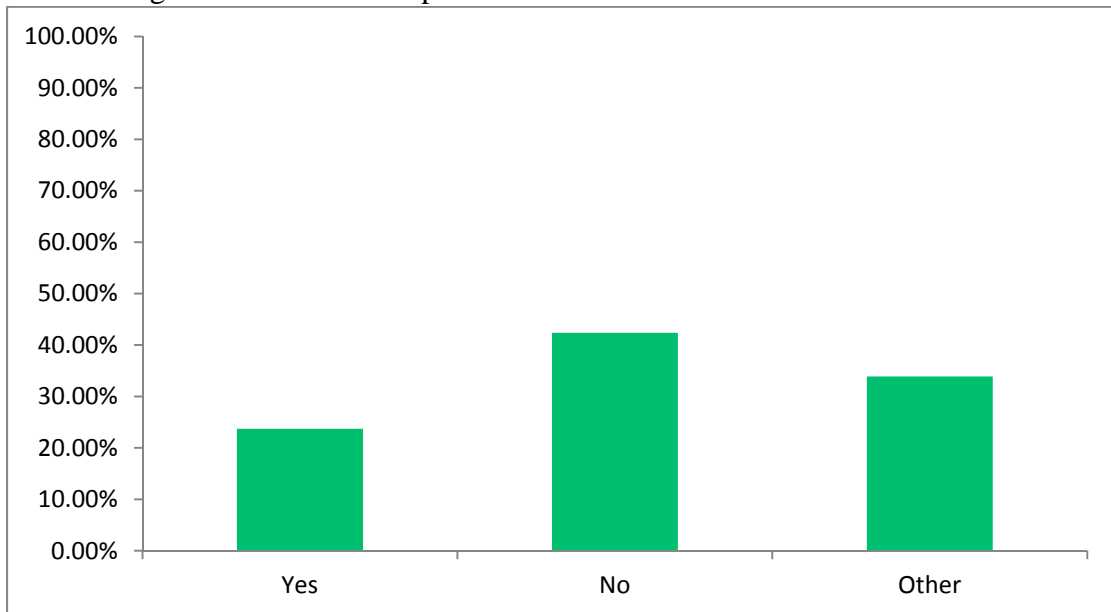
2. Do you prefer multiple committee meetings in a single week in order to travel once or single committee meetings which require shorter, but more frequent, trips?



3. If you serve on multiple committees, do meetings during Technical Weeks allow for focused discussion and progress?

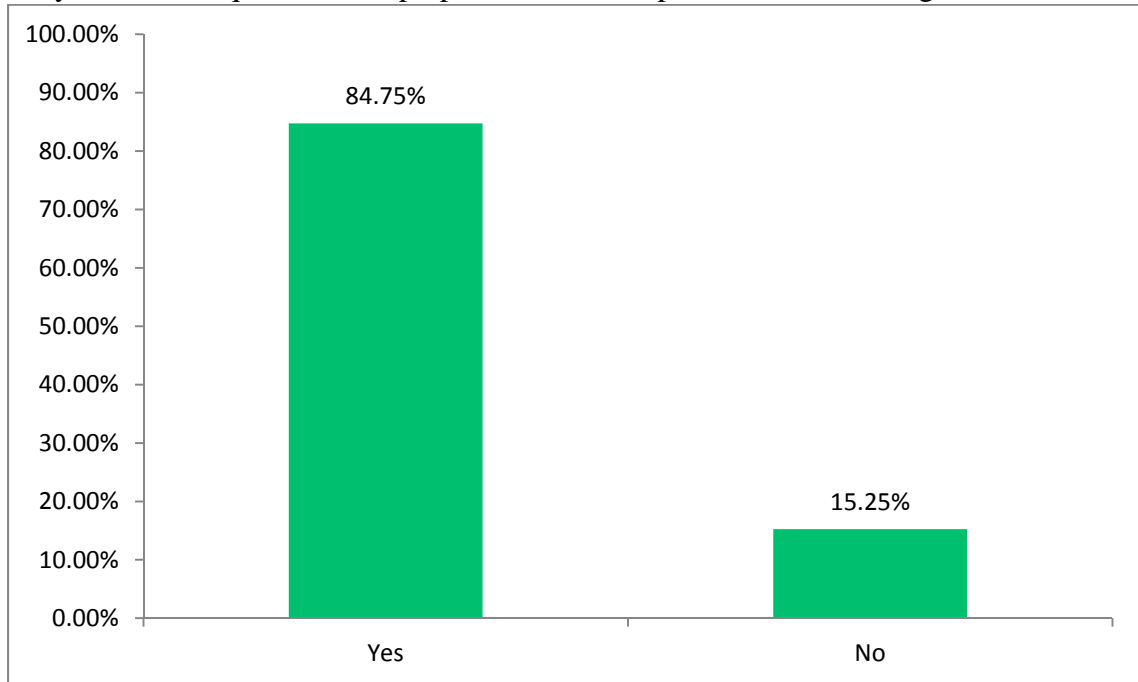


4. Are meetings rushed in order to pack them all in?

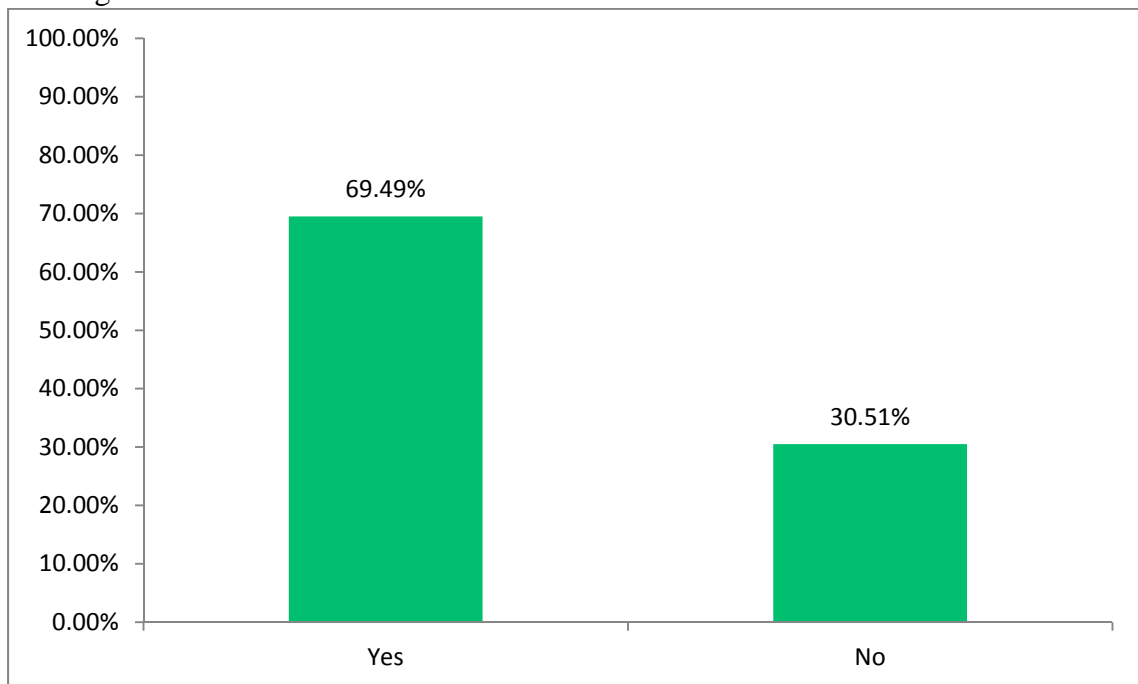


Comments from those who chose other: About half do not participate in multiple committees and therefore did not have experience to comment on this. The respondents with experience felt that meetings were sometimes rushed, especially during stock assessments, if a committee meets more infrequently, there is a heavy workload, or if there are committee overlaps. One member advocated that the Lobster Technical Committee start meeting during Technical Meeting Weeks.

5. Do you have adequate time to prepare for and complete committee assignments?

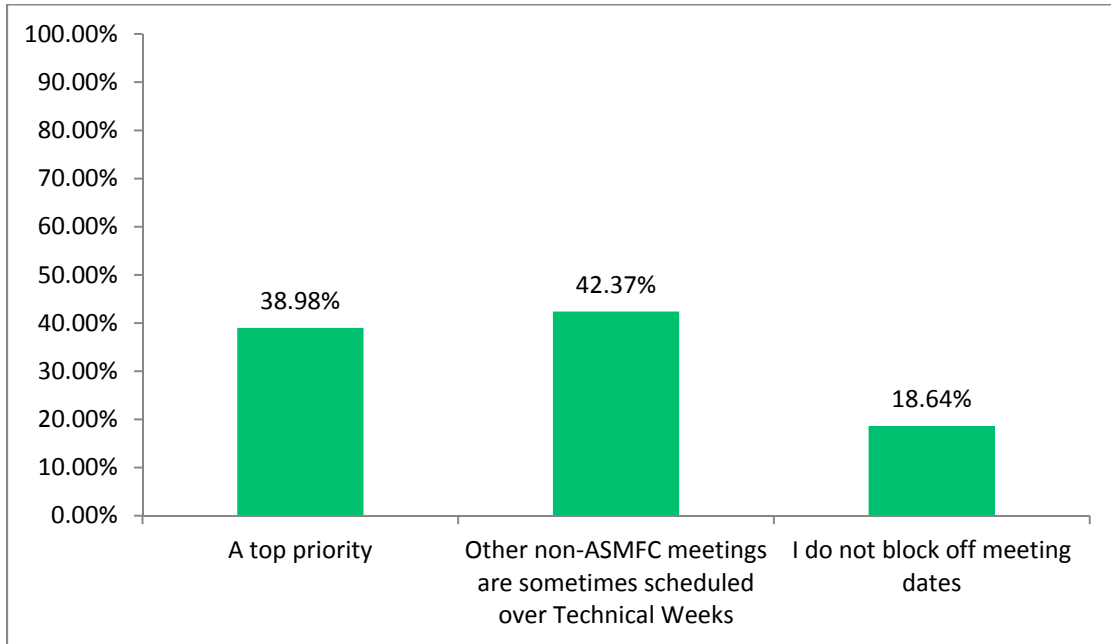


6. When the annual Technical Meetings Weeks memo is distributed, do you block off meeting dates?



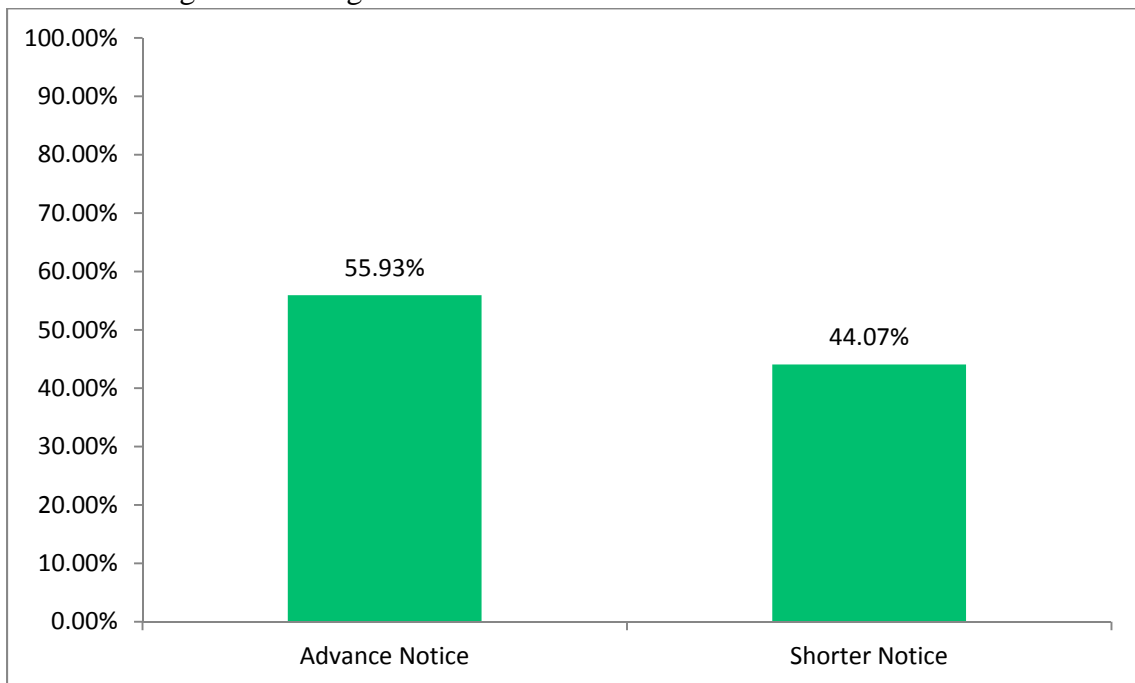
Comments: Some respondents ask their Technical Committee's FMP coordinator whether they should hold the dates.

7. If so, are they held as a top priority, or are other non-ASMFC meetings sometimes scheduled over Technical Weeks?



Comments: Meeting weeks are generally held as a high priority, unless agency or state necessities preclude attendance.

8. Do you have a preference between advance notice, continuing to set Spring, Summer, and Fall Technical Meeting Weeks at the beginning of the year, or shorter notice, where ASMFC does not set weeks and determines technical meeting needs following quarterly Board meetings and tasking?



Overall Comments:

- 2 respondents prefer a new shorter term system
- 3 respondents don't mind having short notice
- 7 respondents prefer having more advance notice
 - 6 people noted their agencies required submission of travel permission 4-7 weeks in advance
- Needs to be recognition by ASMFC of state/agency needs
 - One agency has necessary meetings 4th week of each month
 - Travel authorization timeline
- Hybrid option: possible to have a set meeting week for high activity species and more timing flexibility for less active species
- Should keep meeting weeks, but have flexibility to allow for shorter notice meetings
- Meeting weeks are convenient, but might not be an appropriate system for Technical Committees
- Need to shift expectations so that Board demands are completed per the Technical Committee meeting schedules, rather than pulling Technical Committees together whenever the Board adds a task
- Technical Meeting Week should be disconnected from last minute Board tasks
- Need to decide earlier on which Technical Committees will meet, so that relevant people can block off the time
- Possible to achieve a lot through conference calls and webinars (4 respondents) – reduces costs/time
- Meeting weeks/face-to-face interactions are important (3 respondents)
 - Foster group connectivity and identity
 - Helpful for stock assessments and other key issues
 - Allow for cross pollination
- Could add social aspects to Technical Meeting Weeks to boost interest

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MEMORANDUM

6 October 2009

TO: ASMFC Commissioners
FROM: John V. O'Shea, Executive Director
SUBJ: ASMFC LEADERSHIP NOMINATION AND ELECTION PROCESS

Attached please find the guidance document detailing the Commission's nomination and election process for Chair and Vice-Chair. This document reflects the decisions made by the Commission at the Spring and Summer Meetings earlier this year. This process will be used for the nomination and election of Commission leadership at the 2009 Annual Meeting and in future years unless modified by the Commission.

During the Business Session at the Summer Meeting, there was a discussion as to whether Commissioners should be allowed to vote independently for Commission Chair and Vice-Chair. This would be a change from the current one vote per state process. The Commission agreed there was not sufficient time to amend the Rules and Regulations for this year's election.

The Commission tasked staff with investigating what changes would need to be made to Commission guidance documents should the Commission decide to revise their current voting procedures. Staff will report the findings at the Annual Meeting.

Enclosure: ASMFC Leadership Nomination and Election Process

M09-105

ASMFC Leadership Nomination and Election Process

September 18, 2009

Term Limits – The current annual election process and practice of a two-year term should be maintained when possible. The two-year term could be extended or shortened to accommodate circumstances with the leadership and Commission membership.

Regional Rotation of Leadership – The practice of having the chair and vice-chair rotate between the north, mid-Atlantic, and south should be maintained when possible. However, this practice should not be followed at the expense of electing the most qualified leadership.

Membership of Nominating Committee – The current three-member Nominating Committee will be maintained. The membership will generally consist of one Commissioner from the north, mid-Atlantic, and south and will be appointed annually by the Chair.

Role of Nominating Committee Prior to Election

- Contact all Commissioners to solicit recommendations for nominees.
- Follow-up on Commissioner recommendations to gauge the individual's interest in being included as a nominee.
- Develop separate ballots for chair and vice-chair based on input from Commissioners. A ballot will be prepared even if there is only one nominee in order to provide the opportunity to write-in a candidate.

Election Process

- Ballots will be distributed to state delegations at the Commission Business Session when the election is held (usually at the Annual Meeting).
- Each state delegation will receive one ballot and cast one vote based on the result of the Commissioner caucus from that state.
- State delegations may identify a write-in candidate. States should verify the interest of their candidate before submitting his or her name on the ballot.
- In the event that more than two candidates receive votes for either Chair or Vice-Chair, a run-off will be conducted between the two candidates that received the most votes.
- In the event of a tie, a vote will be retaken until there is a majority winner.
- The Nominations Committee will tally the votes and report the results to the Commission after each vote.