

**PROCEEDINGS OF THE
ATLANTIC STATES MARINE FISHERIES COMMISSION
BUSINESS SESSION**

**Atlantic Sands Hotel
Rehoboth Beach, Delaware
October 23, 2008**

Approved February 3, 2009

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1. **Approval of agenda by consent** (Page 1).
2. **Approval of minutes of August 21, 2008 meeting by consent** (Page 1).
3. **Move to approve the 2009-2013 Strategic Plan** (Page 1). Motion by Pat White; second by Robert Boyles. Motion approved (Page 1).
4. **Approval of FY2008 Audit by consent** (Page 1).
5. **Adjourn by consent** (Page 3).

ATTENDANCE

Board Members

George Lapointe, ME (AA)	Thomas O'Connell, MD (AA)
Pat White, ME (GA)	William Goldsborough,, MD (GA)
Douglas Grout (AA)	Jack Travelstead, VA, proxy for S.Bowman (AA)
William Adler, MA (GA)	Willard Cole, NC (GA)
Vito Calomo, MA, proxy for Rep. Verga (LA)	John Frampton, SC (AA)
James Gilmore, NY (AA)	Malcolm Rhodes, SC (GA)
David Simpson, CT (AA)	Robert Boyles, Jr., SC (LA)
Pat Augustine, NY (GA)	Spud Woodward, GA, proxy for S. Shipman (AA)
Brian Culhane, NY, proxy for Sen. Johnson (LA)	John Duren, GA (GA)
Peter Himchak, NJ, proxy for D. Chanda (AA)	William Sharp, FL, proxy for G. McRae (AA)
Roy Miller, DE, proxy for P. Emory (AA)	

(AA = Administrative Appointee; GA = Governor Appointee; LA = Legislative Appointee)

Ex-Officio Members

Staff

Vince O'Shea

Bob Beal

Guests

The Business Session of the Atlantic States Marine Fisheries Commission convened in the Swan Ballroom of the Atlantic Sands Hotel, Rehoboth Beach, Delaware, October 23, 2008, and was called to order at 2:00 o'clock p.m. by Chairman George D. Lapointe.

CALL TO ORDER

CHAIRMAN GEORGE D. LAPOINTE: We will start the business meeting. We have an agenda for the business meeting that was on the Briefing CD. That includes approval of the Strategic Plan; a report from the AOC on the Action Plan the audit; report from the Resolutions Committee; non-compliance recommendations of which there are none; election of chair and vice-chair – I'll turn that over to Jack Travelstead. Are there other items before the business session?

APPROVAL OF AGENDA

Seeing none, are there objections to approval of the agenda? The agenda is approved.

APPROVAL OF PROCEEDINGS

CHAIRMAN GEORGE D. LAPOINTE: We have Proceedings from the 21st of August Business Session meeting. Are there any changes to those proceedings? Is there objection to their approval? Seeing none, they are approved.

PUBLIC COMMENT

Our next agenda topic is public comment. Are there any members of the public who want to make any comments to the business meeting?

2009-2013 STRATEGIC PLAN

Seeing none, we'll go to the next agenda topic, and that is to consider approval of the 2009-2013 Strategic Plan. We had the workshops; and at the last meeting we presented information to see if there were changes that needed to be made. It got sent back out to all of our commissioners. Our act now is to formally approve that. Pat.

MR. PATTEN D. WHITE: I would so move that we formally approve.

CHAIRMAN LAPOINTE: Moved by Pat White; seconded by Robert Boyles. Do we need any discussion time? Seeing none, all those in favor raise your hand; opposed, like sign; any abstentions; any

null votes. We have approved the Strategic Plan. Although I'm passing over it pretty quickly, we have to recognize that this is a pretty significant accomplishment for our commission, and it will help guide us in the next five years, which is great. I will now turn the mike over to Robert for the AOC actions.

ADMINISTRATIVE OVERSIGHT COMMITTEE REPORT

MR. ROBERT H. BOYLES, JR.: I'd like to report that the Administrative Oversight Committee went through, several weeks ago, the FY2009 Action Plan. As you know, we had the Action Plan Workshop several days ago. At this time we would like to formally approve the 2009 Action Plan.

CHAIRMAN LAPOINTE: Is that a committee motion so we don't need a second? We have a motion for approval of the 2009 Action Plan. Any discussion on the motion? Seeing none, all those in favor raise your hand; opposed, same sign; any abstentions; any null votes. Thank you, Robert; your next item.

FY2008 AUDIT

MR. BOYLES: Thank you, Mr. Chairman. Again, the AOC has looked at – we have all received a copy of the FY2008 audit. It was a clean audit. We discussed this at the executive committee just yesterday. On behalf of the committee, I would make a motion that we would accept the 2008 audit.

CHAIRMAN LAPOINTE: Thank you, Robert, we have a committee motion. Is there any discussion on the motion? Seeing none, all those in favor of the motion to accept the audit raise your hand; opposed, like sign; abstentions. The motion carries unanimously. The next agenda topic is election of officers and I turn the mike over to the executive director who will then turn it over to the nominating committee.

NOMINATING COMMITTEE REPORT

EXECUTIVE DIRECTOR JOHN V. O'SHEA: Thank you, Mr. Chairman. I call on Jack Travelstead from the nominating committee.

MR. JACK TRAVELSTEAD: Regrettably the nominating committee has not been able to complete its work on this important subject, Mr. Chairman. We respectfully request an opportunity to present

nominations at the February board meeting. The nominating committee had hoped to get together at the previous meeting.

Mr. Woodward, who is a member of the nominating committee, was not able to attend that meeting, and Brian Culhane had a date with a nurse following his bicycle event that prevented us from getting together at the last meeting. We were so busy at this meeting we were not able to complete; so with the commission's indulgence we would ask for an opportunity to report our recommendations in February.

CHAIRMAN LAPOINTE: Is there any discussion on Jack's idea? It certainly seems to make a world of sense if they need extra time to get their work done to give it to them.

EXECUTIVE DIRECTOR O'SHEA: Mr. Chairman, I suppose the only other thought would be – I've heard some comments this week about scheduling this, as we have every single year since I've been here, for the last day of the meeting. I don't know if there are any thoughts on whether this election should be held early in the week or has been the tradition during the business session, which is usually the last order of business of our business meeting. Those people that have made comments to me might want to chime on that.

CHAIRMAN LAPOINTE: First, on the issue of postponing the elections until February; is there any objection? That is what we will do. The other idea is whether in February we want to hold – we might need to hold two sessions, but hold our business session early so that in fact we can do elections early in the week.

Does that make sense or do people have comments on that? I see heads shaking yes so we will plan that way. In my zeal to run through the agenda, I ignored the Resolutions Committee. Mr. Rhodes, my apologies.

RESOLUTIONS COMMITTEE REPORT

DR. MALCOLM RHODES: Thank you, Mr. Chairman. I would like to thank Dennis Abbott and Jim Gilmore for their help with these resolutions. In our appreciation to the host state, we drafted the following resolution:

WHEREAS, the Atlantic States Marine Fisheries Commission conducted its 67th Annual Meeting in Rehoboth Beach, Delaware, which provided a delightful venue for the commissioners, commission staff, law enforcement, management and science and

habitat committees to deliberate on issues of mutual concern; and

WHEREAS, the weather was spectacularly gorgeous, with a crisp hint of fall in the area, glorious sunrises to start each day, and blustery conditions to remind us of the changes to come; and

WHEREAS, the meeting began with few smiles from the New England Contingent as their beloved Red Sox, incredibly, were halted in their advance to the World Series by the Rays, an unregulated marine species; and

WHEREAS, the Atlantic States Marine Fisheries Commission contributed significantly to the economy by frequently and tenaciously exploring the local outlets; and

WHEREAS, the Spousal Tour was greatly enjoyed and many of the spouses are now considering new careers in marine biology following their tour of the Center for Marine Science at the University of Delaware and the Research Vessel Hugh Sharp; and

WHEREAS, the commissioners fiscally supported the Delaware Division of Fish and Wildlife by being in compliance with licensing requirements; and

WHEREAS, the 17th Annual Laura Leach Fishing Tournament produced some of the some creative entries in the history of this event, proving that Pat Augustine, Brian Culhane and Malcolm Rhodes will stop at nothing to win acclaim for their fishing prowess; and

WHEREAS, upon declaration of the achievement of rebuilt stocks, Vito Calomo proclaimed that spiny dogfish were no longer the "scourge of the ocean" but rather the "savior of us all"; and

WHEREAS, the annual dinner at Salero Restaurant provided a gorgeous and spacious location overlooking Delaware Bay, allowing guests to be seated at tables in at least two zip codes, a bounteous and sumptuous buffet, music by DJ Mike, allowing guests to enjoy an after dinner dance while Mark and Laurie Gibson proved that disco is not dead; and

18TH ANNUAL DAVID H. HART AWARD

WHEREAS, the 18th Annual David H. Hart Award recognized Harry Mears for his tremendous contributions to the successful management of marine fisheries along the Atlantic coast; and now

THEREFORE, BE IT RESOLVED that the Atlantic States Marine Fisheries Commission express its deep

appreciation to the Delaware Commissioners Roy Miller, Bernie Pankowski and Dr. Jim Targett for their terrific assistance in the planning and execution of this outstanding 67th Annual Meeting. A good time was had by all. (Applause)

CHAIRMAN LAPOINTE: Thank you for that; and I would ask that rather than just the normal printing, make sure that Mark gets an e-mail of that so he can read it. Is there any other business to come before the Business Session? Roy.

OTHER BUSINESS

MR. ROY MILLER: Thank you, Mr. Chairman. I would just like to add – in consideration of the excellent work just reported upon by Dr. Rhodes, I would like to add my personal thanks to the ASMFC staff, in particular Laura Leach and her able-bodied team of Tina and Linda and Crissy and everyone else associated with the commission for assisting us and taking the lead in putting on this meeting.

I truly learned firsthand what a whirlwind Laura can be up front and personal, and I'm grateful and appreciative of everything those ladies did. Thank you. (Applause)

ADJOURN

CHAIRMAN LAPOINTE: Thanks for those kind words. That ends our 67th Annual Meeting. I want to give my thanks to everybody because it has been a great week. We've gotten a lot done. We've discussed a lot of hard issues. We couldn't do it without staff, we couldn't do it without you, and so my personal thanks to everybody. Travel safe.

(Whereupon, the meeting was adjourned at 2:10 o'clock p.m., October 23, 2008.)