PROCEEDINGS OF THE
ATLANTIC STATES MARINE FISHERIES COMMISSION
BUSINESS SESSION

Crowne Plaza Hotel Old Town
Alexandria, Virginia
February 7, 2008

Approved August 21, 2008
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INDEX OF MOTIONS

1. **Approval of agenda by consent** (Page 1).

2. **Approval of minutes of November, 2007 meeting by consent** (Page 1).

3. **Committee Motion by the ISFMP Policy Board to find New Jersey out of Compliance** for not fully and effectively implementing and enforcing Addendum IV and Addendum V to the Interstate Fishery Management Plan for Tautog (Page 1); No second required. Motion approved (Page 1).

4. **Adjourn by consent** (Page 2).
ATTENDANCE

Board Members

George Lapointe, ME (AA)
Pat White, ME (GA)
Sen. Dennis Damon, ME (LA)
John Nelson, Jr., NH (AA)
Rep. Dennis Abbott, NH (LA)
Ritchie White, NH (GA)
Paul Diodati, MA (AA)
William Adler, MA (GA)
Najih Lazar, RI, proxy for Gibson (AA)
Gil Pope, RI, proxy for Rep. Naughton (LA)
Eric Smith, CT (AA)
Dr. Lance Stewart, CT (GA)
James Gilmore, NY (AA)
Pat Augustine, NY (GA)
Brian Culhane, NY, proxy for Sen. Johnson
Tom McCloy, NJ, proxy for D. Chanda (AA)
Erling Berg, NJ (GA)
Leroy Young, PA, proxy for J. Austen (AA)
Frank Cozzo, PA, proxy for Rep. Schroeder (LA)
Roy Miller, DE, proxy for P. Emory (AA)
Bernie Pankowski, DE, proxy for Sen. Venables, (LA)
Harley Spier, MD (AA)
William Goldsborough, MD (GA)
Russell Dize, MD, proxy for Sen. Colburn (LA)
Jack Travelstead, VA, proxy for S. Bowman (AA)
Catherine Davenport, VA (GA)
Dr. Louis Daniel, NC (AA)
Damon Tatem, NC (GA)
Jimmy Johnson, NC, proxy for Rep. Wainwright (LA)
Malcolm Rhodes, SC (GA)
Robert Boyles, Jr., SC (LA)
John Duren, GA (GA)
William Sharp, FL, proxy for McRae (AA)
April Price, FL (GA)
A.C. Carpenter, PRFC

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

Ex-Officio Members

Staff

Vince O’Shea
Bob Beal
Nichola Meserve
Erika Robbins
Brad Spear
Patrick Marchman
Toni Kerns
Tina Burger

Guests

Emily Manashes, NMFS
Bill Archambault, USFWS
The Business Meeting of the Atlantic States Marine Fisheries Commission convened in the Presidential Ballroom of the Crowne Plaza Hotel, Alexandria, Virginia, February 7, 2008, and was called to order at 11:25 o’clock a.m. by Chairman George LaPointe.

CALL TO ORDER
CHAIRMAN GEORGE D. LAPOINTE: We will start the Business Session meeting. There is an agenda that was on your CD and in the back corner.

APPROVAL OF AGENDA
CHAIRMAN GEORGE D. LAPOINTE: The first item on the agenda is approval of the agenda. We have one matter before us and that’s the review of non-compliance findings. Are there other matters to come before the business session? Seeing none, is there opposition to its approval. Seeing none, the agenda is approved.

APPROVAL OF PROCEEDINGS
We have proceedings from the November 2007 business meeting that we need to approve. Motion by Pat for approval; second by Robert Boyles. Does anybody have any comments on the proceedings that are before us? Seeing none, is there objection to their approval? Seeing none, they are approved.

PUBLIC COMMENT
Our next agenda topic is public comment. As I mentioned at the last meeting, we have a spot on all of our meetings for public comment for items that aren’t on the agenda. The one agenda topic is non-compliance. Are there any members of the public who wish to speak on something besides the non-compliance finding?

NON-COMPLIANCE FINDINGS REVIEW
Seeing none, we’ll go back to the board. Agenda Topic 4 is a review of non-compliance findings. We have a motion that I will read because it’s on behalf of the Policy Board and it says:

On behalf of the ISFMP Policy Board I move that the Commission find the State of New Jersey out of compliance for not fully and effectively implementing and enforcing Addendum IV and Addendum V to the Interstate Fishery Management Plan for Tautog. The State of New Jersey has not implemented management measures to achieve the required 25.6 percent reduction in exploitation. This reduction in exploitation is necessary to initiate rebuilding of the overfished Tautog stock. In order to come back into compliance, the State of New Jersey must implement management measures that achieve the required reduction in exploitation as required by Addenda IV and V.

That is a committee motion from the Policy Board so it doesn’t require a second. Is there any discussion on the motion on the part of Board members? I see none. Is there any member of the public who wish to speak on the motion? Seeing none, I’ll come back to the business section. Do we need time to caucus? Seeing none, all those in favor of the motion to find New Jersey out of compliance, please raise your hand, 12 in favor; those opposed, same sign, one opposed; abstentions, 4 abstentions; any null votes. The motion carries.

MR. JOHN I. NELSON, JR.: Thank you, Mr. Chairman. Again, going back to this, Mr. Chairman, it’s always unfortunate to deal with a non-compliance issue. Recognizing the State of New Jersey has pointed out the process they have to go through to get their measures put in place and the fact that the staff has to convince a group to move ahead with this, I would hope that a couple of things could happen.

One is if the Commission could provide to them exactly why it was not accepted by the technical committee so they can point that out to their commission. Also, I think it’s important for their industry to understand what the rules will be and the timing of everything. I would suggest that the letter be sent as immediately as possible to move this along so that everyone has enough time to acclimate themselves to what needs to be done and what will happen.

CHAIRMAN LAPOINTE: Thank you, John. Any comments to John’s suggestion? Tom McCloy.

MR. THOMAS MCCLOY: I love that suggestion. I just thought I’d add another piece of information for everybody’s benefit. The council’s next meeting dealing with true fisheries will be March 6th, so obviously before then would be great.

OTHER BUSINESS
CHAIRMAN LAPOINTE: Great, it makes sense to me to get it out sooner than later as well. Does that make sense to everybody? I see heads shaking yes. Thank you. There is one more item I want to talk about. This is the last meeting of our esteemed colleague, John Nelson, who has been with the Commission for a whole long time. He is retiring; he’s grinning.

John has been a friend and colleague and mentor for many of us. He has done just about every danged job
at the Commission you can think about. He has been
the Chair; he has chaired many of the boards of New
Hampshire’s interests. He has reached the epitome of
his career this week with a new career designation of
remote mouse, as near as I can tell. But, John, for
myself and for the Commission as whole I want to
congratulate you on your retirement and thank you
for your long service. (Applause) Any parting
words?

MR. NELSON: I feel a little warm, Mr. Chairman.
Thank you, George, that was very kind of you and I
thank all my fellow commissioners. It’s been an
interesting career. I would say that working with the
Commission, Vince, Bob, Laura and staff – and I’ve
seen a little bit of changeover in staff, but all of the
staff continues to be topnotch, which makes Bob look
real good.

I would just point out working with all the
commissioners from the different states, I think
we’ve achieved a lot. We’ve obviously compromised
a lot over the years, and I urge that to continue on
certain species. I just would point out that working
with the Commission has, in my mind, been one of
the highlights of my career. I thank you all for letting
me be involved in that. Thank you. (Applause)

ADJOURN
CHAIRMAN LAPOINTE: Thanks, John. Any other
matters to come before the business session? Seeing
none, we are adjourned.

(Whereupon, the meeting was adjourned at 11:30
o’clock a.m., February 7, 2008.)