

P R O C E E D I N G S
of the
ATLANTIC STATES MARINE FISHERIES COMMISSION
BUSINESS SESSION

November 4, 1999
Hilton Mystic Hotel
Mystic, Connecticut

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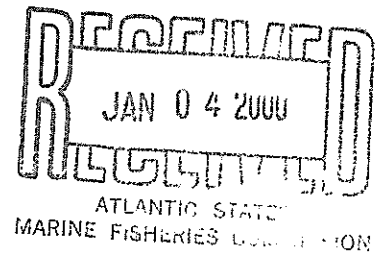
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The Business Session of the Atlantic States Marine Fisheries Commission convened in the East/Central Room of the Mystic Hilton Hotel, Mystic, Connecticut, Thursday, November 4, 1999, and was called to order at 1:15 o'clock p.m. by Chairman David V.D. Borden.

CHAIRMAN DAVID V.D. BORDEN: If everyone will have a seat, please, we're going to begin the Business Meeting. The first item of business is to call the roll. What I would suggest in the interest of time, unless I have objection, is that the staff be directed to note the attendees, and that I will declare, based on my visual inspection, that we have a quorum.

Any objection? If not, we have an agenda. All right, we have the agenda, which I think is up on the overhead here, and the next order of business is public comments. Anyone in the public care to make a comment? You will be allowed to address motions as we proceed. No hands up? Introduction of new commissioners; I would point out that Russ Nelson is a brand new commissioner; a familiar face, but welcome, Russ.

Let's see, report of the ISFMP Policy Board. On behalf of the ISFMP Policy Board, I move that the Commission approve the American Eel FMP. There's no second required.

Discussion, any discussion? Ready for the question? All in favor, signify by saying aye; opposed; abstentions. The motion carries unanimously.

Tautog Compliance, the Rhode Island issue, I'm going to turn this over to Susan, my vice-chair.

VICE-CHAIRMAN SUSAN SHIPMAN: On behalf of the Policy Board, I would move that the Commission find that the state of Rhode Island is out of compliance with the Tautog FMP in that it has not implemented the required bag limit for the recreational fishery; that the state has not been able to demonstrate that its alternative management program provides equivalent conservation; that these measures are necessary to control fishing mortality; and

that in order to come into compliance, the state must implement the bag limit contained in the FMP.

CHAIRMAN BORDEN: No second required, I assume, Jack. Any discussion on the motion? Phil Coates.

MR. PHIL COATES: Yes, is it my understanding that this is for 1999?

CHAIRMAN BORDEN: Yes, that's correct.

MR. COATES: Okay, that isn't clear in the motion, is it?

CHAIRMAN BORDEN: We're out of compliance in 1999.

MR. COATES: Right, and it's the intent of Rhode Island to get back in compliance by 2000?

CHAIRMAN BORDEN: In the Year 2000.

MR. COATES: I still feel, as I did earlier, that this is going to be a waste of everybody's time, but nevertheless, you've got to do what you've got to do.

CHAIRMAN BORDEN: I'd just offer one comment that I think that it would be helpful, as this recommendation goes forward, that the Commission note in any correspondence the actions that the state of Rhode Island has proposed to remedy this situation, so that it's right up front and the federal agencies know that. Anything further? George.

MR. GEORGE LAPOINTE: You've said you're going to come into compliance in the Year 2000, when in 2000; I mean, given the fact that we're dealing with the 1999 compliance in November.

CHAIRMAN BORDEN: Right now our Advisory Committee has a series of six alternatives that are currently under consideration. All of those alternatives meet the current plan.

We will have to go through a public hearing process that will take 60 to 80, so we will be in compliance prior to the point where the fishery opens, which is March, April, really.

So that's the timing of it. Further discussion? Are you ready for the question? All in favor, signify by saying aye; opposed; abstentions. The motion carries unanimously with one abstention and one null vote; two abstentions, then; three abstentions and one null vote.

The states that abstained, raise your hand so we can identify you for the record; New Jersey, Rhode Island. So we have two states abstaining, and Massachusetts was a null vote.

Okay, anything else on this issue? The next item is the report of the Resolution Committee. Preston.

MR. PRESTON PATE, JR.: Thank you, Mr. Chairman. The Resolution Committee met yesterday afternoon and concluded its efforts last night. Immediately after, I was charged in the bar for climbing on the furniture; so if this doesn't make any sense, you'll understand the circumstances under which we were working.

As Susan noted earlier, I too would like to give thanks to Lori Rosa-Goodwin for her assistance in preparing these resolutions. The charge of the Committee was to review resolutions that came out of the working committees and also prepare the resolution of thanks to the host state.

And I'll begin with the resolution that was generated in the Habitat Committee. After discussing an issue that has certainly arisen in North Carolina recently, and I've learned is common to other states that have permitting programs for economic development, and that is concerning the fast-track expedited process that some of these development proposals are put on, and how those expedited processes affect the ability of the public and the state environmental review and protection agencies to have input into the decisionmaking process for citing proposed developments and for final approval.

The Habitat Committee wanted to recommend to the states that some adjustments be made to any programs or any review processes that now do not allow for adequate input, so that proposed projects can get better environmental consideration, and they made that request with the following resolution which I'll read.

It is entitled "Resolution of the Atlantic States Marine Fisheries Commission "Encouraging Environmental Review of Streamlined or Fast-Tracked Economic Development Permits."

Whereas, the ASMFC is comprised of representatives of the fifteen Atlantic coastal states and is charged with management of fisheries resources, marine, shell, and anadromous; and

Whereas, nearly 75 percent of the nation's population will live within fifty miles of the United States Coast "including the Great Lakes," and nine of the ten largest urban areas are located along the coastline, placing

greater demands and stresses on coastal resources; and

Whereas, marine resources contribute to the nation's economic and social well-being with commercial and recreational fishery activity supporting industries with significant economic and social value; and

Whereas, the continued sustainability of our fisheries and fishery resources and their contributions to the Nation is primarily dependent upon the quality and quantity of marine, estuarine, and fresh water habitats; and

Whereas, the competition among the states for new industrial, commercial, and residential development as a means for sustaining their economic growth is real and intense; and

Whereas, some states have established industrial recruitment statutes, regulations, institutions and other mechanisms for recruiting new development; and

Whereas, some mechanisms employ fast-tracked or streamlined permitting processes which may not provide for comprehensive environmental impact assessment and therefore jeopardize water quality, fisheries resources, and habitats; and

Whereas, the ASFMC acknowledges the need for responsible and sustainable economic development that is compatible with maintaining water quality, fisheries resources, and habitats,

Now, therefore be it resolved that the ASMFC recommends that governors and legislators of each Atlantic coastal state give their respective state government entities the authority to raise environmental concerns, including those pertaining to water quality, fisheries resources, and habitats at the earliest possible time in the economic development process to insure that these issues are thoroughly addressed during the expedited permitting processes.

CHAIRMAN BORDEN: Motion?

MR. PATE: Yes.

CHAIRMAN BORDEN: We have a motion that does not require a second. Discussion on the motion. Russ.

DR. RUSS NELSON: Just in the last paragraph, the second line, just grammatically, I think "each" should become "all" or "states" should become "state."

MR. PATE: I made those corrections in mine, thank you, Russ. We took the "s" off of states and struck "to" to make that read correctly.

CHAIRMAN BORDEN: Any other comments? Are you ready for

the question? All in favor signify by saying, aye; opposed;; abstentions. The motion passes unanimously. The next resolution.

MR. PATE: Yes, the resolution of thanks to the host state is next. That was the only resolution that we had generated out of committee, Mr. Chairman, and the Resolution Committee put its collective, creative wisdom and talents together last night to try and come up with a resolution that we thought adequately captured the highlights of the events and reflected on the hospitality that we've been presented with in the past few days of meeting in lovely Mystic, Connecticut.

And we've generated the following document as a result, "Resolution of the Atlantic States Marine Fisheries Commission, recognizing and thanking Connecticut, the host state of our 58th Annual Meeting.

Whereas the quaint New England fishing village of Mystic was a pleasant reminder of whaling days long past, and

Whereas, the Connecticut delegation, Donna and the rest of the Department of Marine Fisheries began welcoming out-of-state Commissioners even before they arrived in Mystic with the extensive pre-meeting mailing; and

Whereas, the Mystic Hilton provided a comfortable and relaxing atmosphere highlighted with numerous fish mounts and a magnificent marine-inspired sculpture to offset the agony of striped bass, menhaden, eels, and shad; and

Whereas, the cultural opportunities and outlet shopping created difficult choices for whiling away a breezy afternoon; and

Whereas, the vivid image of the foliage was exemplified by the glow of Senator Gunther's face as he shared his birthday with us; and

Whereas, the glow from Doc's birthday candles provided plenty of illumination by which we all enjoyed our "lobstah dinnahs" and overheated the restaurant whereby we were blessed by cooling winds upon departure;

Whereas, Lance Stuart was good enough to stow away his diving gear and attend to our every need; and

Whereas, a cool head, Ernie Beckwith, brought the Lobster FMP to a successful conclusion while also managing to be a marvelous host; and

Whereas, the Connecticut Native Americans are now richer than before we arrived due to the inflated exchange rate of ten dollars to one wampum card; and

Whereas, the inhabitants of the aquarium enjoyed observing the antics of human species behind the glass; and

Whereas, the bottle exhibit attracted more attention

than the bottlenose exhibit; and

Whereas, while many congregated around the captivating jellyfish tank, the magnificent sea horse display garnered much attention from its future management board chairman; and

Whereas, we recognized the Nutmeg State for its gingerbread, crunchy apples, cider, cinnamon, spice, and everything nice;

Now, therefore be it resolved that the Atlantic States Fisheries Commission declares that the 58th Annual Meeting sustained by the old world charm and contemporary resources of Mystic is a fitting end to this century and reaffirms the benefit and power of partnerships which will sustain us as we approach the fisheries' challenges of the next millennium. (Applause)

CHAIRMAN BORDEN: Adopted by unanimous consent. The next issue on the agenda is the report of the Nomination Committee. Gordon Colvin.

MR. GORDON C. COLVIN: Thank you, Mr. Chairman. It is the privilege of the Nominating Committee to place in nomination in the name of David Borden for the position of Chairman of the Atlantic States Marine Fisheries Commission for the Year 2000.

EXECUTIVE DIRECTOR DUNNIGAN: You've heard the recommendation of the Nominating Committee that David V.D. Borden be elected Chairman of the Commission for the next year. Are there any other nominations? Mr. Augustine.

MR. PAT AUGUSTINE: I move that we close nominations and cast one vote.

EXECUTIVE DIRECTOR DUNNIGAN: Is there any objection to the motion? Without objection, David Borden is elected Chairman of the Commission for another year.

CHAIRMAN BORDEN: Thank you very much.

EXECUTIVE DIRECTOR DUNNIGAN: Mr. Colvin, do you have another motion?

MR. COLVIN: I do. Mr. Chairman, members of the Commission, it is the pleasure of the Nominating Committee to place into nomination Mr. Susan Shipman as Vice-Chairman of the Commission for the next year.

EXECUTIVE DIRECTOR DUNNIGAN: You have heard the nomination by the Nominating Committee. Are there any other nominations for vice-chair of the Atlantic States marine Fisheries Commission? Mr. Augustine.

MR. AUGUSTINE: Mr. Chairman, I move we close nominations and cast one vote accordingly.

EXECUTIVE DIRECTOR DUNNIGAN: Is there any objection to the motion? Hearing none, Ms Shipman is declared to be elected as the Vice-Chair of the Commission for the Year 2000.

CHAIRMAN BORDEN: Other business? I have one item. I was remiss, I should have called everyone's attention to it. We do have another New commissioner, Eric Schwab. Eric, welcome.

Any other business? If not, this meeting is adjourned. Excuse me, Jaime Geiger and then Ernie.

DR. JAIME GEIGER: I want to thank the Commission for their adoption of the American Eel Fisheries Management Plan. Again, early on in the process, especially when the Commission decided to split the horseshoe crab from the American eel, the Fish and Wildlife Service expressed some concern that that would delay implementation or adoption of one or both of those plans.

This concern proved unfounded. I want to thank the Commission for its leadership for adopting the American Eel Fisheries Management Plan, and previously adopting the Horseshoe Crab Fisheries Management Plan. Thank you very much.

CHAIRMAN BORDEN: All right, any other business? I'd just add my own personal thanks to the state of Connecticut for hosting this meeting. I think you guys have collectively done an excellent job and we're all indebted to you. Thank you very much.

Meeting adjourned.

(Whereupon, the meeting was adjourned at 1:35 o'clock p.m., November 4, 1999.)

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