ATLANTIC STATES MARINE FISHERIES COMMISSION

FULL COMMISSION

DATE: March 14, 1996
LOCATION: Norfolk Airport Hilton
1500 North Military Highway
Norfolk, Virginia 23502

REPORTED BY: Victoria L. DeBerry

ORIGINAL

LEWIS & DeBERRY
Reporting Service
CHAIRMAN COLVIN: I’d like to call to order the meeting of the Atlantic States Marine Fisheries Commission. The agenda for today’s meeting appears at the bottom of the meeting announcement. If you’ll please consult the agenda. While you’re doing that, I’m going to ask the Executive Director to call the roll.

EXECUTIVE DIRECTOR DUNNIGAN: Thank you very much, Mr. Chairman. Starting with our host state, Commissioner Pruitt?

MR. TRAVELSTEAD: Jack Travelstead, proxy for Bill Pruitt.

EXECUTIVE DIRECTOR DUNNIGAN: Delegate Morgan?

(No response elicited.)

EXECUTIVE DIRECTOR DUNNIGAN: Mr. Kellam?

(No response elicited.)

EXECUTIVE DIRECTOR DUNNIGAN: Connecticut, Mr. Beckwith?

MR. BECKWITH: Here.

EXECUTIVE DIRECTOR DUNNIGAN: Senator Gunther?

(No response elicited.)

EXECUTIVE DIRECTOR DUNNIGAN: Dr. Stewart?

(No response elicited.)

EXECUTIVE DIRECTOR DUNNIGAN: Delaware, Mr. Manus?
MR. MANUS: Present.

EXECUTIVE DIRECTOR DUNNIGAN: Representative Schroeder?

UNIDENTIFIED SPEAKER: In session.

EXECUTIVE DIRECTOR DUNNIGAN: Dr. Targett?

(No response elicited.)

EXECUTIVE DIRECTOR DUNNIGAN: Florida,

Mr. Conklin?

MR. KENNEDY: Stu Kennedy, proxy.

EXECUTIVE DIRECTOR DUNNIGAN: Representative Crady?

(No response elicited.)

EXECUTIVE DIRECTOR DUNNIGAN: Mr. Blum?

(No response elicited.)

EXECUTIVE DIRECTOR DUNNIGAN: Georgia,

Ms. Shipman.

MS. SHIPMAN: Here.

EXECUTIVE DIRECTOR DUNNIGAN: Representative Carter?

MR. MUSIC: Jim Music for Carter.

EXECUTIVE DIRECTOR DUNNIGAN: Mr. Balkcom?

(No response elicited.)

EXECUTIVE DIRECTOR DUNNIGAN: Maine,

Commissioner Alden?

MS. ALDEN: Here.
EXECUTIVE DIRECTOR DUNNIGAN: Senator Goldthwait?

(No response elicited.)

EXECUTIVE DIRECTOR DUNNIGAN: Mr. White?

(No response elicited.)

EXECUTIVE DIRECTOR DUNNIGAN: Maryland,

Mr. Jensen?

MR. JENSEN: Here.

EXECUTIVE DIRECTOR DUNNIGAN: Delegate Gunns?

MR. SIMNS: Larry Simns, proxy for Delegate Gunns.

EXECUTIVE DIRECTOR DUNNIGAN: Mr. Goldsborough?

MR. GOLDSBOROUGH: Here.

EXECUTIVE DIRECTOR DUNNIGAN: Massachusetts,

Mr. Coates?

MR. COATES: Here.

EXECUTIVE DIRECTOR DUNNIGAN: Mr. Verga?

(No response elicited.)

EXECUTIVE DIRECTOR DUNNIGAN: New Hampshire,

Mr. Nelson?

MR. NELSON: Here.

EXECUTIVE DIRECTOR DUNNIGAN: Representative Douglas?

(No response elicited.)

EXECUTIVE DIRECTOR DUNNIGAN: Mr. Driscoll?
MR. DRISCOLL: Here.

EXECUTIVE DIRECTOR DUNNIGAN: New Jersey,

Mr. McDowell?

(No response elicited.)

EXECUTIVE DIRECTOR DUNNIGAN: Senator Bassano,

Mr. Fote?

MR. FOTE: Here.

EXECUTIVE DIRECTOR DUNNIGAN: New York,

Mr. Colvin?

CHAIRMAN COLVIN: Here.

EXECUTIVE DIRECTOR DUNNIGAN: Senator

Johnson?

MR. CULHANE: Brian Culhane for Senator

Johnson.

EXECUTIVE DIRECTOR DUNNIGAN: Mr. Cantwell?

(No response elicited.)

EXECUTIVE DIRECTOR DUNNIGAN: North Carolina,

Mr. Freeman?

MR. FREEMAN: Here.

EXECUTIVE DIRECTOR DUNNIGAN: Representative

Redwine?

(No response elicited.)

EXECUTIVE DIRECTOR DUNNIGAN: Mr. Tatem?

MR. TATEM: Here.

EXECUTIVE DIRECTOR DUNNIGAN: Pennsylvania,
Mr. Colangelo?

(No response elicited.)

EXECUTIVE DIRECTOR DUNNIGAN: Representative Coy?

(No response elicited.)

EXECUTIVE DIRECTOR DUNNIGAN: Mr. Rice?

MR. RICE: Here.

EXECUTIVE DIRECTOR DUNNIGAN: Rhode Island,

Mr. Borden?

MR. BORDEN: Here.

EXECUTIVE DIRECTOR DUNNIGAN: Mr. Allen?

(No response elicited.)

EXECUTIVE DIRECTOR DUNNIGAN: South Carolina,

Dr. Sandifer?

(No response elicited.)

EXECUTIVE DIRECTOR DUNNIGAN: Senator

Drummond?

(No response elicited.)

EXECUTIVE DIRECTOR DUNNIGAN: Mr. Cupka?

MR. CUPKA: Present.

EXECUTIVE DIRECTOR DUNNIGAN: Mr. Chairman,

all of the states that are members of the Atlantic States

Marine Fisheries Commission are represented around the table

today, and you do have a quorum.

CHAIRMAN COLVIN: Thank you, Mr. Executive
Director. You've had a chance to review the agenda. There
will be one change to the agenda and that is that Item 3 will
be approval of the fishery management plan for scup. And as
indicated previously, we will expect to take up weakfish at our
May meeting. Are there any other items of business or any
changes to the agenda that any Commissioners wish to suggest at
this time?

(No response elicited.)

CHAIRMAN COLVIN: Seeing none, we'll proceed
directly to scup and the chairman will recognize Mr.
Spitsbergen, chairman of the summer flounder, scup and black
sea bass management board.

MR. SPITSBERGEN: Thank you, Mr. Chairman.
Just very briefly, I think most of you were here a little bit
earlier when we went through this, so I will go through it only
very briefly. As it turns out, I checked and we adopted this
in October, not November, but I think that's of little
importance. A joint meeting of the scup board and a
Mid-Atlantic Council in reference to the scup plan was in
October. It was approved by both the council and by the board.

There was also compliance requirements which
were approved. As I mentioned before, John Carmichael sent out
a report of what states could come into compliance, and the
majority of the states indicated they can. There were a couple
I think that ended up being one which felt like it might take a
little bit longer to come into compliance.

Briefly, let me go over those compliance requirements that are in the adopted plan. These are for June 30. These include a size limit, 9-inch for commercial, 7-inch for recreational; a mesh restriction, 4-inch tail bag mesh size for trawls, and this applies to anyone above the threshold amount of 4,000 pounds on board; roller rig rollers were a maximum size of 18-inch rollers; pot and trap escape vents, if it's the circle one, 3.1 inch, if it's square 2 1/4 inch. And also, I believe everyone has the handout from February 14th referring to scup compliance criteria, and the requirement for the degradable fasteners is indicated under Item 7. These included hemp, jute, cotton string, magnesium alloy, Italian floats or ungalvanized uncoated iron wire of a specific size. Those are the compliance requirements for June 30, 1996.

There are additional compliance requirements for January 1, 1997, which include permitting requirements, the possibility of a commercial quota and recreational total allowable catch. The commercial quota will be discussed in an upcoming meeting of the ad hoc committee that Gordon has appointed. Possible changes in the minimum size are in the framework provision. Recreational seasons and/or possession limits are also included under the framework provision.

So that pretty well covers what is in the plan. Any specific questions? I cannot make a motion. The
board of course has approved that, but I can't make a motion to move it forward.

CHAIRMAN COLVIN: On behalf of the policy board, the Chairman can offer the motion and recommendation of the policy board for adoption by the Commission of the scup management plan as outlined by Board Chairman Spitsbergen. That motion is now before the Commission. Discussion on the motion?

(No response elicited.)

CHAIRMAN COLVIN: Seeing no discussion, I will ask the Executive Director to conduct the roll call ballot on the adoption of the fishery management plan.

EXECUTIVE DIRECTOR DUNNIGAN: The question is the approval of the fishery management plan for scup. Connecticut?

MR. BECKWITH: Yes.

EXECUTIVE DIRECTOR DUNNIGAN: Delaware?

MR. MANUS: Yes.

EXECUTIVE DIRECTOR DUNNIGAN: Florida?

MR. KENNEDY: Yes.

EXECUTIVE DIRECTOR DUNNIGAN: Georgia?

MR. MUSIC: Yes.

EXECUTIVE DIRECTOR DUNNIGAN: Maine?

MS. ALDEN: Yes.

EXECUTIVE DIRECTOR DUNNIGAN: Maryland?
MR. JENSEN: Yes.
EXECUTIVE DIRECTOR DUNNIGAN: Massachusetts?
MR. COATES: Yes.
EXECUTIVE DIRECTOR DUNNIGAN: New Hampshire?
MR. NELSON: Yes.
CHAIRMAN COLVIN: New Jersey?
MR. FOTE: Nae.
EXECUTIVE DIRECTOR DUNNIGAN: New York?
MR. CULHANE: Yes.
EXECUTIVE DIRECTOR DUNNIGAN: North Carolina?
MR. FREEMAN: Yes.
EXECUTIVE DIRECTOR DUNNIGAN: Pennsylvania?
MR. RICE: Abstain.
EXECUTIVE DIRECTOR DUNNIGAN: Rhode Island?
MR. BORDEN: Yes.
EXECUTIVE DIRECTOR DUNNIGAN: South Carolina?
MR. CUPKA: Yes.
EXECUTIVE DIRECTOR DUNNIGAN: Virginia?
MR. TRAVELSTEAD: Yes.
EXECUTIVE DIRECTOR DUNNIGAN: Mr. Chairman, the votes are 13 in the affirmative, 1 in the negative and 1 abstention.
CHAIRMAN COLVIN: Motion carries. The fishery management plan for scup is adopted. The Chairman wishes to thank the Chairman of the management board for his
work and that of his board and the staff and also our partners at the Mid-Atlantic Fishery Management Council with whom we collaborated with the development of this plan. Is there anything further to come before the Commission relative to scup?

(No response elicited.)

CHAIRMAN COLVIN: Let us proceed then to the agenda item relative to the tautog fishery management plan. The Chair recognizes Mr. Borden, Chairman of the tautog board.

MR. BORDEN: The tautog management board and ISFMP policy board have prepared and approved an FMP for tautog with a compliance schedule. Since most of the people in the room I believe were here when I outlined it, in the interest of time, I won’t go through the specifics. I’ll just enter a motion and then I’d like the floor to discuss one point. I would move on behalf of the policy board that the full Commission approve the tautog plan.

CHAIRMAN COLVIN: Motion offered on behalf of the ISFMP Policy Board is now before the Commission for adoption. The Chair recognizes, Mr. Borden.

MR. BORDEN: Thank you, Mr. Chairman. I’d like to correct for the record in my summary of the actions that the policy board took, I failed to acknowledge one of the proposals that was modified. The policy board did include a provision for biodegradable fasteners which is similar in
design and configuration to those included in the scup and
black sea bass plan. Just so the record is clear, that should
be part of the action before the full Commission.

CHAIRMAN COLVIN: Thank you. And we will ask
that the minutes of this meeting will be constructed in such a
way that the policy board is also on notice of this correction
and actually the completion of the record, the tautog board's
report. Is there further discussion on the motion before the
Commission?

(No response elicited.)

CHAIRMAN COLVIN: Seeing none, I'll ask the
Executive Director to take the vote by roll call.

EXECUTIVE DIRECTOR DUNNIGAN: The question
before the Commission is the approval of the fishery management
plan for tautog. Connecticut?

MR. BECKWITH: Yes.

EXECUTIVE DIRECTOR DUNNIGAN: Delaware?

MR. LESSER: Yes.

EXECUTIVE DIRECTOR DUNNIGAN: Florida?

MR. KENNEDY: Yes.

EXECUTIVE DIRECTOR DUNNIGAN: Georgia?

MR. MUSIC: Yes.

EXECUTIVE DIRECTOR DUNNIGAN: Maine?

MS. ALDEN: Yes.

EXECUTIVE DIRECTOR DUNNIGAN: Maryland?
MR. JENSEN: Yes.

EXECUTIVE DIRECTOR DUNNIGAN: Massachusetts?

MR. COATES: Yes.

EXECUTIVE DIRECTOR DUNNIGAN: New Hampshire?

MR. NELSON: Yes.

EXECUTIVE DIRECTOR DUNNIGAN: New Jersey?

MR. FOTE: Nae.

EXECUTIVE DIRECTOR DUNNIGAN: New York?

MR. CULHANE: Yes.

EXECUTIVE DIRECTOR DUNNIGAN: North Carolina?

MR. TATEM: Yes.

CHAIRMAN COLVIN: Pennsylvania?

MR. RICE: Yes.

EXECUTIVE DIRECTOR DUNNIGAN: Rhode Island?

MR. BORDEN: Yes.

EXECUTIVE DIRECTOR DUNNIGAN: South Carolina?

MR. CUPKA: Yes.

EXECUTIVE DIRECTOR DUNNIGAN: Virginia?

MR. TRAVELSTEAD: Yes.

EXECUTIVE DIRECTOR DUNNIGAN: Mr. Chairman,

the votes are 14 in favor and 1 opposed.

CHAIRMAN COLVIN: The motion carries. The
tautog fishery management plan is adopted. Again, I'd like to
thank the board Chairman, Mr. Borden, who very rightly pointed
out that the board has done a very efficient and effective job
of bringing this plan forward, had excellent staff support, and
we want to thank the staff as well. Hopefully we will be able
to proceed as efficiently in our other management plans and
programs as we have for tautog. Mr. Borden.

MR. BORDEN: Thank you, Mr. Chairman, for
those comments. For my own edification on the one vote, was
the vote one abstention or one opposed?

CHAIRMAN COLVIN: One opposed.

EXECUTIVE DIRECTOR DUNNIGAN: New Jersey.

MR. BORDEN: Thank you.

CHAIRMAN COLVIN: Is there anything further
to come before the Commission relative to tautog?

(No response elicited.)

CHAIRMAN COLVIN: Is there anything further
to come before the Commission in the category of other
business?

(No response elicited.)

CHAIRMAN COLVIN: Seeing none, I'll entertain
a motion for adjournment.

MR. FREEMAN: So moved.

CHAIRMAN COLVIN: Oh, yes, there is one more
thing under other business. The Chairman would like to
recognize, albeit we will certainly do so more formally and
elaborately at our meeting in May, the presence of new
commissioners. And in this case, a new commissioner from North
Carolina who is not new to the Commission but is new as a commissioner, Damon Tatem, and we very much welcome and are pleased to have you among us, Damon, at this meeting and we look forward to having you at this table for a long, long time.

MR. TATEM: Thank you. It appreciate it.

CHAIRMAN COLVIN: Is there any other business?

(No response elicited.)

CHAIRMAN COLVIN: Seeing none, I will now entertain a motion for adjournment.

MR. FREEMAN: So moved.

CHAIRMAN COLVIN: Without objection, so ordered.

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COMMONWEALTH OF VIRGINIA
CITY OF NORFOLK, to-wit:

I, Victoria L. DeBerry, do hereby certify that the foregoing pages are a true and accurate transcript of the proceedings had at the time and place mentioned.

This 29th day of April, 1996.

[Signature]
Court Reporter

My Commission expires October 31, 1996.

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