

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

**The King & Prince Beach and Golf Resort
St. Simons Island, Georgia
October 28 & 30, 2013**

Approved February 5, 2014

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1. **Approval of Agenda** by consent (Page 1).
2. **Move to include the highlighted section with the focus on long-term ecological sustainability** (Page 4). Motion by Louis Daniel; second by Douglas Grout. Motion carried (Page 5).
3. **Move to strike the entire highlighted language under Decision Point 3 of the Strategic Plan** (Page 7). Motion by Mitchell Feigenbaum; second by Roy Miller. Motion defeated (Page 8).
4. **Move to change the words “mean more jobs” to “vibrant resources often means more opportunity for those that live along the coast”** (Page 8). Motion by Adam Nowalsky; second by Robert Boyles. Motion carried (Page 8).
5. **Move to adopt the new underlined language at the bottom of Goal Number 1** (Page 8). Motion by Robert Boyles; second by James Gilmore. Motion carried (Page 8).
6. **Move under Decision Point Number 5, Goal Number 3, to accept the third option, which is promote compliance with fishery management plans to ensure sustainable use of coastal fisheries (Page 8)**. Motion by Robert Boyles; second by Douglas Grout. Motion carried (Page 9).
7. **Move to Adjourn** by consent (Page 20).

Board Members

Attendance

Terry Stockwell, ME, proxy for P. Keliher (AA)	Loren Lustig, PA (GA)
Doug Grout, NH (AA)	Leroy Young, PA, proxy for J. Arway (AA)
G. Ritchie White, NH (GA)	David Saveikis, DE (AA)
Dennis Abbott, NH, proxy for Sen. Watters (LA)	Roy Miller, DE (GA)
Paul Diodati, MA (AA)	Bernie Pankowski, DE, proxy for Sen. Venables (LA)
Bill Adler, MA (GA)	Tom O'Connell, MD (AA)
Robert Ballou, RI (AA)	Bill Goldsborough, MD (GA)
Rick Bellavance, RI, proxy for Sen. Sosnowski (LA)	Jack Travelstead, VA (AA)
David Simpson, CT (AA)	Louis Daniel, NC (AA)
Dr. Lance Stewart, CT (GA)	Robert Boyles, Jr., SC (AA)
Rep. Craig Miner, CT (LA)	Malcolm Rhodes, SC (GA)
James Gilmore, NY (AA)	Spud Woodward, GA (AA)
Pat Augustine, NY (GA)	Patrick Geer, proxy for Rep. Burns (LA)
Adam Nowalsky, NJ, proxy for Asm. Albano (LA)	Jim Estes, FL, proxy for J. McCawley (AA)
Brandon Muffley, NJ, proxy for D. Chanda (AA)	Kelly Denit, NMFS
Tom Fote, NJ (GA)	Deborah Rocque, USFWS
Mitchell Feigenbaum, PA, proxy for Rep. Vereb (LA)	Martin Gary, PRFC

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

Ex-Officio Members

Staff

Bob Beal

Toni Kerns

Guests

George Lapointe

The Business Session of the Atlantic States Marine Fisheries Commission convened in the Lanier Ballroom of The King and Prince Beach & Golf Resort, St. Simons Island, Georgia, October 28, 2013, and was called to order at 1:15 o'clock p.m. by Chairman Paul Diodati.

CALL TO ORDER

CHAIRMAN PAUL DIODATI: We're going to begin our business session. I want to welcome everybody and say hello to those of you I haven't said hello to yet. It is good to see you all again and welcome to the business session.

APPROVAL OF AGENDA AND PROCEEDINGS

CHAIRMAN DIODATI: You should have the agenda for today's meeting as well as the minutes from our previous gathering. If I don't see any opposition, I will consider both to be approved.

I know that we have a couple of new commissioners here; Nancy Addison, who I've already met, from Georgia, our new governor's appointee. Welcome, Nancy. (Applause) I haven't met Senator Boyle, but Senator Boyle from New York is somewhere on the premises. There are a few others that I'll recognize later this evening.

PUBLIC COMMENT

CHAIRMAN DIODATI: I don't see many members of the public at this business meeting; but if anyone in the audience has any comments they'd like to make to the commission, now would be the appropriate time.

REVIEW OF UPDATED 2014-2018 STRATEGIC PLAN

CHAIRMAN DIODATI: Seeing none; I am going to ask Bob to outline where we are with our strategic plan and planning process. I think we're going to need an action at some point.

EXECUTIVE DIRECTOR ROBERT E. BEAL: For those of you at the May meeting you will remember the facilitated workshop that we had

to kick off the strategic planning process. Then staff went back and drafted the first version of that; and then at the summer meeting the commissioners came together and reviewed that first draft of the strategic plan and suggested some edits during the summer meeting.

Also at the summer meeting a working group was formed to tackle some of the unresolved issues. I'll just essentially pretty quickly go through what has been changed since the last draft that was reviewed at the summer meeting. As I mentioned, the working group that was formed to look into this, Louis Daniel was the chair of that, Doug Grout, Jim Gilmore, Robert Boyles, John Clark, Adam Nowalsky, Dennis Abbott, Malcolm Rhodes and Leroy Young.

We had a conference call. I think everyone was able to make it except Leroy. He had a conflict and a scheduling problem. Since that conference call, we have e-mailed some versions around and some wording around. I think we're getting pretty close. As we go through this, there are really five decision points essentially that need to be addressed today.

Really quickly, though, some of the changes that were made in between the two meetings were based on the comments that were received at the summer meeting. There is a new section in the driving forces addressing ocean planning. The felt that the ocean planning initiatives that are going on up and down the coast are definitely going to have an impact, and the commission is going to need react to those planning initiatives that are going on, so we recognized that in the driving forces.

Also in driving forces, the Protected Resources Section was added. In the first draft it was just an Endangered Species Act reference; but through talking with the commissioners, you folks said there are more issues under the Mammal Protection Act and other things that are going to be a driving force; it is not just ESA. We made those changes based on the summer meeting.

I'll go through all the five decision points pretty quickly, and I think it is probably better if we go back to them just so you guys can sort of see

what is unresolved. Then it is probably best to go back through all those individually. On Page 2 there is a yellow highlight under Value Section. The section that is highlighted reads with the goal of long-term ecological sustainability.

There was some discussion among the working group members of not really – I mean, obviously, this is an important goal of the commission, long-term ecological sustainability, but does this need to be added to and recognize the additional of socio-economic benefits and gains. It is not that we need to do more than just consider the ecological impacts but also consider the socio-economic impacts of the actions that the commission takes.

The second decision point was brought up by Leroy Young at the summer meeting, and he brought it up as a member of the working group. The notion is how do we really measure a lot of the things that we say we're going to do in the strategic plan. How do you measure rebuilding progress, frequency of stock assessments, expanded outreach?

Overall it is clear the direction that the commissioners want to go in the next five years, but how do you evaluate how well you're doing in moving toward that goal of rebuilding stocks along the east coast? The third decision point was brought up by one of the working group members, and this on Page 6 under Goal Number 1. There is a section highlighted there in pink.

It is the notion that healthy and vibrant resources mean jobs and more opportunity for those that live along the coast. One of the working group members is suggesting that obviously restored resources are good, but in some instances, summer flounder or striped bass, the opportunities and the number of jobs hasn't increased substantially even those stocks have rebuilt over the last decade or so; so are we sort of over-promising the economic gains and economic impacts of rebuild stocks?

I think the opposite true in that if stocks are in poor shape, there is less job opportunities and so how do we recognize that better ecological

conditions, better stock conditions are better for the economy but they may not necessary generate substantially more jobs. There may just be a lot less jobs if we don't rebuild stocks.

The fourth decision point is the notion of – actually that is on Page 6 also at the bottom Goal 1 Narrative – this is the notion about ending overfishing versus rebuilding stocks. This has been talked about a lot by the commissioners. The authority that you folks have through the commission and through your state agencies is you can end overfishing and that is relatively easy.

You can control the removals that come out of a stock, but there are a lot of factors that are involved with rebuilding populations beyond the control of the commission, environmental conditions, et cetera, so what is the metric that the commission would like to use? Is it just rebuilding – I mean is it just ending overfishing or is it also rebuilding stocks? We can chat about that.

The fifth and final decision point I think is dealing with Goal Number 3. There are three different options there for the wording of that goal. This is ensuring a compliant stakeholder with commission plans. There is the notion that this is really law enforcement goal within the commission plan, but there was some discussion is this compliance of individuals when they go fishing; is it compliance of states that participate in the commission; is this only a law enforcement goal or is it broader than that?

There are three different goals there that look the decision point or look at how you could detail Goal Number 3 to capture those different notions. The proposed timeline that we'll have is if you folks are comfortable with this today, we'll approve it for public comment. We'll have a series of public comment opportunities, potentially meetings in each state up and down the coast between now and the winter meeting in February; and final approval of the five-year strategic plan at our February meeting in Alexandria.

**APPROVAL OF THE
DRAFT STRATEGIC PLAN FOR
PUBLIC COMMENT**

That's a quick highlight of what needs to happen today. I think it is probably reasonable to go back to Decision Point Number 1, which is on Page 2, and this is the notion of long-term ecological sustainability; you know, should the wording at the end of that paragraph be changed to also recognize some of the social and economic impacts of what the commission does. With that, I guess the question is, are folks comfortable with the wording there or should it be changed?

MR. ROBERT H. BOYLES, JR.: Mr. Chairman, I'm comfortable with the wording. Do you need a motion or how are we going to move through this?

EXECUTIVE DIRECTOR BEAL: Well, I didn't see a lot of hands pop up right there, so maybe the group is comfortable with it. Is there any objection to the wording that is there? Bob.

MR. ROBERT BALLOU: I'm sorry I missed the summer meeting, but I guess I'm just curious as to why we wouldn't want to insert long-term ecological and socio-economic sustainability. I think that's the very question we're asking, whether it belongs or not. To me adding it would round it out nicely; but if there are strong reasons not to incorporate that, then I'd like to hear them. Thank you.

MR. KYLE SCHICK: I think every time we talk about further fishing restrictions, it always comes up; you know, what is this going to do to the economy; what is this going to do to the people who fish that. Whether it is recreational or commercial, we discuss it at every management act, so I don't see why it wouldn't be something that we should talk about. If we're just going to be an environmental group, then that's one thing, but I think that this board does a lot more than just environmental decisions for the fishery itself.

CHAIRMAN DIODATI: I think the struggle that we're beginning to see here, it is really the long-standing question of what the commission

puts first, I guess. I guess we don't want to be in that position to have to say that our ecological concerns have more standing over our economic responsibilities. I think that is the struggle that I am sensing here; and so how if you said something like "ecological sustainability leads to increased socio-economic benefits"; and not put them in a situation where they may be competing with each other. That is my suggestion. I am going to let Bob around the room and take your hands. I see a number of people with hands up.

DR. LOUIS B. DANIEL, III: I think we are kind of starting to compare apples and oranges here. I think our first and foremost decision point is looking at ecological sustainability. Without that, we have nothing. Then my understanding was down into some of the other decision points, like number three, we talk about the vibrant communities and the need to manage with the recognition of needing to take into consideration the socio-economic consequences.

The biggest concern I would have is that at some point we would not take what is in the best interest of the resource in terms of ecological sustainability for economic gains, and that is a slope that is very slippery that I don't know that we want to travel down.

MR. WILLIAM A. ADLER: I agree that the ecological sustainability issues are probably the most important because it leads to economic stuff; but I also think that it should be in there because that is exactly what managers do. They have this delicate balance of trying to get all the information to make sure the resource is healthy or getting healthy.

They also have to balance that against the economic factors in their decisions. I think that it is viable; and as it was brought up, if it is not in there people are going, well, okay, yes, you're going to try to manage the ecological for sustainability, and it leads to – and the question is, yes, but when you're doing that, before you even get that far, you have got to look at the other side of the picture and take that into consideration, too.

Somehow the economic viability has to also be in the mix; and I think if we do that, then at least everybody understands, yes, number one, you've got to have a resource here or you're going to have anything; but, number two, we do take that into consideration.

MR. PATRICK AUGUSTINE: Philosophically I agree, but practically I don't having that word in there. Primarily it is not covered under Magnuson-Stevens and it is not covered under ACFCMA. It may be embedded in both of those documents, but our role, as I understand it, ASMFC, like the other commissions, was we're authorized to make sure that the resources are here and that we're managing them. It may be intrinsic in those statements; but to put it in the document, I don't think we need it. The statement that the group has agreed to at the bottom of Page 2 I fully would support. Thank you.

MR. ADAM NOWALSKY: I think that with the highlighted part of the document that you with the goal of long-term ecological sustainability, I think the value as written presently considers those socio-economic considerations where we talk about for the benefit of recreational and commercial fishermen.

I think there is some confusion, though, with that last line saying "with the goal of long-term ecological sustainability". I think there is a sense of that kind of being the concluding statement of the value, and I think that's really what we're reacting to. I know that's what I would react to. If there was a way to remove that sense of "with the goal" as kind of the tying up of what the values we're trying to seek are, I think the rest of the value statement encompasses it. I don't oppose inclusion of "long-term ecological sustainability", but I would oppose saying it as "with the goal of" because that leaves that taste in our mouths, and I think that is what the reaction is that I'm hearing.

DR. MALCOLM RHODES: If we go one sentence before the line that we're getting tripped on, it says, "These values affirm the commission's commitment to sustainable

fisheries management for the benefit of recreational and commercial fishermen and coastal communities." I think what is inherent in there will account for the socio-economic benefit of the communities; and the next line is how we're going about sustaining looking after the recreational and commercial fisheries as well as the coastal communities by looking at long-term ecological sustainability. I think we've already addressed that in the line before and this is more the way we're going to perform our duties.

MR. LEROY YOUNG: I agree with Malcolm on that. If you look at the bulleted items beneath that statement, the sixth item really gets to the issue that we're talking about. I really think that the goal needs to be ecological sustainability. It should be stated explicitly as a major focus; because without that, as others have said already, we really don't have a fishery.

EXECUTIVE DIRECTOR BEAL: All right, there seems to be a bit of divide; folks saying that we've already recognized the socio-economics in the second sentence. There is a suggestion to take out the clause that is highlighted. What is the pleasure of the group? If folks feel that it is already recognized the long-term sustainability, you could just end that last sentence with "seeking solutions to cross-cutting resource issues" and end it there if that last clause is causing heartburn. What is the pleasure of the group? Pat.

MR. PATRICK C. KELIHER: I would recommend just removing the highlighted section. I think the bullets say what we're discussing here.

EXECUTIVE DIRECTOR BEAL: Is there any objection to doing that, pulling out the highlighted portion and acknowledging that the rest of the text in the bullets recognize the importance of socio-economic issues as well as ecological sustainability? All right, seeing none, we will strike that clause. Doug, did you have your hand up?

MR. DOUGLAS GROUT: Yes, I think it is an important part that we need to have that in there. I think that is what our primary value is here that

will lead to the economic benefits if we have a resource here. I think it is an important thing to be in there, so I would object to it.

DR. DANIEL: Yes, I am going to make a motion that we include the highlighted section with the goal of long-term ecological sustainability.

EXECUTIVE DIRECTOR BEAL: Is there a second to that motion? Doug Grout; thank you. All right, there is a motion to leave that clause in. We have had a fair amount of discussion. Is there any additional discussion on the notion of keeping those words in? Pat Augustine.

MR. AUGUSTINE: Move to amend the motion to take it out.

EXECUTIVE DIRECTOR BEAL: Well, I think you would just vote against the motion.

MR. AUGUSTINE: But it is easier if I make a substitute motion, they'll vote on my substitute motion; and if it fails, then you're in.

MR. DENNIS ABBOTT: Do we vote as individuals on this or are we voting as states on this? If Doug feels one way and we feel another, not that we do, but how are voting?

EXECUTIVE DIRECTOR BEAL: Yes, this is a business session so you're still voting as states with a three-member caucus. Leroy.

MR. YOUNG: I'm going to vote to keep this in. The vision or mission or whatever you want to call it for the Pennsylvania Fish and Boat Commission is resource first; and this is in keeping with that objective.

MR. KELIHER: Just for clarity, I do agree with both the maker of the motion and the seconder. I just feel it is captured within the bullets below as it was written. I can live with it either way. I was just looking for some simplicity.

EXECUTIVE DIRECTOR BEAL: Simple is good. Are there any other comments? Adam.

MR. NOWALSKY: I was just going to echo the sentiments that Pat made. Actually when I had

my hand up, I was going to make that very point. I'm considering amending to change it to "with the focus of" as opposed to "with the goal"; because with the goal – if saying "with the goal", in my opinion it should appear explicitly as one of the goals further down. That is evoking a reaction in me. It is clearly evoking a reaction around here. I'm going to go that route. I'd like to move to amend the language to move to include the phrase "with the focus of long-term ecological sustainability".

EXECUTIVE DIRECTOR BEAL: Is there a second; Pat Augustine seconds that. We have got a motion to amend. Is there discussion on the motion to amend changing "goal of" to "focus on" I think is the substantive change there. Robert.

MR. BOYLES: A question for the body. We've got two hours scheduled for this, and I don't know that it is going to be the use of our collective wisdom to wordsmith this down the road we're going. I think the discussion is very, very important. The points that have been raised have been very, very important, but we're going to be here until tomorrow morning doing this.

If this is the way the body wants to go, I just would ask us before we get into motion and competing motion, we really think about what is it we're trying to capture here for the next five years, what are we trying to do to memorialize the actions, the attitude and the stance that this commission takes. I'm afraid we're going to lose a lot of those important points that have been raised if we're going down wordsmithing by motion. It is just a point I would for the body to consider.

EXECUTIVE DIRECTOR BEAL: Those are wise words; thank you, Robert. Louis.

DR. DANIEL: Yes, I agree, Robert, and I would accept Adam's – and I think my seconder would, too – as a friendly amendment to our motion.

EXECUTIVE DIRECTOR BEAL: Doug, you're fine with that change? He is shaking his head yes. **Now we're back to one motion which is leaving that clause in but with the**

wording “to focus on long-term ecological sustainability. Is there any objection to that? Seeing no hands; we will call that Decision Point 1 done. We will leave it in and we’ll change those two words, and away we go.

All right, Decision Point 2, it is not really focused on any one section within the document. It is an overall concept of how should specific performance measures be included in the strategic plan. As I mentioned, Leroy brought this up a couple time. It think it makes a lot of sense to evaluate how well the commission is doing in moving toward the direction they want to go in, but it gets difficult putting specific measures in here.

The last time we had this discussion, some members of the commission felt that performance measures are more appropriate in an action plan where you say, all right, in this year here is exactly what we’re going to do; but I think the concept is probably worth discussing of are there things that can be included in this strategic plan that sort of hold the feet to the fire of the commissioners and something that is measurable to evaluate how well the commission is doing in achieving its goals. With that, are there any comments or suggestions? Ritchie.

MR. G. RITCHIE WHITE: I guess I have a problem with the benchmark stock assessment one. We could be doing a whole bunch of benchmark stock assessments; but then if we’re not acting on them and acting in a way that rebuilds stocks, what good is doing a bunch of benchmark assessments. I understand the concept of showing that we’re working hard and doing a lot, but I think the final outcome is what we need to judge by.

CHAIRMAN DIODATI: I agree with what Bob said; that the strategic plan is the general blueprint for the commission, but it is the action plan where you actually are looking for those performance measures to evolve. I’m more than comfortable leaving performance measures to be associated with the action plan rather than here.

MR. GROUT: Well, to show you that some of these decision points are cross-cutting, I think an

easy performance measure that we can consider in the action plan is whether we’ve ended overfishing. I mean, to me that is one of the key performance measures that we need to be looking at over the next five years; not that we have to end overfishing immediately but to end overfishing in a very timely fashion.

EXECUTIVE DIRECTOR BEAL: That’s fair, and I think that wraps into Decision Point Number 4 that we had talked about earlier, ending overfishing versus rebuilding stocks, which is again a tough balance for the commission. What is the pleasure of the group? Do you folks feel we can leave it as is and we’ll deal with performance measures and specifics in the annual action plan or do you want to make changes to the document?

I’m not seeing any hands pop up, so it sounds like leave it as it is and put the performance measures in the annual action plan. Does anyone object to that course of action? All right, good, we’re gaining momentum. That was much faster than the last one, Robert. You talked them into it. Decision Point 3; this is under Goal Number One. I think the third sentence down highlighted in a pink color in my document currently reads, “Inherent in this is the recognition that healthy and vibrant resources mean more jobs and more opportunity for those that live along the coast.”

I think there are a couple of concepts that folks brought up. Some of the opportunities may extend beyond the coast. As I mentioned earlier, some folks are saying, well, you know, we rebuilt a lot of stocks and we really don’t a lot more opportunity and a lot more jobs than we did before we rebuilt some of those stocks.

I think coastal populations are increasing and fishing opportunities and seasons and those sorts of things reflect the changes in population along the coast to some degree. What do folks feel about that sentence? Are there any suggested changes or are folks comfortable with it? Doug.

MR. GROUT: This is a comment on this only from the perspective that I can understand where this comment was made in some instances with some resources where it does seem like we

haven't been – even though they're fully rebuilt, the amount of jobs doesn't seem to be increasing; but on the other hand there are some species – and I'll give my state of New Hampshire with striped bass and I believe in a lot of other states where the number of charterboat fishermen pre-1995 fishing for striped bass was much lower than it was in the 2000's; and it is still higher than now it was before.

There has been with some of our species this realization of more opportunities for those who live on the coast. It seems like I guess I agree in one sense because some fisheries, it may not be guaranteed that you're going to have more job opportunities if you have resource, but it is a benefit that could result and has been shown to result from rebuilding our resources.

MR. THOMAS O'CONNELL: I'm struggling with the words "more jobs and more opportunity" and particularly the more jobs part. I see as we go forward with some of our fisheries management, we may be increasing the value of the fishery, improving the sustainability of the fishery but not necessarily more jobs. I haven't been able to come up with the right substitute word for that yet. Obviously, good management is going to yield a more valuable sustainable fishery, but not necessarily more jobs.

MR. SPUD WOODWARD: Well, maybe we can tweak this a little bit and instead of using something that is definitive, say "that healthy and vibrant resources often means more employment and more opportunity for coastal communities", something along those lines that puts it on the record the linkage between healthy resources and economic opportunities, but it doesn't say that it's absolute.

MR. BOYLES: At the risk of being ambiguous, I would just strike "jobs and" and just say "opportunities" and it is in the eye of the beholder. If there are concerns about words, and I understand those concerns, I think we can probably just edit it a little bit.

EXECUTIVE DIRECTOR BEAL: You're wordsmithing now, Robert; you're not following your own advice.

MR. BOYLES: I'm trying to help you.

EXECUTIVE DIRECTOR BEAL: No, I appreciate that. Mitchell.

MR. MITCHELL FEIGENBAUM: Yes, I would like to make a motion to strike the entire highlighted language. I believe the previous sentence that refers to balancing socio/economic interest and needs of the coast communities captures what the strategic vision of this commission should be quite effectively, and the second statement is really superfluous.

EXECUTIVE DIRECTOR BEAL: Is there a second to that motion; seconded by Roy Miller. All right, comments on the motion to strike the highlighted sentence? I don't see any hands. Is there any objection to the motion? **No objection; we will take that sentence out.**

REPRESENTATIVE CRAIG A. MINER: I'm sorry for being a little slow at the uptake here. I guess what I want to be sure is by taking that out we're not diminishing the likelihood that this body and other bodies will have to look at increased opportunity as these stocks become rebuilt. I have been listening to the conversation and it sounds like it doesn't always mean that there will be increased opportunities.

I think many of us can envision where there could be increased opportunities but for our resistance to perhaps move up thresholds when they appear to be rebuilt. It almost seems like the language might be downward pressure on those opportunities that would stay in place. I'm not sure if I'm reading it that way or not is correct.

MR. DAVID SIMPSON: Along those lines, I actually favored Robert's suggestion to remove jobs, because I think that is the more ambiguous. There may be more jobs, but it depends on the management and approach. I think opportunity in the eye of the beholder, as Robert said, is the part we want to hold on to and it's certainly one of the values we have.

EXECUTIVE DIRECTOR BEAL: We were kind of in the middle of voting when hands went up. We've got a motion on the table to take this section out. We've got the notion of striking two or three words that Robert suggested. I will read this in as folks think about what they want to do next; move to strike the highlighted language for Decision Point Number 3 in the Strategic Plan. Motion by Mr. Feigenbaum; second by Mr. Miller.

I think if you vote in favor of this, the section obviously will be removed. If you vote in opposition to this, then the document stands as it is and the group can consider another motion after this. Does that sound fair? **Those in favor of the motion which would remove that sentence please raise your right hand; those in opposition like sign; abstentions; null votes. The motion failed; seven in favor, nine in opposition.** Mr. Nowalsky.

MR. NOWALSKY: **I will make a new motion** then and hopefully Mr. Boyles, since I'm using his idea here, will embrace it. I would support "and vibrant resources often means more opportunity". **I would change the words "mean more jobs" to "vibrant resources often means more opportunity for those that live along the coast"**.

EXECUTIVE DIRECTOR BEAL: Mr. Boyles seconds that. Are there any comments on that wording change; does everyone understand it? Malcolm.

DR. RHODES: One thing, Adam; did you want "opportunity" or "opportunities" because that way you're looking at fishing economic – again, it is just wordsmithing, but to go from a singular opportunity to a plural.

MR. NOWALSKY: I think plural would be great and I would accept that as a friendly amendment.

EXECUTIVE DIRECTOR BEAL: Robert, are you fine with that? He is shaking his head yes; thank you. All right, does everyone understand what we're doing? I will take that as a yes. Is there any objection to making the wording changes Adam has suggested and Robert

seconded? **Seeing no objection; that change will be made.**

All right, we're now on Decision Point Number 4. This is the notion of rebuilding stocks versus ending overfishing. As I mentioned earlier, your agencies have the ability to end overfishing by controlling removals. There are a lot of things that are involved with rebuilding stocks that may or may not be within the control of the agencies you folks work for.

There is new suggested language at the bottom of Goal Number 1 that is highlighted in yellow that recognizes that it is committed to ending overfishing and working to rebuild overfished or depleted stocks. Robert.

MR. BOYLES: **I make the motion that we accept the changes submitted there.**

EXECUTIVE DIRECTOR BEAL: Is there a second; Jim Gilmore seconds. Are there any comments on this suggested change? It seems to be people are comfortable with this. Is there any objection to adopting the new underlined language at the bottom of Goal Number 1? **Seeing no objection; that language is now included.**

Decision Point Number 5, and I think our final decision point, is for Goal Number 3. There are three different options for the actual goal itself. They recognize to differing degrees the notion of law enforcement and also the notion of stakeholder compliance versus state compliance. The three different options are on the board there. I think the question before the group is do you want to specifically say in this goal that this is a law enforcement goal or is this a bigger compliance goal and law enforcement is only a part of it. Robert.

MR. BOYLES: **I would like to make a motion that we accept the third option, which is promote compliance with fishery management plans to ensure sustainable use of coastal fisheries.** If I get second, I'll explain.

EXECUTIVE DIRECTOR BEAL: Second by Doug Grout. Robert.

MR. BOYLES: I'm thinking about this and trying to again keep in mind that we're talking about the next five years. I certainly don't want to detract from or take away from the importance of law enforcement. A stock assessment is very, very important to our process as well, and it is a very important tool just like law enforcement is.

I think from my perspective what I believe we're interested in is effective compliance with our fishery management plans. Law enforcement is a key component of that, but I don't believe that it is the only component of that. You don't have to go very far to talk to our constituency who may sometimes complain to us that, "Well, I've been out and I've never been stopped. I have never been checked." And so absent that one-on-one encounter with law enforcement operation, does that mean we're not interested in compliance?

I think that we're very interested in compliance – voluntary compliance if we can get it, but certainly if we can't get voluntary compliance, then we rely on our friends in law enforcement. I say this in the sense that we don't single out stock assessments. We don't single out fishery-independent monitoring as a tool that we employ to do our jobs. I think I'm interested in this from a broader perspective.

EXECUTIVE DIRECTOR BEAL: To back up your point, if you look at the first strategy under this goal, stakeholder buy-in is captured there, and I think that's part of the voluntary compliance that you had mentioned, too. Are there any other thoughts on the motion, which is to adopt the third option for Goal Number 3? Leroy.

MR. YOUNG: I'm just curious as to why the word "promote" is being used there instead of "ensure" to start that sentence. It seems a little weaker than ensure.

EXECUTIVE DIRECTOR BEAL: Are there any comments on that? We'll just around and get back to that. Adam.

MR. NOWALSKY: I think from my sense I would offer that for me "ensuring" would mean

that I'm there actually making sure it is happening, standing over someone on the water making sure it happens, and I don't think there are many of us in this room here today that are actually doing that. The best we could do is put forth regulations and management plans that stakeholders can buy into, enforcement can say, yes, we can do this, and hope therefore that we're promoting that compliance. That would be my response.

MR. ADLER: I agree with Adam. At first I saw the word "promote" and I go so what are we going to do, go out on the sidewalks and down at the piers and wave flags and stuff, promote. I like the word "promote" better than "ensure" or those other ones that were in there. As it was said earlier, yes, you're going to try to get it so that you have constituency buy-in, which is very important because without it you won't have compliance, you won't have the rule work. Having law enforcement is a key component, but you don't push hard on that. You're trying to talk people into being good, basically. Yes, we've got the law enforcement people helping, so I do think "promote" is the correct word in this case.

EXECUTIVE DIRECTOR BEAL: Are there other comments on the motion that is up here? Seeing none; **any objection to the motion, which is adopting the language for Goal Number 3? All right, that will be Goal Number 3 in the draft plan.** Those are all the decision points, Mr. Chairman. I think the question before the body now is, is everyone comfortable taking this out to public comment. It may be worthwhile to have a couple of comments on what folks envision that the public comment path should be. Dave Simpson.

MR. SIMPSON: Under Goal 6 there were some highlighted areas. Do we need to talk about that or is that a done deal? Goal 7, sorry, financial resources and so forth.

EXECUTIVE DIRECTOR BEAL: Some of those changes we made essentially at the staff level. The next thing we're going to talk about today is the action plan. As we were going through the action plan, there were a few tasks that really didn't have a home, so we needed to

create the very last strategy that is here, which is utilize legal advice on management strategies and policies. We also just changed a little bit the initial draft of Strategy A under Goal 7. The notion of increasing long-term funding shows up in the section essentially on lobbying on Capitol Hill, so we had it in two different places. We said, well, let's leave the Capitol Hill portion as it is and change Goal Number 7 to be really the management of the resources that we do have rather than having that in different places. Doug Grout.

MR. GROUT: It seemed like with the edit that you made to A there, the comment that I had was it seems like by changing the word to "conservatively manage the operations and budgets", you took out the concept of trying to secure and look for additional funding opportunities that may come in the future.

Now, I understand in the short term here the possibility of coming up with additional funding opportunities given the federal and state budget management strategies lately are going to be few and far between, but I don't think that we should stop to have that as one of our strategies. I understand completely conservatively managing our operations, but I don't think we should eliminate that. I had some suggested wording that would say "seek appropriate funding levels needed to effectively achieve the mission and goals of the commission" as a separate strategy.

EXECUTIVE DIRECTOR BEAL: I think, Doug, if you look on Page 9 under Goal 6, Strategy B, which is communicate the commission's federal funding needs to Congress and advocate for sufficient appropriations, does that cover your idea? What we're trying to do is keep the idea of seeking new money and managing the money we do have in two separate places.

MR. GROUT: As long as the federal government is the only place we're going to be seeking new funding opportunities.

EXECUTIVE DIRECTOR BEAL: I guess we can expand that to, are there other opportunities out there.

MR. GROUT: That might be good.

EXECUTIVE DIRECTOR BEAL: Okay, we'll work on that. The federal partners are very quiet in the back corner on this part; I'm not sure what that means. Is there any objection to the document as edited today going for public comment between this meeting and the winter meeting in February? Paul.

CHAIRMAN DIODATI: You're going to talk a little bit about that public comment process?

EXECUTIVE DIRECTOR BEAL: Yes. Are there any thoughts on how public comment should be solicited on this? Earlier in the summer the commissioners had contemplated having individual meetings in each state to go over this document and see what the stakeholders feel. We're willing and able to do that between now and the February meeting.

I don't know if that's the most efficient way to do it; if there is a better way to do it. At the staff level we've talked about online surveys and other tools that we can use. We can do kind of all the above if that's the right thing to do. We can do some meetings in some states that feel it will be productive. It is really up to the group. I don't know if you have any idea. Paul.

MR. DIODATI: My immediate impression is unlike a management plan that we send out to public hearing where we have options that give some focus in a public setting, we're not going to have that here. We're going say this is our strategic plan; what do you think? I think that the face-to-face meetings might be more difficult than if we just put it out as some kind of announcement that we have a draft public hearing document available for comment for the next 30 days or 60 days, whatever the period is. Hopefully, we can all post it or link it to our state sites and maybe you get enough feedback that way. That is my feeling.

MR. AUGUSTINE: Paul, you stole my thunder for a change, as usual, but it does seem that it should go on our website. The website is beautiful since it was redesigned. I do think that it will go out that way. Paul is right; we need to have another public hearing. It is an information

document; and the question I was going to ask is how many public hearings are we going to have on other species of fish between now and our spring meeting; a lot. I think the right approach is on the website and maybe a public announcement that way. Thank you.

MR. ABBOTT: I would just reiterate my support for Paul's comments, and I think a proper press release and putting it on the new website, because I couldn't envision at all of going to a public hearing on this and having anyone there but the commissioners and staff really. I just don't that we would generate especially through the winter getting people to come out and listen to this verbiage. That is just not going to happen.

DR. DANIEL: Coming from a state that just loves public meetings; I am just wondering if we might want to do exactly what you've suggested but then have an opportunity at the February meeting for the public to comment maybe at a specific time, say, before the business meeting or whatever. If it's going to be taken up for a final decision, at least announce that we would have that opportunity so if somebody is just chafing at the bit to come and talk to us about it, that would be an opportunity that they wouldn't otherwise have.

MR. ADLER: The action plan; that doesn't have to go out to public hearing, does it or does it?

EXECUTIVE DIRECTOR BEAL: No, we have not taken the action plan out in the past.

MR. ADLER: All right, I agree with everything being said here on the strategic plan hearing, whatever.

MR. GROUT: Well, I'll 'fess up this is my idea, and I'll just give you the reasons. It was about the same time that the Mid-Atlantic Council was going around doing their public comment sessions on their strategic planning. I thought it would be a good idea to at least offer the opportunity to have this kind of a presentation and get input potentially in conjunction with marine advisory committees.

Not that the general public would come, but we would offer the opportunity for the general public to come. The reason I raised my hand was actually because of what Louis said was that we're going to offer this opportunity in Alexandria; and that's something that I totally disagree with giving a one-time public opportunity for someone to come to a meeting who happens to be close.

I can guarantee you there will be nobody from New Hampshire coming to Alexandria to comment – there might be someone from Maryland or Virginia or North Carolina – while there might be people, if we had a presentation in front of our marine advisory committee, of which Ritchie is a member that will be there – you're not coming, Ritchie (laughter).

I also understand Paul's point where we could be having a bunch of public comment sessions on this where very few people would show up, but that is why I was trying to suggest that maybe we'd have it in conjunction with something that is a regularly scheduled meeting of interested parties here.

I'm trying to get us to be more open and transparent in our process here, and that is the reason I looked forward to potentially having some meetings along the coast or at least give the public an opportunity. If the body doesn't feel that is a good use of our resources, I can also understand that.

MR. GILMORE: I think when we talked about this at first, the ideal thing would be to go out, but, of course, the amount of time and effort I think was a little bit daunting. I was thinking along the same lines, Doug. We're going to have two Marine Resource Advisory Council meetings between now and the February meeting.

I was planning on putting this on that agenda so that we would have some discussion locally and hopefully we would have the three local commissions there to take comments and then we could feed that back to the bigger body. I think that will maybe be a good surrogate to getting that public comment in. Thank you.

EXECUTIVE DIRECTOR BEAL: Are there other thoughts on the public comment solicitation? I think there may be an opportunity to use some sort of web tools and surveys and even potentially a webinar-type maybe town hall meeting or something to get folks to dial in that we can explore. I don't if we'd get such a big crowd it would be unwieldy and it couldn't be done on webinar, but we might be able to.

We can maybe consider something like that as well. There are different ideas, it sounds like, about state meetings. Is the group comfortable with if a state wants to conduct their own meeting, it is something they initiate and bring it forward to their group, their state commission or council, obviously they have the ability to do that; and other than that, we'll announce it, put it on the website and put out a press release. Is that fair or does that create inefficiencies or inequities up and down the coast? Doug.

MR. GROUT: I would certainly agree with something like that. The only thing that I would ask is that maybe we could come up with – staff could come up with a standard ASMFC presentation for this that each of the states could use just so that we're putting out the same message here about this plan here.

EXECUTIVE DIRECTOR BEAL: Great; absolutely, we will do that for you and get a standard PowerPoint set up that all the states can use. Yes, that's easy. All right, is everyone comfortable with that approach? Great; we'll get a press release out soon after this meeting and let folks know they can comment.

We'll probably keep the public comment period open through the holidays and close mid-January or something like that to give folks ample time to get their letters and thoughts together and send them in. No public meeting in Alexandria – well, the public can always come to the business session so we will continue to afford them that opportunity. I think that is everything on the strategic plan. Next on the agenda, Paul, is the action plan.

**REVIEW AND CONSIDER
APPROVAL OF THE 2013 ASMFC
ACTION PLAN**

CHAIRMAN DIODATI: I believe that you or someone on staff is going to present the action plan.

EXECUTIVE DIRECTOR BEAL: Yes, Toni and Pat are coming up. The important thing about this action plan to know is it is based on the Draft Strategic Plan that you just approved for public comment. We're going to have to make a few changes in here to reflect the changes that the group just made, but overall this is a re-packaged action plan from what you folks had the last five years.

We're still working on the budget side of this; but based on our first cut and what we know about the remaining expenses for this year, it looks like we can afford to do everything that is included in this draft. The good news is we're not at the point where we're having to prioritize and cut things.

There clearly is a fair amount of unknown of what is going to go on at Capitol Hill and what is really going to come out the other end of this budget process. Assuming we stay fairly level funded for Fiscal Year 2014, which a lot of things are pointing in that direction and there may be sequestration cut that we'd have to absorb; but assuming things are fairly status quo as far as the budget goes, we should be able to afford everything that is in this document. Toni, do you mind going through Goal 1 and then we'll seek comment on that.

MS. TONI KERNS: I'm going to go through Goal 1. The commission is going to be going through a large number of stock assessments for species. I think there are seven species that are going through stock assessment workshops and peer reviews next year. Those include lobster, red drum, weakfish, sturgeon, menhaden, tautog, black drum.

The Northern Shrimp Peer Review, the SAW/SARC was delayed from December into January due to the government shutdown, so also included would be shrimp there. Some of those peer reviews will happen in 2014 while others will be happening in 2015. We also will be doing several addenda.

We will be completing Addendum IV for the glass and yellow eel fisheries and we will continue to monitor the petition to list American eel under the Endangered Species Act. We will develop an addendum to adjust the fishery effort to the size of the resource for the American Lobster Fishery in Conservation Management Areas 4, 5 and 6; and continue to develop the Lobster Trap Tag Data Base.

For Atlantic menhaden, we will be reviewing the effectiveness of Amendment 2, including the bycatch provision, the TAC, as well as the episodic event provisions. For Atlantic striped bass, we will complete an addendum to respond to the 2013 benchmark stock assessment findings. I forgot to include bluefish in that species that we are doing assessments for. For horseshoe crab, we will use the ARM Model to set the 2015 specifications.

For Northern Shrimp, we will consider a management response to the benchmark that we will receive in January. For shad and river herring, we will continue to monitor and participate in the council considerations of shad and river herring in the Squid, Mackerel, Butterfish Plan as well as the New England Council's plan.

For Atlantic croaker, we will develop the white paper and addendum to consider alternative trigger mechanism as well as for spot. For summer flounder, we will complete a management response for the summer flounder recreational working group as well as consider any changes for the commercial fishery.

In scup we will collaborate with the council to develop an addendum to address the recreational and commercial allocations as well as the commercial winter/summer allocations. We will also work with the council in the development of an addendum for allocation in the black sea bass recreational fishery.

In tautog we will initiate management discussions to respond to the assessment findings as well as in the black drum fishery. It will be peer reviewed at the same time. We will consider the findings of the Management and Science Committee's investigation on the shifting population distributions in response to

climate change as well as consider the findings of the MSC Report that identifies common resource issues. I think that is everything in Goal 1 for highlighting.

EXECUTIVE DIRECTOR BEAL: There is a pretty long laundry list of stock assessments and some pretty meaty addenda planned for next year. The Assessment and Science Committee and the Management and Science Committee feel that we have the technical resources to get all those assessments done. It is going to be a busy year but I think we can pull it off. Doug.

MR. GROUT: Toni, just a quick editorial thing on Page 2 under herring; you refer to meetings necessary to establish state effort controls for Area 1A and 1B? Addendum I allows for changes to 1B, too?

MS. KERNS: I believe it is because we just completed an addendum that allows to do days out for any of the areas; and in discussions we thought 1B because 1B has the state waters within the area, but Area 2 does not; or it only includes one state that would be affected by state waters. We didn't include Area 2, but all of the areas now allow for that provision, so that is why we included just 1B in case we needed to do it.

MR. GROUT: I understood that, but I thought we've got Area 3 that comes to the beach on Cape Cod; Area 2, New York, New Jersey, and I thought they went to state waters.

MS. KERNS: I can include Area 3. If it only had one state waters, I did not include it because it would be just that one state making those decisions; correct?

MR. GROUT: So that would mean Area 3 would not be included because it is only Massachusetts, but Area 2 had multiple states.

MS. KERNS: We'll include that.

MR. ADLER: I have no objection to what is proposed in the action plan. I did find an awful lot of – my question would be how? Page 8, 1.2, 1.3 – I'm just going to list these; I'm not going to go into detail – Page 14, 2.3; Page 15, 2.4.5;

and Page 19, 4.1, which is very important, by the way, and I think they should be in here; but as I read all of them, I kept saying, okay, that is fine, so we've got an action, and I don't know how we're going to accomplish those particular ones.

I just wanted to editorialize and say that; that on those particular issues, I have no problem with them, but it is almost like, ha, ha, yes, really, how? The question was, well, how do you plan to really do any action on those. I'll just leave it there and I'm sure those numbers you can look at and see what I'm talking about. Thank you.

EXECUTIVE DIRECTOR BEAL: Bill, I think a lot of those have to do with partnerships. I didn't get your whole list; you were going pretty fast, but the ones I did catch I think they were partnerships with federal agencies. I think the notion there is continue to work with our federal partners and strengthen things as much as possible and hopefully we're all pushing in the same direction and not tripping over each other. Bill.

MR. ADLER: Don't get me started. The partnership on the federal side, you know, a little give, a little take here and not we're going to work with them – in other words, we're going to adopt everything they want.

EXECUTIVE DIRECTOR BEAL: Fair enough. Are there other comments? Bill.

MR. WILLIAM J. GOLDSBOROUGH: I was going to bring this up at the Menhaden Board; but it seems like it ought to be included here if we're going to do it in the next year. With the adoption of Amendment 2, we considered some sector reallocations. Currently it is 80 percent reduction, roughly, and 20 percent bait industry.

We considered 70/30 and 60/40 and discussed that and we made a conscious decision to not attempt to a reallocation at that juncture but instead to, at some point in the near future, undertake a more methodical facilitated process I think for considering other allocation schemes between those sectors. It seems to me if we're making plans for the whole next year we ought to be getting that process started. Can we add a task to that effect?

EXECUTIVE DIRECTOR BEAL: I'm going to the Menhaden Section right now. Toni, go ahead.

MS. KERNS: The amendment says that we will reconsider the allocation three years down the road. In Task 1.1.9 on Page 2 and 3 it does say that we will review the effectiveness of Amendment 2 including the TAC provision, so we will be looking at the TAC and providing a good look at that. I think that we will have a little further discussion of that at the menhaden meeting as well. I'm not sure if it would be a facilitated review or not, but I will turn to Bob for that portion.

EXECUTIVE DIRECTOR BEAL: Well, Bill, I think you're right; this is probably going to come up under discussion during the Menhaden Board today. Are you comfortable with having the Menhaden Board decide where they want to go; and then if changes are needed here, we can reflect those after the Menhaden Board meeting? MR. GOLDSBOROUGH: It sounds good; thank you.

EXECUTIVE DIRECTOR: Are there other suggestions or comments on Section 1, which is essentially the stock assessment and fishery management part of what the commission is going to do in 2014? Seeing none; I'll ask Pat to go through Goal Number 2.

MR. PATRICK A. CAMPFIELD: Goal 2 describes the commission's fishery science activities. I will hit some of the highlights including coordinating the peer reviews for a number of those stock assessments that will be completed in 2014, including tautog, black drum, lobster, menhaden through the SEDAR process; and shrimp and bluefish through the SARC process.

We will also pursue the development of some new fishery-independent monitoring; for example, eel surveys that cover all life stages, as well as bluefish coast-wide monitoring. Moving on to Task 2.2.5 and 6; those cover the northeast and southeast monitoring programs, NEAMAP and SEAMAP.

A couple of the highlights there include conducting a NEAMAP On-Board Catch Processing Workshop to essentially gather the survey leads from all the state trawl surveys as well as the NEAMAP Mid-Atlantic Survey to compare and hopefully develop consistent catch processing methods. Also under NEAMAP, take advantage of the opportunity and hopefully find the resources for NEAMAP to sample horseshoe crab off of Delaware Bay to try to pick up some of the gap left from the Horseshoe Crab Trawl Survey.

Under recreational fisheries data collection, we have a task to determine the appropriate roles of the commission and ACCSP in potentially conducting the intercept survey in the Atlantic states. Also, Laura and I have been working with the NOAA Fisheries Service to set up a 2014 Recreational Saltwater Fishery Summit, which will be held in April in the Washington area.

Under fish aging, we usually conduct one workshop per year to have consistent methods among the states. The Fisheries Service in 2014 will do summer flounder and scup. Moving down under Strategy 2.3, we will start a new activity working with Tina to conduct Fishery Science 101 Webinars to increase stakeholder and public understanding of science principles and concepts, to better understand stock assessment results.

A specific activity related to eel is that we plan to co-sponsor an American Eel Stock Assessment Methods Symposium at the 2014 American Fishery Society Meeting. Finally, as Toni alluded to, both the Management and Science and the Assessment Science Committee will be working on common resource issues across the states; things like protected species interactions, bycatch in different fisheries, and also completing the climate change stock shift distribution investigation and hopefully having some answers for you and for the Policy Board in the spring of 2014.

EXECUTIVE DIRECTOR BEAL: Are there questions on Section 2, which is the science, data collection and peer review section of the action plan? Seeing none; everyone is

comfortable with that workload and those projects? Lauren.

MR. LOREN W. LUSTIG: Thank you for that report. You did mention briefly the Recreational Fishing Summit, I believe you said. I think you said April 2014; is that correct? Do you have an advanced list of dates that would be so we could put it onto our schedule; and is ASMFC going to be co-sponsoring that summit?

MR. CAMPFIELD: We're working together with NMFS to put that together. It is a national summit. There was an initial summit in 2010. I think the dates are April 1st or 2nd or thereabouts. We don't have everything completely finalized here a few months out, but roughly that week in early April.

MR. FEIGENBAUM: You mentioned co-sponsoring the stock assessment workshop for eels at the 2014 AFS Meeting. Do you know at this point who your co-sponsor partners are going to be?

MR. CAMPFIELD: We do not. We are looking for other sponsors. We know that similar conversations are going on with the Fish and Wildlife Service. Also, DFO likely will be involved. The point is to get the latest on eel assessment methods but hopefully head towards a joint U.S./Canada assessment if everyone is on the same page.

EXECUTIVE DIRECTOR BEAL: Are there other questions or comments on Goal 2? Seeing none; I'll ask Toni to do Goal Number 3, compliance.

MS. KERNS: As Bob just said, Goal 3 is compliance which deals with the activities of our Law Enforcement Committee. Many of these strategies and tasks have not changed from last year. We will continue to ensure that the input of the LEC is seen throughout the management process on the enforceability of management options that are being proposed in FMPs, amendments and addenda.

New to these tasks is providing a forum to promote interjurisdictional enforcement options, targeting specific fishery resources. I guess I

shouldn't say new, but continuing with what enforcement issues we're seeing with eel, looking at the compliance of striped bass with the new measures that we put in place last year in the commercial fishery with the tagging, as well as providing feedback to National Marine Fisheries Service as additional electronic monitoring technologies are considered and adopted.

And then highlighting the outcomes of law enforcement investigations, including penalties and fines through various outreach tools such as the website, different social media, press releases and fact sheets. We would also be reporting on enforcement issues associated with differing federal interstate regulations using social media and timely press releases and providing a forum for the enforcement agencies to display successful development and use of enforcement technologies.

EXECUTIVE DIRECTOR BEAL: Are there questions or comments on Goal 3, compliance? Seeing none, Toni, can you do habitat.

MS. KERNS: I would love to go through the Habitat Section. Again, Goal 4 is habitat and also where we keep the strategies for the home for ACFHP. The Habitat Committee in 2014 will be drafting a Sciaenid Source Document. We will also be developing the next installment of the Habitat Management Series, which is the nearshore and estuarine aquaculture. We will serve as the point of contact and information and conduit at the commission for energy-related issues affecting fish habitat.

We will continue to provide the coordination and support for ACFHP. We will use social media to connect with regional and local decision-makers on habitat issues and work with the state and federal agencies, councils and non-governmental organizations to build in existing efforts to develop a coast-wide GIS of habitat resources to identify important fish habitat for commission-managed species as defined in the ACFHP Species Habitat Matrix.

We will also revise the habitat sections of the FMPs as they are made to include recommendations to mitigate climate change

impacts on habitat and identify any inconsistencies in the state coastal regulatory planning programs and develop recommendations for improvements to the Policy Board. Are there any questions?

MR. ADLER: This is a very important one. Once again, this was on my "how" list. We don't have anything like the federal government has a central fish habitat which at certain times can actually come into play not against the fishing part; but when other projects or something try to get done, the Essential Fish Habitat Section kicks in and they can't do it, basically, or they can't get the permits. Do we have teeth like that? I mean, you come up with whatever you come up with in this thing and then what happens?

MS. KERNS: Bill, we don't have the same teeth as the federal law has for essential fish habitat; but as our Habitat Committee revises the habitat plans, like we have the one out for public comment in lobster, it does identify what – I think the language that we're using is critical habitat. It is either critical or they're saying essential fish habitat; I'm not a hundred percent sure.

We trying to provide it so that you can use that with your state agencies to say, okay, for this lobster you need these habitats. We can't say you cannot go there like the federal government can, but that is the hope that our plans are helping the states in that way.

MR. GOLDSBOROUGH: I can't resist the opportunity to follow up on Bill's comment – having spent a few years on the Habitat Committee – and remind folks that the teeth, quote/unquote, that we might have, that the Habitat Committee has long considered the Holy Grail, would be to have certain identified habitat measures be compliance measures in commission FMPs. The commission has never seen the wisdom in doing that; but just to respond to Bill, we might need to reconsider it if he really wants to push the matter.

EXECUTIVE DIRECTOR BEAL: You've got a new advocate, Bill; the two Bill's are teaming up. Are there any other comments on the

Habitat Section? Seeing none; I'll go through Goals 5 and 6 fairly quickly. Goal 5 is essentially a lot of the work that Tina does in the outreach arena. Fisheries Focus; we'll continue to publish that bimonthly.

Promote the website; use the new website, I think we got a lot of positive feedback on the new website, so we'll evaluate how well that is working; are folks using it; are they able to find everything that they're looking on the new website; attendance at tradeshows; developing metrics to evaluate how well we're doing with the outreach efforts that the commission has. Participating with the New England and the Mid-Atlantic Council Marine Resource Education Program; that is a council member and stakeholder education program that they have; and we highlight what ASMFC does.

We will put together our Annual Report to Congress, highlighting the progress that the commission has made in stock status for all our species. We're going to work to reinvigorate some of the advisory panels. Some of the membership has gotten a little stale; and, frankly, some groups haven't met for a while so we need to make sure those folks are still interested and still able to participate in our advisory panel processes.

Toward the end of Strategy 5.4 is social media. We're going to branch out into Facebook and Twitter and U-tube and Instagram. At least that is what folks tell me because I'm not sure what that means, but I think we're going to hire 16 year old to do all this stuff. I think those are new quicker ways to get the word out on what the commission is doing.

They're going to be new effective ways of highlighting what happens at these meetings and in between the meetings and highlighting public comment opportunities and other things that the commission does. That is hitting the highlights and we will continue to do all of our press releases and everything else as we've always done for these meetings. That is the outreach, Goal Number 5; any questions or comments or additional tasks we should include there?

REPRESENTATIVE MINER: Not that I'm an expert in any of those things that you just said; I have been – because of my involvement in the legislature, I have just become aware that there seems to be an inordinate amount of time dealing with that sort of effort because you get engaged in the response. If you put the information out on a website, people can make a comment, but you don't feel compelled to debate. I would just I guess offer that as hopefully a constructive comment that if it does become too time-consuming for someone, maybe to review it.

EXECUTIVE DIRECTOR BEAL: I think that is a fair caution. It is an area where the public can come back at you with questions and comments and feedback that may not be constructive and may not be the best use of someone's time, so we'll have to evaluate that. Tina can work on that and decide – if we are getting sort of inundated with debates that aren't productive, Tina, I'm sure, will let us all know and we'll figure out what to do with those folks.

Are there other comments for Goal 5 Outreach? Not seeing any; Goal 6 is essentially the Legislative Initiative for the commission. A lot of this is focused at the federal level. It is meetings with me and folks on Capitol Hill. It is creating opportunities for commissioners to go up on the Hill and meet the delegation in offices; highlighting the needs of ASMFC and the member states.

Obviously, seeking funding is one of the key things that we do up there through the Atlantic Coastal Act, Interjurisdictional Fisheries Act, and there are some others that have not been funded in a number of years that we may seek to get involved with; the Diadromous Species Act, Anadromous Act and those sorts of things.

We're going to keep working with the Pacific States Fisheries Commission and the Gulf States Fisheries Commission. I think putting the three commissions together and going up to Capitol Hill and engaging the National Marine Fisheries Service as a group of coastal states from around the country I think has been a very effective way to highlight the needs and wants of the

commission or all three commissions, actually. We will continue to do that.

We will continue to create opportunities for commission members around this table to meet with folks on Capitol Hill when you're in Alexandria at the winter and spring meeting. The summer meeting is pretty much recess time so there is not a lot going on in Capitol Hill, so that is probably not the most productive time.

One of the things that we've spent a lot of time on is justifying that ASMFC and the member states are a very efficient use of federal dollars. I think the total Atlantic Coastal Act funding of 7.5 or 7-1/4 million dollars goes a long way for what you folks do with that, so we convey that message and tell that story every chance we get up on the Capitol Hill. It seems to be pretty well received.

In here is coordinating with NOAA Fisheries on issues of mutual concern on Capitol Hill as well. I think if all the fishery managers all push in the same direction and highlight the importance of fisheries management, it helps everybody. The other main portion of Goal 6 is tracking federal legislation and engaging in that.

The Magnuson-Stevens Act is up for reauthorization right now. We've heard the first draft of that may actually come out from the Senate side this week or next week, so there might be something to chew on there. We will continue to engage on that. Once there is draft language out, we'll engage the commissioners and see what your feedback is on the direction of that document and what the ASMFC position should be on the issues included there.

We will continue to serve on MAFAC and MARFIN and other groups that we serve on that are national level bodies that highlight fishery management needs. Strategy 6.5 is again highlighting the return on investment that is made by funding ASMFC and its member states. That is our federal legislative initiative. Are there any questions on Goal 6? Seeing none, the final goal, Goal 7, Laura.

MS. LAURA C. LEACH: Goal 7 is our fiscal and administrative goal of the strategic plan.

Most of the tasks are ongoing so I'm not going to go through them, but I will point out Task 7.1.7 is that we intend to pay off within the fiscal year the remaining balance on the floating portion of our office mortgage, which will have us in very good shape for the next seven years to pay off the loan within the ten years that we had originally set out, and then we will be free and clear and own that office space outright.

The other one I want to point out is 7.5, that is kind of our legal strategy where we're working on the FOIA potentially and see if we need to develop one of those as well as 501(c)3 and strengthening the commission's conflict of interest policy. Other than that, it is pretty much ongoing. Are there any questions? Great; thank you.

EXECUTIVE DIRECTOR BEAL: That's it for the action plan. I guess the hardest question always is, is there anything we missed in this? I think it is fairly comprehensive and a fair amount of work. The commission always has some flexibility within the year to adjust priorities as issues arise. Is there anything else on the action plan? Seeing none, Paul, I guess the question before the body is does the group approve the 2014 action plan?

I guess it would be conditional approval because it is linked to the strategic plan and you folks may change the wording of the strategic plan somewhat through the final approval at the February meeting and we'd reflect those changes in this document.

CHAIRMAN DIODATI: **I don't think we need a motion, Pat; but if there is no objection, I will consider the action plan conditionally approved.** Is there any objection to that? You're all good with that? I want to thank Bob and the senior staff for those presentations. We've somehow made up a lot of time and we're exactly at 2:45 where we're supposed to adjourn. Is there any other business? I guess if most of the commissioners are available here or in other meetings that are about to get out, I guess Laura would like to have us gather somewhere to do our annual picture. Without objection, I'll consider this meeting adjourned.

(Whereupon, the meeting was adjourned at 2:45 o'clock p.m., October 28, 2013.)

OCTOBER 30, 2013

The Business Session of the Atlantic States Marine Fisheries Commission convened in the Lanier Ballroom of The King and Prince Beach & Golf Resort, St. Simons Island, Georgia, October 29, 2013, and was called to order at 6:00 o'clock p.m. by Chairman Paul Diodati.

ELECTION OF CHAIR AND VICE-CHAIR

CHAIRMAN DIODATI: We are going to immediately begin the business session. I'm going to do that by turning over to Bob, who is going to conduct I think the one piece of business that the business session has, which is election of officers.

EXECUTIVE DIRECTOR BEAL: I will call on Mr. Travelstead for a report from the Nominations Committee.

MR. JACK TRAVELSTEAD: Mr. Chairman, over the last several weeks the Nominating Committee, consisting of Mr. Dennis Abbott and Dr. Malcolm Rhodes and myself, made contact with I believe all of the commissioners from the various states to determine interest in serving either as chair or vice-chair. **We have completed that process and are prepared to nominate Dr. Louis Daniel for commission chair.**

EXECUTIVE DIRECTOR BEAL: Since it is from a nomination committee, it does not need a second. **All those in favor of Louis Daniel becoming the next chairman of the Atlantic States Marine Fisheries Commission please raise your right hand; votes in opposition like sign; abstentions; null votes. Seeing none, Louis, you stand elected as chair unanimously.** Congratulations. (Applause)

DR. DANIEL: Thank you and I will do my best, I promise you that. I want to take this opportunity to thank Paul. He has been an awesome chairman and mentor through this and

has involved me every step of the way. He has gotten these commissioners more involved in various aspects of the roles. Paul did a yeoman's job as the chairman and I personally just want to tell you thank you, and you're leaving some big shoes to fill. (Applause)

EXECUTIVE DIRECTOR BEAL: Paul, before I go back to Mr. Travelstead for the nominations for vice-chair, I want to present a small token of the appreciation of all the commissioners and the staff for the last two years. It is a clock to thank you for the last two years and hopefully you can share some good memories and watch the next two years go by and keep an eye on Louis.

CHAIRMAN DIODATI: Well, thanks, and, Louis, I think you're going to have an easy time of it because you've got great people to work with. I encourage everyone to take part in the leadership of the commission if you have that opportunity. It is really rewarding. I'm involved in many fisheries' groups throughout the region and this is the preeminent group. There is no question about it. I think we've got to get together with the Pacific Commission and the Gulf and the Great Lakes and become even stronger in the future. Thank you, everybody, it has been a pleasure. (Applause)

EXECUTIVE DIRECTOR BEAL: Mr. Travelstead.

MR. TRAVELSTEAD: **For the position of vice-chair we nominate Mr. Doug Grout.**

EXECUTIVE DIRECTOR BEAL: Again, since it is from a committee, it does not need a second. All those in favor of Doug Grout becoming the commission's next vice-chair please raise your right hand; like sign in opposition; any abstentions or null votes. **Seeing none; Doug Grout stands elected unanimously as the next vice-chair of the Atlantic States Marine Fisheries Commission.** (Applause)

MR. GROUT: I thank you for your confidence and I hope to follow in the tall shoes that Louis Daniel will set up for us.

ADJOURNMENT

EXECUTIVE DIRECTOR BEAL: I think that's it. Louis, as the chair is there anything else to come before the business session this afternoon.

DR. DANIEL: No. (Laughter)

EXECUTIVE DIRECTOR BEAL: You're already doing a very good job.

(Whereupon, the meeting was adjourned at 6:05 o'clock p.m., October 30, 2013.)