

PROCEEDINGS OF THE
ATLANTIC STATES MARINE FISHERIES COMMISSION
SUMMER FLOUNDER, SCUP AND BLACK SEA BASS MANAGEMENT BOARD

The Westin Crystal City
Arlington, Virginia
May 3, 2018

Approved August 8, 2018

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Consider the ISFMP Policy Board Recommendation Regarding Massachusetts, Rhode Island,
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1. **Approval of agenda** by consent (Page 1).
2. **On behalf of the Policy Board, stemming from the resolution of the appeal to Addendum XXX submitted by the states of MA, RI, CT, and NY, move to: 1) approve the 2018 recreational black sea bass regulations and make the necessary changes to Addendum XXX consistent with these regulations; 2) develop a new action for the 2019 recreational fishery to address the changes in black sea bass abundance and distribution that consider management based on the distribution of the resource along with any other options recommended by the Management Board; 3) task the plan development team to develop a white paper that would identify the actions of considering the changes in the black sea bass abundance for future commercial and recreational management actions** (Page 1). Motion by Pat Keliher on behalf of the ISFMP Policy Board. Motion carried (2 abstentions – NOAA and USFWS; one null – NC) (Page 2).
3. **Move to adjourn** by consent (Page 2).

ATTENDANCE

Board Members

| | |
|--|--|
| Pat Keliher, ME (AA) | Joe Cimino, NJ, proxy for L. Herrightly (AA) |
| Steve Train, ME (GA) | Tom Fote, NJ (GA) |
| Doug Grout, NH (AA) | Adam Nowalsky, NJ, proxy for Asm. Andrzejczak (LA) |
| Dennis Abbott, NH, proxy for Sen. Watters (LA) | Roy Miller, DE (GA) |
| Nichola Meserve, MA, proxy for D. Pierce (AA) | John Clark, DE, proxy for D. Saveikis (AA) |
| Raymond Kane, MA (GA) | Roy Miller, DE (GA) |
| Rep. Sarah Peaks, MA (LA) | Craig Pugh, DE, proxy for Rep. Carson (LA) |
| Bob Ballou, RI (Chair) | Mike Luisi, MD, proxy for D. Blazer (AA) |
| David Borden, RI (GA) | Russell Dize, MD (GA) |
| Eric Reid, RI, proxy for Sen. Sosnowski (LA) | Ed O'Brien, MD, proxy for Del. Stein (LA) |
| Pete Arrestad, CT (AA) | Rob O'Reilly, VA, proxy for S. Bowman (AA) |
| Matt Gates, CT, proxy for Sen. Miner (LA) | Chris Batsavage, NC, proxy for S. Murphey (AA) |
| Jim Gilmore, NY (AA) | Mike Blanton, NC, proxy for Rep. Steinburg (LA) |
| Maureen Davidson, NY, Administrative proxy | Mike Ruccio, NMFS |
| Emerson Hasbrouck, NY (GA) | Marty Gary, PRFC |
| John McMurray, NY, proxy for Sen. Boyle (LA) | Wilson Laney, USFWS |

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

Ex-Officio Members

Staff

| | |
|--------------------|----------------|
| Robert Beal | Caitlin Starks |
| Toni Kerns | Jessica Kuesel |
| Kirby Rootes-Murdy | |

Guests

The Summer Flounder, Scup and Black Sea Bass Management Board of the Atlantic States Marine Fisheries Commission convened in the Jefferson Ballroom of the Westin Hotel, Arlington, Virginia, May 3, 2018, and was called to order at 10:50 o'clock a.m. by Chairman Bob Ballou.

CALL TO ORDER

CHAIRMAN BOB BALLOU: I would like to call the Summer Flounder, Scup and Black Sea Bass Management Board to order. My name is Bob Ballou; I have the honor of serving as Board Chair.

APPROVAL OF AGENDA

CHAIRMAN BALLOU: We have a brief agenda for this meeting; and we plan to move through it quickly. Item 1 is actually what I just did, which is Welcome and Call to Order.

Item 2 is Board Consent of the Agenda. Are there any recommended modifications to the agenda? Seeing none; is there any objection to approving the agenda as proposed? Seeing none; the agenda as proposed stands approved by consent,

PUBLIC COMMENT

CHAIRMAN BALLOU: And we're on to Item 3, which is Public Comment. Is there anyone from the public who would like to address the Board on any issue that is not on the agenda?

CONSIDER THE ISFMP POLICY BOARD RECOMMENDATION REGARDING MASSACHUSETTS, RHODE ISLAND, CONNECTICUT, AND NEW YORK ADDENDUM XXX APPEAL

CHAIRMAN BALLOU: Seeing no hands; we'll move on to Item 4, which is Consider the ISFMP Policy Board Recommendation Regarding Massachusetts, Rhode Island, Connecticut, and New York Addendum XXX Appeal if Necessary, and it is necessary. This would be a final action. We have a motion that will be offered by, I

believe Pat Keliher, on behalf of the Policy Board. At this point I would offer the floor to Mr. Keliher for that motion.

MR. PATRICK C. KELIHER: On behalf of the Policy Board, stemming from the resolution of the appeal to. It's a vote, I feel like I'm at the Legislature. Thank you, Mr. Chairman. **On behalf of the Policy Board, stemming from the resolution of the appeal to Addendum XXX, submitted by the states of Massachusetts, Rhode Island, Connecticut, and New York.**

I move to 1) approve the 2018 recreational black sea bass regulations; and make the necessary changes to Addendum XXX consistent with these regulations, and 2) develop a new action for the 2019 recreational fishery to address the changes in black sea bass abundance and distribution that consider management based on the distribution of the resources, along with any other options recommended by the Management Board; 3) task the Plan Development Team to develop a white paper that would identify the actions of considering the changes in the black sea bass abundance for future commercial and recreational management actions.

CHAIRMAN BALLOU: Thank you; this does not need a second, because it comes from the Policy Board, and so it is now before the Summer Flounder, Scup, and Black Sea Bass Board for discussion. Is there any discussion on the motion? Adam Nowalsky.

MR. ADAM NOWALSKY: Just from a timeframe and procedural perspective of what we would need to do today. I would hope that some of the actions already taken by the management board earlier this week, indicating that there is already a desire by this Board to pursue that revised recreational management. I would think that the discussions with the PDT would not require us initiate specific actions today; but that they would be ongoing and we would report back presumably at the summer meeting.

CHAIRMAN BALLOU: Thank you that does seem consistent with the intent of the motion. Is there any further discussion on the motion? Is the Board ready for the question? If so, is there any need to caucus? Seeing no need; I will call the question. I don't want to rush this too fast. But I don't see any indication to the contrary.

I will call the question. All in favor of the motion please raise your hand. I'm sorry, I'm going to rescind what I just said, and because this is a final action it would need a roll call vote, unless there is no objection. Is there any objection to the motion? I'm sorry, Mr. Batsavage.

MR. CHRIS BATSAVAGE: No objection, Mr. Chairman, but we're going to null on this one as well.

CHAIRMAN BALLOU: Thank you that's fine. Is there any other comments or objection? I'm sorry, Mike Ruccio.

MR. MIKE RUCCIO: We wouldn't object to the motion. We would likely abstain, and I know that one of the concerns that people had raised during the Policy Board is what the Service will do in terms of the backstop provisions. It is our understanding that we're going to get a letter from the Commission that kind of outlines that this action has been taken; and that the measures that states will be implementing are consistent, and they're designed to achieve the RHL. I think we're wholly supportive of that. But to not kind of bias our decisions making process, we'll abstain I think at this point.

CHAIRMAN BALLOU: Mike Luisi.

MR. MICHAEL LUISI: We were all in the room a half an hour ago when we saw what is being referenced here regarding the point under Number 1, Approve the 2018 Recreational Black Sea Bass Regulations. But I just wonder for the purpose of transparency and making sure that we're complete in our discussion here.

That we put that table that we're all referencing in this motion just up on the screen for a moment, so that if anyone was not in the room when the Policy Board discussed this that they can at least get a visual about what is being suggested, as the agreement and the compromise that we discussed just a little while ago.

CHAIRMAN BALLOU: Excellent point. That visual is now up on the board. It is embedded, if you will, within the motion that these are the regulations that this Board is now approving. Is there any further discussion? Yes.

DR. WILSON LANEY: The Fish and Wildlife Service also would abstain on the vote.

CHAIRMAN BALLOU: At this point there is no objection. **There are two abstentions and one null vote; as I understand it. Is that an accurate reflection of the Board's vote on this issue? No objection, two abstentions from the NOAA Fisheries and the U.S. Fish and Wildlife Service, one null vote from the State of North Carolina. Therefore the motion carries; and we are on to other business.**

ADJOURNMENT

CHAIRMAN BALLOU: Is there any other business to be brought before this Board? Seeing no hands; is there any objection to adjourning? Seeing no hands we are adjourned, thank you very much.

(Whereupon the meeting adjourned at 10:57 o'clock p.m. on May 3, 2018)