

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

October 19, 2000
Adam's Mark Hotel
Clearwater Beach, Florida

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The Business Session of the Atlantic States Marine Fisheries Commission convened in the Ballroom of the Adam's Mark Hotel, Clearwater Beach, Florida, October 19, 2000, and was called to order at 1:55 o'clock p.m. by Chairman David V.D. Borden.

CHAIRMAN DAVID V.D. BORDEN: We'll move directly into the business section. I will ask Jack Dunnigan to call a roll.

(Whereupon, the roll call was taken by Executive Director John H. Dunnigan.)

EXECUTIVE DIRECTOR JOHN H. DUNNIGAN: Mr. Chairman, 12 of the 15 states are represented at the table and you have a quorum.

CHAIRMAN BORDEN: All right, thank you very much, Jack. let me just cover the items that I have on my agenda which is a report of the Policy Board, take up the issue of Rhode Island non-compliance, which I've asked Susan to initiate.

Once again, I will not vote on that because of my self-imposed rule on that issue. We'll also take up the case of South Carolina. And then we'll heard a report on resolutions, a report on the Nominating Committee.

We will conduct elections. I would like to make a few brief comments as the departing chair and then we will adjourn. I would imagine we can get through this relatively quickly.

Susan, the Rhode Island Lobster Non-compliance.

MS. SUSAN SHIPMAN: Okay, thank you, Mr. Chairman. While the motion is being projected on the Board, I just want to take this opportunity to welcome the chairman of the South Atlantic Council, Fulton Love, who is an observer with us today. And we're glad to have Fulton with us.

And, also, while we're still waiting for the projection, I just want to take the opportunity, once again, to those of you who I've not spoken with, to thank you very much for the David H. Hart Award.

I can't begin to tell you how much that means to me. I sincerely appreciate that honor and I want to thank the Hart Committee, in particular, for that.

On behalf of the Policy Board, I would move that the Commission determine that the state of Rhode Island is out of compliance with the provisions of Amendment 3 to the American Lobster Fishery Management Plan in that it has failed to implement and enforce a required provision of the Fishery Management Plan, specifically the requirement to establish non-trap gear limits of 100/500 lobster possession limit; and that to come back into compliance, the state of Rhode Island must reinstate the said possession limits.

I believe everybody was here for the discussion earlier. Is there any further discussion or comment on this motion? Seeing no discussion, I will ask that the Executive Director take a roll call vote.

EXECUTIVE DIRECTOR DUNNIGAN: Thank you, Madam Chair. State of Maine.

MAINE: Yes.

EXECUTIVE DIRECTOR DUNNIGAN: New Hampshire.

NEW HAMPSHIRE: Yes.

EXECUTIVE DIRECTOR DUNNIGAN: Massachusetts.

MASSACHUSETTS: Yes.

EXECUTIVE DIRECTOR DUNNIGAN: Rhode Island.

RHODE ISLAND: Abstain.

EXECUTIVE DIRECTOR DUNNIGAN: Connecticut. (No Response) New York.

NEW YORK: Yes.

EXECUTIVE DIRECTOR DUNNIGAN: New Jersey.

NEW JERSEY: Yes.

EXECUTIVE DIRECTOR DUNNIGAN: Pennsylvania. (No Response)
Delaware.

DELAWARE: Yes.

EXECUTIVE DIRECTOR DUNNIGAN: Maryland.

MARYLAND: Yes.

EXECUTIVE DIRECTOR DUNNIGAN: Virginia.

VIRGINIA: Abstain.

EXECUTIVE DIRECTOR DUNNIGAN: North Carolina.

NORTH CAROLINA: Yes.

EXECUTIVE DIRECTOR DUNNIGAN: South Carolina.

SOUTH CAROLINA: Yes.

EXECUTIVE DIRECTOR DUNNIGAN: Georgia.

GEORGIA: Yes.

EXECUTIVE DIRECTOR DUNNIGAN: Florida. (No Response) Madam Chair, there are
10 yeases and 2 abstentions.

MS. SHIPMAN: Okay, the motion carries with 10 in the affirmative, 2
abstentions.

CHAIRMAN BORDEN: All right, thank you, Susan. Could I have the next motion,
please, dealing with South Carolina.

I move on behalf of the Policy Board that the Commission withdraw it's
determination of non-compliance for South Carolina with the Shad and River
Herring FMP in that South Carolina has met the 10-fish creel limit compliance
requirement of the FMP for all its water sheds except one; and this one water
shed has met the 10-fish creel limit compliance requirement through the
imposition under state law of management measures which provide for
conservation equivalency.

So I so move on behalf of the Policy Board. It does not require a second. Any
discussion on that? All right, Jack, would you please take a roll.

EXECUTIVE DIRECTOR DUNNIGAN: Thank you, Mr. Chairman. Maine.

MAINE: Yes.

EXECUTIVE DIRECTOR DUNNIGAN: New Hampshire.

NEW HAMPSHIRE: Yes.

EXECUTIVE DIRECTOR DUNNIGAN: Massachusetts.

MASSACHUSETTS: Yes.

EXECUTIVE DIRECTOR DUNNIGAN: Rhode Island.

RHODE ISLAND: Yes.

EXECUTIVE DIRECTOR DUNNIGAN: Connecticut. (No Response)
New York.

NEW YORK: Yes.

EXECUTIVE DIRECTOR DUNNIGAN: New Jersey.

NEW JERSEY: Abstain.

EXECUTIVE DIRECTOR DUNNIGAN: Pennsylvania. (No Response)
Delaware.

DELAWARE: Yes.

EXECUTIVE DIRECTOR DUNNIGAN: Maryland.

MARYLAND: Yes.

EXECUTIVE DIRECTOR DUNNIGAN: Virginia.

VIRGINIA: Yes.

EXECUTIVE DIRECTOR DUNNIGAN: North Carolina.

NORTH CAROLINA: Yes.

EXECUTIVE DIRECTOR DUNNIGAN: South Carolina.

SOUTH CAROLINA: Yes.

EXECUTIVE DIRECTOR DUNNIGAN: Georgia.

GEORGIA: Yes.

EXECUTIVE DIRECTOR DUNNIGAN: Florida. (No Response) Mr. Chair, there are 11
votes in favor and 1 abstention.

CHAIRMAN BORDEN: Eleven votes in favor; one abstention; the motion carries
unanimously.

The next item of business is the report of the Resolutions Committee, David
Cupka.

MR. DAVID CUPKA: Thank you, Mr. Chairman. Your Resolutions Committee, consisting of John Nelson, Damon Tatem, Brian Culhane and myself met this week and we have three resolutions for your consideration. And I'm assuming you'll want those read into the record?

CHAIRMAN BORDEN: Please.

MR. CUPKA: All right, the first one deals with the National Marine Fisheries Service:

The Atlantic States Marine Fisheries Commission and the Gulf States Marine Fisheries Commission, the Commissions meeting jointly in honor of a new millennium of interstate coastal fisheries cooperation do mutually resolve as follows:

Whereas, the states along the Atlantic Ocean and Gulf of Mexico coast from Maine through Texas work together in close partnership to promote and protect the valuable marine fishery resources that they share with their sister states; and

Whereas, these states share public trust responsibilities for these resources not only with each other but also with the federal government; and

Whereas, the National Marine Fisheries Service of the Department of Commerce is one of the principal agencies in the federal government with significant expertise and responsibility for working with the states to secure the public interests in coastal fisheries, carries out comprehensive programs for the conservation and management of marine fisheries, is a leader in the international effort to understand and protect marine fishery resource populations, maintains a strong commitment to the conservation of the aquatic environment and has a long history of dedicated commitment to working with its state partners; and

Whereas, the programs of the National Marine Fisheries Service, including fisheries research, law enforcement and statistics have made and are continuing to make substantial contributions to the management, restoration, recovery and sustainability of coastal fisheries resources; and

Whereas, the five Regional Fishery Management Councils in the Atlantic and Gulf areas carry out the responsibility for cooperative regulatory planning for marine fisheries, work closely with the states and provide an opportunity for fisheries constituencies to participate in the decisionmaking that governs marine fisheries; and

Whereas, the National Marine Fisheries Service is a full partner with the states in efforts to improve our common understanding of fisheries and fishery resources through cooperation in the development and implementation of fisheries statistics programs and serves the Commissions in numerous management, scientific and technical capacities; and

Whereas, it is essential to the success of cooperative interstate coastal fishery conservation and management that the National Marine Fisheries Service and the Regional Fishery Management Councils be effective and vital partners in

anticipating, addressing and solving the critical problems being faced in securing the public trust in coastal fishery resources.

NOW THEREFORE, BE IT RESOLVED, that the Atlantic States Marine Fisheries Commission and the Gulf States Marine Fisheries Commission do strongly urge the following principles and commitments upon the first leaders of the United States government elected by the people in the new millennium; namely, upon the new Administration that will take office in January, 2001, upon the Transition Team that will prepare the way for the new Administration and upon the 107th Congress:

That the United States and its governmental leaders recognize the essential and critical partnership between the states, the National Marine Fisheries Service and the Regional Fishery Management Councils in the conservation and management of the valuable coastal fisheries resources of this Nation;

That the Administration and Congress seek actively to strengthen the policies and programs of the National Marine Fisheries Service that support the states and recommit to the traditional strong partnership between the states and the federal government on coastal and marine fisheries; and

That the Administration and Congress provide the National Marine Fisheries Service and the Regional Fishery Management Councils with the funding essential to build and maintain sustainable coastal and marine fisheries, including conservation and management operations, research, statistics, habitat and law enforcement in order to secure the public trust in coastal fisheries resources.

And on behalf of the Committee, Mr. Chairman, I would so move.

CHAIRMAN BORDEN: All right, a motion has been made. It does not require a second. Jack Dunnigan.

EXECUTIVE DIRECTOR DUNNIGAN: Thank you, Mr. Chairman. My comments pertain to both this motion and to the next one. As we're all aware, in two and a half weeks we will all go vote.

There will be a new Congress next year. There will be a new President. And there will be, over the next four months, a transition and a Transition Team.

I would like, on your behalf, to be able to move assertively and establish the position of the states that it's necessary that our federal partners be given everything that they need to be constructive and fully functioning.

And right now I think we see a lot of parts of their programs, both from a policy standpoint as well as from a fiscal standpoint, where they are inadequate. And we want to be able to try to protect them.

So both Commissions are now passing these resolutions, I hope. The Gulf States Marine Fisheries Commission approved both of them this morning. They will be joint statements and basically approving these resolutions puts Larry and I in a very strong position to move assertively with the Transition Team, with the new Administration and with the new Congress to promote the need to have good fisheries policy and a good federal agency response to be able to handle those.

CHAIRMAN BORDEN: Further discussion? Any questions of Jack? No questions on it? All in favor, signify by saying aye; opposed; abstentions. The motion carries unanimously. David.

MR. CUPKA: Thank you, Mr. Chairman. The second resolution deals with the United States Fish and Wildlife Service"

The Atlantic States Marine Fisheries Commission and the Gulf States Marine Fisheries Commission, the Commissions meeting jointly in honor of a new millennium of interstate coastal fisheries cooperation, do mutually resolve as follows:

Whereas, the states along the Atlantic Ocean and Gulf of Mexico coast from Maine through Texas work together in close partnership to promote and protect the valuable marine fishery resources that they share with their sister states; and

Whereas, these states share public trust responsibility for these resources not only with each other but also with the federal government; and

Whereas, the United States Fish and Wildlife Service of the Department of the Interior is one of the principal agencies in the federal government with significant expertise and responsibility for working with the states to secure the public interests in coastal fisheries, maintains a strong commitment to the conservation of the aquatic environment, and has a long history of dedicated commitment to working with its state partners; and

Whereas, the programs of the United States Fish and Wildlife Service of the Department of the Interior, including but not limited to its Fisheries Management Assistance Program, National Fish Hatchery System Program, Coastal Program, Sport Fish Restoration Program, Coastal Wetlands and Conservation Grant Program, Law Enforcement Program, Aquatic Nuisance Species Program, Habitat Conservation Program, Environmental Contaminants Program, Fish Health Program, Endangered Species Program, National Wildlife Refuges Program, have made and are continuing to make substantial contributions to the management, restoration, recovery, and sustainability of coastal fisheries resources; and

Whereas, the Northeast, Southeast, and the Southwest Regions of the United States Fish and Wildlife Service of the Department of the Interior, together with the states, have responsibility for recommending and taking enforcement actions for the conservation, protection and sustainability of diadromous fish species on the Atlantic and Gulf Coasts, including the restoration of fish passages and water flows; and

Whereas, the United States Fish and Wildlife Service of the Department of the Interior serves the Commissions in numerous management, scientific and technical capacities and is dedicated to the integration of a science-based ecosystems approach to the management of fish and wildlife resources; and

Whereas, it is essential to the success of cooperative interstate coastal fishery conservation and management that the U.S. Fish and Wildlife Service be an effective and vital partner in anticipating, addressing and solving the critical problems being faced in securing the public trust in coastal fishery resources;

NOW THEREFORE, BE IT RESOLVED, that the Atlantic States Marine Fisheries Commission and the Gulf States Marine Fisheries Commission do strongly urge the following principles and commitments upon the first leaders of the United States government elected by the people in the new millennium; namely, the new Administration that will take office in January, 2001, upon the Transition Team that will prepare the way for the new Administration and upon the 107th Congress;

That the United States and its governmental leaders recognize the essential and critical partnership between the states and the United States Fish and Wildlife Service and the Regional Fishery Management Councils in the conservation and management of the valuable coastal fisheries resources of this Nation;

That the Administration and Congress seek actively to strengthen the policies and programs of the United States Fish and Wildlife Service that support the states and recommit to the traditional strong partnership between the states and the federal government on coastal fisheries; and

That the Administration and Congress provide the United States Fish and Wildlife Service with the funding essential to support management assistance for coastal fisheries, cooperative conservation programs for anadromous species, conservation and enhancement of valuable coastal fisheries habitat and research to provide information for state and federal agencies to secure the public trust in coastal fishery resources.

And on behalf of the Committee, Mr. Chairman, I would so move.

CHAIRMAN BORDEN: All right, a motion has been made. It does not require a second. Jack.

EXECUTIVE DIRECTOR DUNNIGAN: The same comments apply to this motion, Mr. Chairman. And in this regard, I would also like to recognize the collaboration and support and efforts of the three Regional Directors of the U.S. Fish and Wildlife Service, Manny Parker from Region 5; Sam Hamilton from Region 4; and Nancy Kaufmann from Region 2, in getting this together, and in particular to say thank you and recognize the efforts of Columbus Brown, the Assistant Regional Director for Fisheries in Region 4 in getting this motion put together.

CHAIRMAN BORDEN: All right. Yes, John.

MR. JOHN V. MIGLARESE: Is there a particular reason why we name specific programs in one agency and not in the other?

CHAIRMAN BORDEN: Jack.

EXECUTIVE DIRECTOR DUNNIGAN: That was really just an issue of drafting. The National Marine Fisheries Service resolution was crafted by staffs working together. We have a lot more close collaboration with the Fish and Wildlife Service staff.

And that was the model, actually, for putting these together, and this is the language that we came up with. There's no particular intent either way.

CHAIRMAN BORDEN: Further comments or discussion? If not, are you ready for the question? All in favor, signify by saying aye; opposed; abstentions. The motion carries.

MR. CUPKA: Mr. Chairman, our final resolution deals with appreciation to the host state:

Whereas, the Atlantic and Gulf States Marine Fisheries Commissions celebrated the new millennium by meeting jointly for their 59th and 51st Annual Meetings on the balmy, snowshoe-free tropical Gulf coast in Clearwater, Florida; and

Whereas, the weather and beaches could not have been more perfect -- where have all the hurricanes gone? --; and

Whereas, the beach water temperature was just right for most of the out-of-staters at least north of Georgia and the sunsets have been spectacular; and

Whereas, the record number of attendees fished, ate, drank and discussed, not necessarily in that order, many issues of significant importance; and

Whereas, the Gulf States threw down a challenge that the gracious Southerners would beat the Damn Yankees on the golf course and in the Ninth Annual Laura Leach Fishing Tournament, and they beat us on the links but not in the ocean thanks to Pat Augustine and others who gave their all for the good of the cause; and

Whereas, the Commissions honored two outstanding recipients by awarding them the prestigious Hart and Lyle Awards -- congratulations, Susan Shipman and Jim Barkuloo; and

Whereas, the National Marine Fisheries Service and the U.S. Fish and Wildlife Service shared their visions for the future of fisheries management in the new century; and

Whereas, everyone will return to their winter climate feeling more rested, looking a bit more tan, and more ready to tackle the issues at hand,

NOW, THEREFORE, BE IT RESOLVED, that the Atlantic States Marine Fisheries Commission expresses its deep appreciation to the Florida Fish and Wildlife Conservation Commission, especially Lisa Gregg who worked tirelessly on this meeting, for hosting the Y2K Annual Meeting in such a gracious and delightful manner.

BE FURTHER RESOLVED, that the Atlantic States Marine Fisheries Commission expresses its appreciation to the Adam's Mark Clearwater Beach staff for excellent service above and beyond the call of duty.

And on behalf of the Committee, I would so move, Mr. Chairman.

CHAIRMAN BORDEN: All right, it doesn't require a second. Any discussion on the motion. I would note that not all of us are going back with a better tan than we arrived with or rested. Any further discussion?

If no further discussion, all in favor signify by saying aye; opposed; abstention. The motion carries unanimously with great enthusiasm. (Applause)

The next item of business is the report of the Nominating Committee, Gordon Colvin.

MR. GORDON C. COLVIN: Thank you, Mr. Chairman. Let the record show that the members of the Nominating Committee that were present here at the Annual Meeting to assist in bringing forward the slate of candidates for officers of the Commission include myself as chair, Bill Goldsborough and Dennis Abbott.

It is the pleasure of the Nominating Committee to nominate for Chairman of the Commission, Susan Shipman.

CHAIRMAN BORDEN: Jack, do you want to conduct the election at this point or do you want to just hear the full report?

EXECUTIVE DIRECTOR DUNNIGAN: Thank you, Mr. Chair. You've heard the report of the Nominating Committee. It has nominated Susan Shipman to be chair of the Atlantic States Marine Fisheries Commission. Are there any other nominations?

MR. CUPKA: Move that nominations be closed.

EXECUTIVE DIRECTOR DUNNIGAN: Is there objection to closing nominations? Nominations are closed and I therefore declare that Susan Shipman is elected Chairman of the Atlantic States Marine Fisheries Commission.

CHAIRMAN BORDEN: By acclamation. (Applause)

MS. SHIPMAN: Thank you very much.

CHAIRMAN BORDEN: My shoulders feel lighter already. (Laughter)

MR. COLVIN: Thank you. It is further the pleasure of the Nominating Committee to recommend to you the election of John Nelson for vice-chair of the Commission.

EXECUTIVE DIRECTOR DUNNIGAN: You've heard the recommendation of the Nominating Committee. They have nominated John Nelson to be the vice-chair of the Atlantic States Marine Fisheries Commission. Are there any other nominations?

CHAIRMAN BORDEN: Mr. Chairman, I move that we close the nomination and elect John Nelson by acclamation.

EXECUTIVE DIRECTOR DUNNIGAN: Is there any objection? Without objection, it is so ordered and John Nelson is elected vice-chair of the Atlantic States Marine Fisheries Commission. (Applause) Back to you, Mr. Chairman.

CHAIRMAN BORDEN: All right, I guess the next item of business is my report. I have about a two- or three-hour report that I'd like to read into the record, and I will make this very brief.

Jack had prepared a short speech for me, but I decided this morning at 6:00 o'clock that I was going to do something a little bit different. In the interest of time, I'm going to modify that further.

I would just say that as I complete my term as chairman and as two years as the vice-chair, having served in a leadership capacity with this organization for four years, that I am totally astounded at how fast the time has gone by.

And I would also offer the other observation that I'm pleasantly surprised at how much I have enjoyed the assignment. I have truly been honored to serve in this capacity.

I would just offer a couple of short observations. During the last four years, I have often just wondered out loud, looking at the number of participants at meetings with the diversity of the backgrounds we have at the table, how we get anything done.

And it's really much to our credit that this process works. It not only works; it works better than any other process that I've ever been associated with. And that isn't because of my chairmanship. This process works and there are results. And I'll get into those in a minute.

The second comment that I would make is that I think we're approaching really a crucial point in our thinking where our mindsets have to change. And this really relates to having been involved in fishery management dating back to 1977 when they passed the Magnuson Act.

For the last 20 years, it has been very easy to participate in the process, and it's been a wearing process where you're always being attacked by outside groups, namely because of the lack of success, the fact that we are overfishing resources.

And I'm pleased to be able to participate in a process like this where we have 22 fishery management plans. I can say with every confidence I firmly believe we're doing the right thing in the right manner for those resources. We have very conservative programs that we've implemented. In some cases we've closed fisheries and taken actions that 10 years ago would be unheard of. And it is to all of our credit that we've done that.

The thing that we have to do in terms of a mindset is we have to change our mindset. This is a successful program. And we have to start thinking that way and adopting more long-term strategies that get us out of these year-to-year regulatory changes and bring some stability to the process.

And one of the tasks that we just recently initiated -- and Tina worked on this, much to her credit and I'd like to acknowledge her work on it -- is that that document that we handed out at the front table which starts to champion some of the successes of the Commission will be expanded.

That's just the first quick cut of what will be a document that will essentially talk about a lot of the other successes of the Commission. And the reason that I've asked the staff to do this is we have to change that mindset.

This negative mindset that a lot of the members of the press have about fisheries management has to be changed and we have to have a process to change it. And that's one way to change it.

The other thing that that will do is it will put us into a position where we can a document like that, give it to Congressional aides, give it to Legislators and so forth and start to work on changing the mindset back in our own states.

And it's going to take a while to do that, and it's going to be a slow and deliberate process. But I'm pleased to say that we've begun that process.

My third point relates to process. And over the last two years I have been very pleased with the progress that the Commission has made in terms of kind of reinventing itself and, for lack of a better term, we have changed endless numbers of procedures and initiatives during the last couple of years, and that's not to my credit because I don't take credit.

It's to everyone's credit in the room. All the Commissioners have participated in that, and everyone should get a pat on the back. We have to continue to do that. I know I suffer from a slight care of paranoia, but I get very concerned that the Commission will end up going down the same road as the National Marine Fisheries Service on some issues, and we have to continually step back, look at the progress and say, "Are we getting the results that we want?" It should be results driven and not process driven.

My final point -- actually it's two points -- one relates to the staff. I cannot compliment Jack and his staff any more. As you know, I've done that enough publicly at the last annual meeting and so forth. But I really think at every meeting we should pat them on the back.

They do a great job. They have a hideous workload. If you looked at that Action Plan we passed, as a state representative I can tell you that is an unreasonable workload for any staff to have to bear. And they do it. And they do the job in a professional manner, and it usually gets done on time. And it is much to their credit and I think we should ask them to stand and given them a round of applause. (Applause)

Now, two quick points. One relates to the woman on my left. A number of you have said very complimentary things to me over the past couple of days about my chairmanship, and I would just say that if I've been good the reason I've been good is because of the woman on my left.

She's done a wonderful vice-chair. We've worked very well together, and we've complemented each other. And I'm sure that she has my support and confidence, and I'm sure that John Nelson and Susan will have the same type of working relationship.

The last comments relate to the challenges. And these are just kind of a list of what I see the challenges being over the next couple of years. One is that we've got to learn to deal with success. I'm not sure we're there.

The second one is we have to implement longer-term management strategies that cuts down on our annual regulatory changes. The third one relates to discards.

Be they regulatory discards or whatever, I think that there's a major challenge that we all confront on dealing with the discards in both the commercial and recreational fisheries, and I'm not sure we have a coherent strategy that tries to deal with that.

But the challenge will be to try to convert those discards to landings. And if we can do that, we can increase the landings for the participants in the fisheries and not increase fishing mortality.

And we have to be up to that challenge and we have to be innovative in the strategies that we try to implement.

I think that implementing my fourth point relates to the implementing ACCSP.

I see that as a major challenge that this group is going to have to bridge in the next few years. It's critical as a part of that that we get adequate sea-sampling information, which we clearly do not have. And any effort that we can make, as an example on scup and summer flounder, to try to get actual data on discard rates on those fisheries will pay us dividends beyond our wildest imagination.

In terms of our role, particularly with the Mid-Atlantic Council, I think that role is evolving, and I am not necessarily optimistic that over the next year that there are going to be improvements to that relationship.

I think it's going to be extremely strained, and not as a result of the personalities involved. It's simply a function of the onerous regulatory process that the Councils have to undergo. It just is somewhat of a daunting type of challenge that all of the Councils face, and that will challenge us significantly.

My next point relates to the advisory committees, and we spoke about that earlier. I have been convinced for the last couple of years that the advisory committee process at the Commission is better than any other advisory process that I can think of, but I would not characterize it as a good advisory process.

And I think we really have to dedicate some time and energy to try to figure out how to make that work because the positive results of having caucus voting where you have people sitting around the table that are equal participants, that has paid us great dividends, in my own mind.

And somehow we have to take that the additional step to the advisors to get more of a buy-in from our advisors. It will make the regulatory process much easier.

Two final points. One is the issue of habitat. We spent a lot of time talking about habitat in the last couple of days. It's a major initiative at the congressional level, but I'm still not convinced that we have a strategy for actually protecting habitat.

How do we actually protect habitat, and that will be a significant challenge. The final challenge that I think we confront, particularly in this next year, is with all these ocean policy committees and the issue of reauthorization.

And I just harken back to think about how many times in my lifetime I have heard a Congressman or a President talk about changes to the tax laws. And 50 years ago there were 100 pages of tax codes. And for the past 50 years they've talked about changes in the tax code, and what we have now is 9,000 pages of tax codes.

And I have to show a little bit of skepticism that I think that we are going to have to be extremely diligent and participate in that process of reauthorization to ensure that that doesn't happen. That's what has caused the problems with the Councils.

That's what has essentially given them an impossible set of regulatory hurdles to overcome. When they can't get a fishery management plan in place for 400 days, there's something wrong with the process.

So, I think those are a number of the major challenges that we face, and it's a kind of a daunting list. I mean, it's not going to be an easy task to address it.

So, in conclusion, I would just say that I look forward to working with Susan in her new capacity, and it has truly been an honor to serve in this capacity.

MS. SHIPMAN: I know you all would join me in commending David and thanking him for an outstanding term as our chairman. David has been the architect of what I believe are some major streamlining and restructuring as well as some real successes in fishery management.

And I know we'll more formally thank you in the spring, but I just want to certainly express my gratitude to you for everything you've done for this process.

And I certainly look forward to working with each of you and carrying forward the blueprint really that David has laid out for us. He's been an inspiration to work with and I'm going to be calling him. I have his e-mail in my list serve and he will be hearing from me often.

But before you depart, David, we have one little recognition for you now.

CHAIRMAN BORDEN: Not the green monkey.

MS. SHIPMAN: I don't know whether you're like me, but not until yesterday did I realize that David is the "Prince of Herrings" sort of the "king of restructuring" and the Price of Herrings, and here's your crown. (Laughter and Applause)

CHAIRMAN BORDEN: Thank you very much. It's been fun. Any other business? The meeting is adjourned.

(Whereupon, the meeting was adjourned at 2:40 o'clock p.m., October 19, 2000.)

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