

**PROCEEDINGS OF THE
ATLANTIC STATES MARINE FISHERIES COMMISSION
ISFMP POLICY BOARD**

**Radisson Plaza-Warwick Hotel
Philadelphia, Pennsylvania
October 24, 2012
Approved February 20, 2013**

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1. **Approval of Agenda** by Consent (Page 1).
2. **Approval of Proceedings of August 8, 2012** by Consent (Page 1).
3. **Move to adjourn** by consent (Page 25).

ATTENDANCE

Board Members

Terry Stockwell, ME, proxy for P. Keliher (AA)	Bernie Pankowski, DE, proxy for Sen. Venables (LA)
Dennis Abbott, NH, proxy for Rep. Watters (LA)	Roy Miller, DE (GA)
G. Ritchie White, NH (GA)	David Saveikis, DE (AA)
Douglas Grout, NH (AA)	Tom O'Connell, MD (AA)
Paul Diodati, MA (AA)	Bill Goldsborough, MD (GA)
Bill Adler, MA (GA)	Russell Dize, MD, proxy for Sen. Colburn (LA)
Robert Ballou, RI (AA)	Jack Travelstead, VA (AA)
David Simpson, CT (AA)	Cathy Davenport, VA (GA)
Lance Stewart, CT (GA)	Kyle Schick, VA, proxy for Sen. Stuart (LA)
Rep. Craig Miner, CT (LA)	Louis Daniel, NC (AA)
Jim Gilmore, NY (AA)	Bill Cole, NC (GA)
Pat Augustine, NY (GA)	Robert Boyles, SC (LA)
Tom McCloy, NJ, proxy for D. Chanda (AA)	Patrick Geer, GA, proxy for S. Woodward (AA)
Adam Nowalsky, NJ, proxy for Asm. Albano (LA)	Jim Estes, FL, proxy for J. McCawley (AA)
Tom Fote, NJ (GA)	A.C. Carpenter, PRFC
Leroy Young, PA, proxy for J. Arway (AA)	Wilson Laney, USFWS
Loren Lustig, PA (GA)	Kelly Denit, NMFS
Mitchell Feigenbaum, PA, proxy for Rep. Vereb (LA)	

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

Ex-Officio Members

Staff

Robert Beal

Toni Kerns

Guests

Gordon Colvin, NOAA	Janice Plante, Commercial Fisheries News
Kim Damon Randall, NOAA	Ellen Cosby, PRFC
Patrick Geer, GA DNR	Bob VanDolah, SC DNR
Jim Estes, FL FWC	Megan Caldwell, Charlotte, NC
Russ Allen, NJ DFW	Lynn Fegley, MD DNR
Peter Himchak, NJ DFW	Dan McKiernan, MA DMF
Raymond Kane, CHOIR	Nichola Meserve, MA DMF

The ISFMP Policy Board of the Atlantic States Marine Fisheries Commission convened in the Radisson Plaza-Warwick Hotel, Philadelphia, Pennsylvania, October 24, 2012, and was called to order at 2:45 o'clock p.m. by Chairman Paul Diodati.

CALL TO ORDER

CHAIRMAN PAUL DIODATI: Welcome; I am Paul Diodati, Chair of the Policy Board. I'm joined by a number of people up here. I see Toni Kerns to my right and our Vice-Chair Louis Daniel to my left.

APPROVAL OF AGENDA

CHAIRMAN PAUL DIODATI: You should have before you the agenda; and without objection we will approve the agenda.

APPROVAL OF PROCEEDINGS

CHAIRMAN PAUL DIODATI: Proceedings from our August 2012 ISFMP Policy Board Meeting; are there any changes or questions? Without objection, I will consider those approved.

PUBLIC COMMENT

CHAIRMAN PAUL DIODATI: We will take a few minutes for any public comment. Is there anybody in the audience who would like to address the policy board at this time? Seeing none, we will move to Item 4, Update on the Marine Recreational Information Program.

UPDATE ON THE MARINE RECREATIONAL INFORMATION PROGRAM IMPLEMENTATION

MR. GORDON C. COLVIN: It is my pleasure to be back to update the commission on the status of the Marine Recreational Fisheries Program. We very much appreciate you giving us the opportunity to provide you with this update this afternoon. I'm going to just briefly review what MRIP is all about, what we have been up to here in the last year and begin to talk about the improvements that we have completed, that we're nearing completion of and begin to introduce to our thinking, I hope, and thoughts about the process for making decisions as we move towards implementation of more and more survey improvements in the next year and a half or so.

The Marine Recreational Information Program is NOAA's Program to collect recreational fisheries

catch-and-effort data. The program was instituted in response to a review of recreational fishery survey methods nationwide that was conducted at NOAA's request by the National Research Council in 2004 and 2005.

Their report in 2006 led to the establishment of this program and the recommendations of that report were essentially codified into the Magnuson-Stevens Reauthorization in 2007, which required NOAA Fisheries to implement as many of those recommendations from the NRC report as was feasible to do so.

MRIP has been constituted as a program that fully involves and engages our partners and our stakeholders in the process from the beginning. Our overall governance includes an executive steering committee that sets overall direction and guidance for the program. The three interstate marine fisheries commission executive directors, included Bob Beal, are members of that committee along with support we get from the councils, our science centers, our regions and our stakeholder community.

Three primary teams manage MRIP. Our operations team, which is chaired our friend and your friend and former colleague Preston Pate has the lion's share of the responsibility for doing the technical work to develop a new survey and estimation methodologies. Again, the interstate commissions and a number of the states provide members to the operations team, including Pat Campfield from the commission staff and many of the states.

As always, I want to take time at the beginning of this presentation to recognize the support that we have had from the commission members in development of the MRIP Program over the years and to thank you again for maintaining this partnership. We can't do it any other way. Very briefly, the MRIP timeline, as I indicated we began about 2007.

We have now executed three rounds of research project or essentially R&D project developments to design and pilot test improved methods to our various surveys, not just on this coast but nationwide. We have projects completed or underway from three years' worth of work by the operations team and our many partners and project teams to move forward on this.

A fourth year with prospective FY 13 funding; our project proposals was just closed and the operations team will be meeting at the end of November to review those proposals and to make

recommendations for round four of project funding. We have begun to implement changes as a result of the work that we have done to date, and we will talk a little bit more about that, but increasingly now, as we complete more of these projects, we will be at a point of essentially placing developed methodologies in the MRIP toolbox and making it available to our partners for implementation on a regional basis, and that is the focus of what I want to talk about today.

Just a brief review of some of the things that have been accomplished recently, as I spoke to you about last year, we have developed a new design unbiased way of estimating catch from the intercept data that we all collect that results in essentially a substantial improvement in the accuracy of the estimates and is essentially a foundational requirement for other survey improvements that need to be built off it, including the new intercept survey which I will talk about more in a minute.

We have had a lot of focus in the last year on trying to improve access and transparency to the information that we do have, and that has included some improvements to our website and the availability of information on it. I spoke about this three years' worth of projects; it is well over 30 projects that are in process and probably over 40 soon.

We now have on our website a complete listing and thorough description of all the MRIP-funded projects and the update reports that come in from the project teams, the status reports and completion reports for those that are done. It is a new feature that we added this year. We also, in conjunction with the new estimation method, have made some pretty significant improvements I think to our catch query section on the website.

A number of new queries are available and a new graphing tool, which I have spoken to some of you. I just spoke to Dave Simpson about it a couple of minutes ago. I think the new graphing tool is a particularly nice feature. For the partners who can work with us and access the SAS datasets, there are also new capabilities for things like enabling you to develop your own analyses of length frequency information from the data that we have as well as sub-state domain estimation for those states for whom that is important.

This is going to be a continuing process as well, but it is important to make information available about what we're doing is to complete the work successfully. Also, in conjunction with an effort that

is across the entire Office of Science and Technology to update ST's website, we have also just launched a new website under the ST web pages that combines – if you will recall, those of you who have been there probably noticed that recreational statistics were actually in two different areas of the NMFS Website.

One of them was under the old catch queries' pages and the other was the MRIP pages. We have now combined these into a single website that is essentially the recreational fishery statistics pages on the Office of Science and Technology Website, and it will be the MRIP Website. A lot of people have asked us when is it MRIP; it is MRIP now and it will be hereafter. We are not characterizing our surveys else-wise anymore.

Another thing that we did within the last year is that we had our outreach team, our communications team visit a number of states. We were in Florida, New Jersey and several of the New England states to talk to some of the state partners, your advisers and stakeholders, independently recruited focus groups and others to get better insight on how to communicate about MRIP.

That series of what we referred to as the Atlantic Coast Road Show was very successful in helping refine our communication products, our outreach products and so forth. The last phase of it was held in September in New England. Those of you that we met within New Jersey earlier in the year will not recognize the products that we showed you and previewed with you as they evolved over the course of the year based on the feedback we got.

I think at the end of the day we have substantially improved outreach products which we will also be going back to you to share. Now, some of that sharing is actually beginning today in that part of the product train there is handout materials that we hope will be available for distribution and use by our field staff for doing the intercept surveys; essentially cards to be handed to anglers when they're surveyed and information sheets and some other materials.

That is all being reviewed today and tomorrow at the wave meeting that is going on in Baltimore that all of the states have staff at, working with our staff on the intercept survey implementation. There is a lot of interest in the question of where we go from here on charterboat data collection. At the present time – and again we will talk about this more in a few minutes – we continue to work on an intercept-based survey of charterboats and headboats, sea sampling aboard

headboats and the for-hire telephone survey of operators to get effort data.

There is a lot of interest in looking to the prospect for moving in the direction of increased logbook or trip-based reporting as an alternative or substitute. In the North Atlantic areas we have requirements for charterboat and headboat operators to submit trip reports in federally permitted fisheries, but that data is not used as the primary data base to determine catch estimates. The survey data is.

We are in receipt of a project report from the project team that did the extensive for-hire pilot project survey in the Gulf of Mexico. It has been reviewed by our operations team and it is about to be – in fact, it is in the process of being prepared for submission for peer review. Once the peer review is conducted and the project team addresses the peer reviewers' comments, we will push it through the MRIP process for review, approval and distribution probably early next year. The results of that report are expected to be the information that we and many of our partners will need to begin to make decisions on whether we continue to work with the primary methodologies we're using now or whether we begin to move in the direction of logbooks; and if so, how to do it.

Again, I'll talk a little bit more about this when we get into the implementation discussion later. Also, within the last year Jason Didden from the Mid-Atlantic Council, who is a member of our operations team, had a project in place to conduct a workshop to talk to states and stakeholders about methods for using essentially information provided by anglers who volunteer to provide it.

Self-selected surveys and other names have been used. That workshop report has just gone on to the website and it has a lot of useful information about the pros and cons and the appropriate and more highly liable uses of that kind of data. The kind of the bottom line there is that self-selected angler data is not probably the way to go to generate general catch data because of the inherent bias associated with basing estimates on anglers who decide to submit it to you as opposed to a randomly selected data set.

On the other hand, there can be uses of that kind of data that are useful to supplement other data streams, and those sorts of findings are likely to inform and tee up other MRIP projects to develop that sort of thing going forward. I know that in this recent round of project proposals we have at least one new project proposal that is proposing to build on that.

Where we're headed next; the first big thing will be the implementation beginning in January of the new design for the access point angler intercept survey. We will begin in January in the Gulf states and North Carolina; and then when we normally begin data collection in the rest of the Atlantic Coast in March.

Again, today, literally as we speak, over in Baltimore our staff is working with the technical staff and the survey staff from our contractor and our state partners to review in depth and in detail the new intercept survey design and the management requirements that will go along with it. We are not yet sure who our contractor will be. We're still in procurement for the contractor for those services. That is on the street now, I believe.

The expectation is and we are still on track to roll that one out in January. Again, the purpose of that change is to remove sources of potential bias that are associated with the current intercept survey design and distribution of sampling effort. There is some overlap between the sources of potential bias that are resolved by the estimation method and the intercept survey.

When we had the estimation method peer reviewed, the peer reviewers suggested that it would be better when possible to address potential sources of bias in sample collection rather than to use a model-based approach to address it in estimation, and that is what we're doing. We're also able to address sources of bias that we can't address with the new estimation method, particularly the time of day bias that will now be addressed by sampling in different time slots over the entire 24-hour day period.

We are continuing to work towards the development of a new effort survey to replace to Coastal Household Telephone Survey. That has proved to be a far less tractable problem to resolve than we might have thought at the outset of MRIP. If you're interested in following up, I have referred to that lengthy list of project reports that is now on our website. Within the last year a fairly extensive review of the many pilot projects we have done to date on different effort survey methodologies has been completed and posted to the website as a synthesis report of the results of the different pilot projects.

That report and its recommendations have led us to design and conduct two major pilot projects of different effort survey designs; a dual-frame address mail and angler registry; mixed mode mail and telephone. The pilot project has been underway in

the four South Atlantic states since the beginning of the year, and that will probably wrap here in the next couple of months.

We are also starting a new long-term, more complex process of essentially a mail survey that will use a combination of postal address, household address and registry sample frames in the states of Massachusetts, New York, North Carolina and Florida. That is starting up I think next month and that will run well into next year.

Once those two pilot project results are available to us, our plan will be to address the final design of the survey that will replace the CHTS; so around a year from now we should be talking about procuring services for a new contract or contracts to do our new effort survey and to talk about the details of its design.

When these primary, fundamental changes of the survey designs are in place, the next thing we all need to talk about is having fixed what is broken, what level of investment do we want to make and where do we want to make it in terms of increasing sampling to improve precision, timeliness and coverage of the surveys. That is the decision-making that we need to begin to think about that I want to talk a little bit more about this afternoon.

From the beginning MRIP's vision has included the notion that our central effort would be to develop methodologies centrally but recognize that the needs for data vary from region to region, and there are differences in the nature of fisheries, geography and other things that go on in different regions that may require different survey approaches.

What works in Washington won't work in North Carolina, for example, because of geography as much as anything, but what works in some places we're finding doesn't work well in the islands, so we have a whole other group of issues to address in Hawaii and Puerto Rico and the Virgin Islands. We need to work with our regional partners to select the best tools and to make the best decisions we can about the quality of data moving forward.

From the beginning of MRIP, even before the Magnuson was reauthorized, a workshop was held in Denver in 2006 when I still worked for New York state and Press still worked for North Carolina, and we were both there to talk about this issue. The issue at that time from the beginning was we need to have regional flexibility.

National Standards, sure, but regional flexibility is essential and so we want to maintain that. As I mentioned before, our basic model has been that the MRIP projects that we have talked about will lead to the development of tools that are appropriately designed statistically, that pass muster scientifically, they're supported by peer review that we can then further develop and also come up with models and tools that will help us evaluate and look at the tradeoffs that are associated with different levels of sampling or different methods of sampling, ultimately enabling us to put tools in the toolbox and decide which one to take out in what regions and how best to apply them.

From the beginning our strategy has been as I said before, identify the fundamental design changes we need to make in our surveys to free them of bias and to achieve accurate results and implement those fundamental changes and then make investments in increasing sampling that makes sense and that requires us to look at tradeoffs among different investments and different improvements we can make to improve precision, timeliness and coverage.

So where do we need to go next? Our thinking is – and this will be announced shortly – as we issue within the next few weeks our update to our MRIP implementation for 2012/2013 – we need to begin to think about regional implementation and decision-making. This next couple of slides is actually taken from the implementation plan and they are a summary of what is there about our thinking about where we are and where we may go next on the Atlantic and Gulf Coasts.

But the thought basically is that we need to work with our partners and particularly our FIN partners, if you will, the GULFIN Program, ACCSP on the Atlantic Coast, Pacific RECFIN and so forth as the most appropriate partner that is most inclusive – the councils are part of those partnerships as well – and will enable us to have everybody around the table and to think about what sorts of decisions we want approach moving forward.

So just a quick summary of where I think we are and maybe headed on the Atlantic Coast in terms of the various different facets of this problem. The new estimation method, as I indicated, has been adopted. Let me also back up and with respect to ACCSP, we are farther ahead on the Atlantic Coast in many respects than we are elsewhere because of the action that ACCSP took earlier this year to substantially update and expand its standards for recreational data collection.

A lot of what is applicable here will not be elsewhere, and it is because of that action. In the new ACCSP Standards Document, for instance, it already anticipated the need to make changes in the intercept survey design, and the need for those changes and the fundamental basis of them are reflected in the standards we adopted last spring, so it is already there.

The details don't have to be there; they're being filled in now. In the case of for-hire trip reporting, essentially there is a maintenance of a long-term commitment to the Southeast Headboat Survey as a census-based trip reporting for headboats in the South Atlantic states. Other than that, all of the other for-hire surveys, the standard under ACCSP remains essentially what we have been doing; the for-hire telephone survey and the access point angler intercept survey as improved pursuant to the new design.

But, there is kind of a placeholder in there to come back and revisit that question once we have more information that will enable us to make more informed decisions about the pros and cons and costs of moving away from the sample-survey-based approach to a logbook approach after the Gulf Pilot Project is done.

At some point here over the next year or so a dialogue about the future of for-hire data collection for guideboats, charterboats and headboats outside the South Atlantic states will need to be pushed front and center for us all to think about. Coverage and timeliness; there are specific provisions in the new ACCSP Standards that set goals for the timeliness of preliminary estimates suggesting a one-month sampling interval rather than the present two and a specified shorter time post-sampling interval for production of preliminary estimates.

There are also recreational-specific recommendations for increases in coverage, primarily geographic increases to move upstream to some extent in the estuaries. Those are in the standards and in approving them we have adopted them as goals. We're not attaining them now. Attaining them in the future is among the things we will have to evaluate the tradeoffs for.

Similarly, precision of catch estimates; there were specific targets for precision of estimates in the old ACCSP Standards and they were to some degree based on kind of stepping back and looking at the old MRFSS estimates and saying, well, that is pretty good in the instance of stuff that we thought was pretty good, but what we've since learned is that

those estimates were all wrong and they were all, frankly, too good. The actual precision was not as good.

In the new ACCSP Standards, the question of a precision target was deferred. It is not in there. Instead ACCSP applied for and received a grant from the MRIP Program to do a project this year, and Mike reported on that project at the ACCSP meeting earlier today, to do some development and then conduct a technical workshop looking at the model results and some other information to help us come up with a more informed and hopefully attainable set of precision standards for our estimates.

What we do know is – and this is important – by addressing the sources of bias in our survey methods, we get ourselves to a point where having done that and having implemented those changes, at that point an investment in increasing sample size will improve precision when we can be pretty confident in that. Without making those changes, we can't be.

These things are to that extent sequential. Now, there will be a lot of tradeoffs to be evaluated here. We're not going to have money enough in all probability to do everything that we would want to do to generate estimates that are as precise at whatever level every partner wants them to be, as timely and with as much coverage as every partner might like.

We're going to have to have some way of evaluating the tradeoffs looking at what we have available to invest and figure out how we can get the best bang for our buck. To that end, MRIP is also conducting another project this year with our expert consultant team to help us develop some simulation models that will enable us to quantitatively evaluate at least the tradeoffs between improved precision by how we distribute expanded sample size between the intercept and effort surveys and timeliness.

By the end of 2013 we should have both the precision workshop results and the simulation model results available to us and as a regional management partnership enable us to begin to evaluate all that information and try to make some decisions based on, of course, the resources that we have available. By then I think at least the short-term picture will clearer than it is right now.

The bottom line here is that we need to look ahead to the fact that we need to make choices for precision, coverage and timeliness and partner resource commitments, because that has all got to be a part of what is on the table at that time to sort out our survey

design and our specifications moving forward. And probably again we think that some kind of workshop approach or committee approach involving ACCSP will be the best way to do that. It is the one vehicle that has all the partners in the same place for decision-making.

Now, just briefly give you another picture of where we are in the Gulf, the Gulf is relevant because fundamentally the same survey designs have been in place and the Atlantic Coast in recent years, as you know. The only difference is that in the Gulf Coast the states directly receive funding to conduct the intercept survey, and we do not contract with an independent contractor there.

The same methodology is used, the same estimation methodology, the Gulf Coast state staffer in Baltimore right along with your staff today talking about this implementation and reviewing the Wave 3 and 4 data at the wave meeting. We're pretty close to them but the Gulf is not as far along as the Atlantic Coast is in terms of identifying targets or goals for coverage, for timeliness and precision.

We do have the Gulf Coast commission staff and other people involved in the project team that is doing that precision workshop with ACCSP, and they are very appreciative of that opportunity and they believe that those results will be very helpful to them as well in developing precision targets. By and large they're with us on estimation and implementation.

They're in same place we are on the for-hire trip reporting issue in terms of needing the Gulf pilot to inform decision-making moving forward. But when it comes to the other issues, the coverage, precision and timeliness objectives, they still need to work on that, so we need to come up with a dialogue that appropriately involves the GULFIN Program to take that step and then move on to the receipt of our model products and our workshop or whatever approach we decide on in setting our goals and making our tradeoff choices. That is kind of a preview of where I think we're going to go next. Mr. Chairman, I thank you for the time and I will be happy to address questions.

CHAIRMAN DIODATI: As always, Gordon, it was appreciated. Are there any questions for Gordon; questions about MRIP? Adam.

MR. ADAM NOWALSKY: Thank you for the presentation. I appreciate the efforts that have been made to come out to individual states. I have seen yourself and your staff in New Jersey quite a bit, so I

appreciate that effort. With regards to the transparency component of it, one of the questions that is always asked on the ground is with regards to the intercepts; where are they actually being held, what do they look like? What is the possibility to develop a querying tool that would allow for querying of those intercepts, enter a state and enter a date range and allow people to actually see those, because I think that would be something that would be a big transparency component?

MR. COLVIN: Adam, I think that is probably a possibility. As I understand how this new intercept thing is going to work – so we get a little bit into the weeds here, but right now we've just about completed the process with tremendous amounts of support from the state agencies in reconstructing the Atlantic and Gulf Coast Site Register, which is essentially the master inventory of all fishing sites on the two coasts in an assessment of their descriptions and the activity levels at different times of the day, now all times of the day, in four six-hour time blocks for each site.

The new intercept design will essentially cluster these sites so that assignments for interviews will be made to clusters of one, two or three sites per assignment and the number will depend on the amount of activity. High activity sites might be clustered at one; low activity sites might be clustered at three. These clusters will be set and that hasn't been completed yet.

That process is ongoing through a model that has been developed now; and there again that's part of what they're talking about today. Once the site clusters are pretty well defined, then another program is used to draw a sample. Once that sample draw is done – and it is done on a wave basis – then I think it is quite possible that the sample draw could be posted to the website.

That is something I need to ask the staff about, but based on my understanding of the process I think it is possible. On the other hand, I'm not sure we want to tell people ahead of time where we're going to go because I think that could introduce some problems from the statistician's point of view. I just don't know.

After the fact, clearly, there is no problem in posting it; but if we told people ahead of time, that could influence somebody's decision on where they were going to go fishing. I have to throw that out there. I'm not an expert in that area, as you know, but we can look into it. The other thing is that – I will

mention this – on the issue of transparency, this site register that I spoke of is going to be generally publicly available.

The current site register, the one that has been in place in the past, has not been, but the new site register and the clusters will be. Actually, in some respects as we collectively work to continue to maintain it and improve the quality and the completeness and the accuracy of the information in the site registry, this is going to end up being the most comprehensive data base on marine angling locations in the country and potentially has lots of other uses to inform people.

They're putting information in there about facilities that are present at the sites and so on and so forth so that anglers can go on there and not only find out where the sites are but is there a bathroom, is there a boat ramp, how many parking spots are there and so on and so forth. That will be available.

MR. DENNIS ABBOTT: It is always a pleasure to see you, Gordon. You spent a lot time today talking about programs and meetings and changes and methods and methodologies, et cetera and et cetera, as you try to accomplish a difficult task. A simple question from my point of view might be when will we see MRIP helping us in managing fisheries. And, say, using summer flounder as an example, when will we see things that help us do our job? That is probably a question we would get from a lot of folks.

MR. COLVIN: And the answer to that question may depend to some degree on where you sit, but the fact of the matter is that for the years 2004 to 2012 you have more accurate summer flounder catch estimates now. You have them. They may not be different, but they're more accurate. We know that and therefore the impact is that it puts you in a position to be more confident in the decisions you make with them. Now, let's face it, some people won't feel that they're being helped until the estimates move in some direction that changes some management action, but that's not what this program is about. This program is about getting more accurate estimates and not estimates that somebody wants.

MR. THOMAS FOTE: Gordon, it is always a pleasure. Just listening to your last statement, but it is what we want in some ways. We're looking at a closure in black sea bass. We're looking at summer flounder and scup still being listed as a Tier 3 and black sea bass is a Tier 4 by the SSC of the Mid-Atlantic Council. That puts a precautionary approach on how we basically set up quotas.

After you do all that precautionary because of the lack of data there, we now put the extra precautionary approach because of the SSC's lack of trust in the recreational statistics. What I'm looking for is that place where the SSC is no longer basically questioning the validity of MRIP or the information coming out of the recreational sector and it doesn't penalize us by reducing the quota more than what we do for the other precautionary approaches because of the lack of data.

I mean, one of the reasons we went around this battle and basically asked congress to do something in 2006 in the Magnuson Act is because we knew this was coming down the train, and we have been suffering the consequences because of the scientists lacking trust at the council level.

MR. COLVIN: Well, Tom, I would have to look into that because I'm not sure that I recall the reason that the scientists came to the conclusion they did was based on uncertainty about the recreational catch estimates for those species, so I'd have to look at that. When you look at black sea bass or scup or summer flounder on a coast-wide annual basis at the level at which stock assessment scientists look at it, those estimates are pretty good.

Now, that said, when you drill down and you get down probably with sea bass and some of the others on a smaller scale, smaller geographic scale, a smaller time scale, looking at an individual mode, then you will see imprecision in the estimates, and the new methods alone can't address precision.

If I were you – and maybe this is an elaboration on my answer to Dennis – if I were you and I was sitting around this table still as a fishery manager, what I might be interested in is getting to a point where there was an investment in increasing sample size so I could improve precision of what is scientifically a more accurate estimate but within a substantially narrower margin of error for the data points of interest to me, whatever that might be.

That is going to require that assessment of tradeoffs and that evaluation of resource availability that I spoke of earlier. I know that is a little abstract but that is the best answer I can give you, but maybe it comes back to Dennis'. We need to get to that point where we can have that discussion and make those decisions about increasing sample size and then you will see I think more precise estimates when you look at New Jersey alone, for example, or New Jersey in Wave 3 alone or something like that.

MR. DOUGLAS GROUT: Gordon, with the new intercept method coming out, in the pilot study was there any analysis done as to whether this was going to cost more or less or neutral? Are we going to be more efficient as we need to be right now?

MR. COLVIN: Unfortunately, as I understand it, the pilot project report is in peer review and we don't have it to share with you, but I believe we probably can't find in it the answer to that question because the nature of the piloting work was a fairly small sample size as compared to the sample size that we had for the real intercept survey; so when you compare them statistically, it is hard to say how the precisions compare because of sample size alone.

The way we're doing the new rollout, however, is we're starting from a point where the model that we're using to make assignments, the assignment-draw model – let's get a little bit into the jargon, but I think you know – is being created in a way that it uses your existing capability as the basis, so we will make assignments within the sideboards of the current capability either of our contractor; or in the case of the Atlantic states, our subcontractors; or in the case of the Gulf states, our state partners.

For the most part that means you will get as many assignments as your current staff can handle. Now, in a couple of states that are very big – Florida is probably the key example – that alone isn't enough because the geographic distribution becomes a problem as well. You can't send a sampling team from one end of the state to the other in 24 hours, so in some states we have actually had to subdivide the state into smaller blocks for purposes of the sample draw modeling.

But that is how we're going to start; and then over the course of this year, as we gain experience with the use of the new program, we will get a better sense of what the precision results will be and that we can plug back into that model that we're developing of trying to optimize the results of our sampling design and then eventually look at the tradeoffs with precision and timeliness.

This is going to be an evolution and we're going to have to evaluate this together as we go forward, but we're not looking to hand you a whole bunch of extra work that you can't do for the money we have been giving you at the outset. That we're not going to do.

MR. ROY MILLER: Thank you for your presentation, Gordon. Did I understand you to say that you have fully implemented the angler registry

for generation of effort estimates? In other words, are you still using any component of the random digit dialing for generation of effort estimates?

MR. COLVIN: We're using the old CHTS today for the generation of effort estimates. We are using angler registries in those two big pilot projects that I spoke to you about. Within a year we will be moving away from the CHTS when we settle on the new design about a year from now.

CHAIRMAN DIODATI: Gordon, are you leaving today?

MR. COLVIN: No, I will be here the rest of the day.

CHAIRMAN DIODATI: Well, that is good; you may get more questions in the back of the room. Thank you, Gordon. Our next item is Matt Cieri is going to give an update from the Assessment and Science Committee. What we can do is jump over Matt's presentation and we're going to go to the next item. Our executive director is going to give us an update on the white paper about meeting transparency. This has to do with Walter Jones' letter? Yes, okay.

REVIEW WHITE PAPER ON ASMFC MEETING TRANSPARENCY

EXECUTIVE DIRECTOR ROBERT E. BEAL: There was a white paper that was distributed in the supplement materials that went out to the policy board members. It follows up on, as Paul mentioned, a letter from Representative Walter B. Jones from North Carolina that we received prior to our August meeting.

In the letter the congressman asked for two things specifically from ASMFC. One was to stream our meetings over the internet similar to what some of the other councils are doing and to take roll call votes on – the letter asked for roll call votes on all actions taken by the board. We responded to the representative saying we are going to explore that – we will implement live streaming but we're going to explore the roll votes.

This white paper is the response to this policy board to consider. As far as live streaming goes, obviously a lot of the councils are doing it. We have explored our capacity and we do recommend that we start live streaming ASMFC meetings. We have the technology to go through webinar and some other things, but it is just going to take a relatively small

investment a couple of wires to patch through to the computer.

We should be able to do that. There is a small expense probably associated with this in getting a hard line internet service in each of the meeting rooms rather than using wireless. The system breaks down a little bit if you're going over wireless versus being actually plugged into the internet. We will do that and have that additional expense at our meetings, but it shouldn't be too heavy.

We are going to actually try a pilot program at the menhaden meeting on December 14th. There is probably going to be a lot of interest in that meeting; and if we can successfully do it for menhaden, I think we can do it for any other meeting. We might as well try it at the hardest meeting first and see how that goes.

There are a couple of options as far as dialing in. Hearing the voice portion of the meeting, you can do that in two different ways. One is through the internet service through go-to webinar and the other is you can call in a dial-in number. We're recommending that we do the voice over the internet; and however we do for the dial-in phone portion of it, we are recommending – the go-to webinar comes with a number but that number has associated with it long distance fees.

That's how the councils are set up. If you can't use the free internet, then you have to essentially pay the long distance fees associated with that, but it is not a cost-prohibitive thing for the individuals that want to hear the meetings. We're recommending we start that at the December 14th menhaden meeting.

As far as the roll call votes go, that one is a little bit more difficult and we probably need a little more feedback from the policy board on how it should be implemented for commission and board meetings. The second part of this document includes a series of criteria that we're recommending would trigger a roll call vote.

These would be approval of FMPs, amendments or addenda; stock assessment approval or acceptance; non-compliance recommendations; annual specifications, quotas, seasons, allocations; conservation equivalency proposals; and then also the chair has discretion to call a roll call vote as any time. All these recommendations don't supersede the current practice which is any commissioner at any time can request a roll call vote, and we're recommending that we continue that. The example

of today would have been an hour or so ago when the Horseshoe Crab Board approved the 2013 allocations under the ARM Model. That would have been a roll call vote.

It is a difficult balance between sort making the meetings more cumbersome but creating the transparency that the public wants, and they want to see how the individual states voted. The letter from the congressman actually requested that we record how individual commissioners voted, but the way the commission process works it is one-state one-vote principle.

The delegation from each state puts their heads together and decides how that state is going to vote, so we don't recommend recording individual commissioner votes but rather the vote from the individual states and jurisdictions. That is the recommendation from staff is to use those criteria for roll call votes in the future. It would result in a lot of – not a lot but a substantial increase in the number of roll call votes.

We're not recommending roll call votes for individual actions prior to the approval of an FMP. A lot of times you have a series of decisions that lead up to the approval of an FMP. Some of those are pretty big decisions and I think those big decisions that lead up to the approval or when the chair or a member of the board may want to request a roll call vote. That is the recommendation, Paul. It is up to the group on how they would like to implement that. It would greater transparency but a little more burden on the board.

I guess the other thing; there are some ways the board chairs can facilitate this going a little bit more smoothly. If there really is no anticipated opposition and the board chair can say is there any opposition to this motion, then I don't think there is any reason to read 15 states and everybody says yes; we just say it was passed unanimously. I think it is a little bit of an evolution for the board chairs and for staff to work through this, but hopefully it won't be too cumbersome for the boards.

CHAIRMAN DIODATI: Okay, none of that sounds terribly difficult. I think this will become business as usual very quickly. Are there any questions for Bob? A.C.

MR. A.C. CARPENTER: I was interested in the last paragraph of the report where the option about having everybody hold their hand up and the staff read it off, New Jersey, NMFS, Fish and Wildlife,

kind of thing, and that sounds to me like that might actually be quicker. Is that still on the table or are we going to strictly go with the roll call?

CHAIRMAN DIODATI: I would think that it is. I think any process is on the table as long as we can get through a roll call that is understandable, particularly with the audio transmission. That will work and I trust that staff will work those things out for us. We could probably try a few things. Ritchie.

MR. G. RITCHIE WHITE: Mr. Chairman, I think this makes sense. I think to add on the agenda the items when we take a vote that are roll call, so that will help the chairs to know that this is a roll call vote.

CHAIRMAN DIODATI: Good suggestion. Doug.

MR. GROUT: I think this is a good report and a good way to move forward. The only one that I had a question on was why stock assessments, approval of stock assessments? As I look at all of these other items, we're talking about specific management measures that will be put in place or non-compliance or management measures that will be changed under conservation equivalency. A stock assessment is the acceptance of a scientific report. I saw that as sort of a little bit different than all the other things, so if I could get an explanation of why that particular item was put in there. That is the only one that I might question.

CHAIRMAN DIODATI: You're not going to get it from me.

EXECUTIVE DIRECTOR BEAL: I'm not sure you're going to get it from me either. I think it was just the notion that at times some of the assessment results and pending board action following that have been somewhat controversial. If the board feels that those are not controversial motions and the acceptance of a stock assessment and peer review results are – you know, the board usually passes a motion that reads we accept – pick your species – stock assessment and peer review results for management use. If the board feels those aren't that controversial, then we can take it off the list.

CHAIRMAN DIODATI: Do you want more discussion on that, Doug?

MR. GROUT: Other than to suggest to the board that maybe that be one that we drop, and I would love to hear other people's opinions on that. I think it is a different issue.

MR. WHITE: I would support leaving it for this reason. When you get into controversial issues, if a state accepts the stock assessment and there is a record of that, but then in a management decision works against the stock assessment later I think that record is good for the public to see. I kind of like the idea of having a record of that.

MR. FOTE: It is interesting to see New Hampshire disagreeing with each other, but my thought on this would be that would be one of those positions that if everybody unanimously supports approving the stock assessment without objections, that there isn't a roll call vote. It is only when there is an objection that we would have a roll call vote because then it could be stated on the record. Otherwise, I can think of no stock assessment I've heard in the last year that there was actually an objection to the stock assessment. I think that would cover that category pretty fast.

MR. ABBOTT: I would like to cast the deciding vote here. (Laughter)

CHAIRMAN DIODATI: Maybe you guys can talk about this on the way home.

MR. ABBOTT: I don't want it recorded or live streamed either, but I'm not sure what Representative Jones' intent was. I would read that Representative Jones' intent was that he wanted to know the critical votes that go on in the commission.

I thought the idea that was posed earlier of when we have our agenda, those votes that are assumed to be critical would be so posted that they would be roll call votes; and if anything should come up during a meeting that someone under all the circumstances wants a roll call vote, that is how we should be doing it.

DR. LOUIS DANIEL: I can tell you precisely why Congressman Jones sent the letter. He had some constituents in Dare Country who were very upset about the last vote that we took on dogfish when the commission was more restrictive I think than the councils and we came back later and changed our vote to go to the 36 million – I think it was 30 million – and so they wanted to know who voted against them. That was the intent.

They called me up and asked me who had voted for the 30 versus the 36 and I said, "Well, I know how we voted and I can't exactly tell you how everybody else voted." That was the answer to his question and then the letter came out. I did explain to them that we do have a one-state one-vote situation and that we

wouldn't be doing individual commissioner roll call votes.

I do think, while I've got the mike, the main thing is just how we vote on those substantive management actions. I think that was his main thing. I think in many instances we often have only a couple of dissenting votes. I think I agree with Ritchie, I think it would be very easy – and others – I think it would be very easy for staff to just simply indicate who voted no. I don't think it would be terribly intrusive. If we have to do roll call votes on every single action, we would be here for an extra day. To answer your question, I think that was Congressman Jones' intent.

MR. DAVID SIMPSON: Yes, just as few cases as possible; I think final action on a final amendment or addendum. Especially the example of approving a stock assessment for management use; I do worry about a little bit of – you know how you watch C-Span and at two o'clock in the morning there is your congressman pitching passionately to an empty audience, playing to the audience.

I'm a little bit concerned about that happening here and delegations beginning to vote, no, that they don't approve an assessment so later on they can say, well, I never liked the assessment, anyway, and I am on that record. I think it is just going to cheapen our whole process. Let's just be careful about that part of it.

CHAIRMAN DIODATI: Well, I'm not too concerned about that because I represent the Commonwealth of Massachusetts; and when I'm here I'm going to be doing the job. I get what you mean. I think that Bob has this in hand, and, Doug, if you trust staff to itemize beforehand how the roll calls will go, if you have a question about it you can raise, but I think this is a go-ahead and see how it feels. It is new. You know, certainly, I think that the public process now does almost require that we transmit this audio, so that goes without saying. Is there anything else on this, Bob?

EXECUTIVE DIRECTOR BEAL: Obviously, Joe records the transcripts of the meeting, but one of the other things that some of the councils are starting to do is record individual board meetings and put those audio files on their websites. We are not proposing to do that right away, but I think we're going to evolve to that as well as the other councils have been doing. I think that is it.

CHAIRMAN DIODATI: Okay, we're going to go back to Matt Cieri and Matt has the Assessment and Science Committee Report for us.

ASSESSMENT AND SCIENCE COMMITTEE REPORT

DR. MATT CIERI: I am actually filling in for Kim McKown who couldn't be here today because of travel restrictions. The first thing we're going to go over is a task that you guys sent to us basically as an Assessment and Science Committee. You wanted us to develop alternative scheduling options that would allow Atlantic menhaden and sturgeon benchmark assessments to be conducted as soon as possible.

As you might remember, menhaden ran into some difficulties with the assessments, and it was recommended by the technical committee to actually push up assessments. Then you all have decided that sturgeon is an important species and you would like to have that benchmarked as soon as possible as well.

For Atlantic sturgeon, state directors need to make sturgeon a high priority in order to get that assessment completed. They need to commit staff to get it done in the timeliness in which you want it to be done. It is not just simply a matter of saying go ahead and do it. You guys have to actually commit your staff to it.

For Atlantic menhaden, we have kind of a couple of options. The first one is for NMFS support, which is what has currently been going on with menhaden. To do that, menhaden needs to be added to the SEDAR Schedule for 2014 directly as soon as possible. For ASMFC staff support, the lobster peer review would have to be pushed back until 2016. There are sort of two choices there between what is currently going on, which is NMFS heading up the assessment versus staff.

There are also other things that we can do to sort of rearrange the schedule to make things a little bit more efficient as well as a little bit less cost prohibitive is the best way of putting it. One would be to move weakfish to 2015 to allow for staff to be switched off on to sturgeon. The other one is the ecological reference points which are around menhaden in general, and that would have to be delayed back until 2016 or later, depending on what happens with menhaden in general.

Then black drum would be delayed to about 2015 to free up cash to conduct peer reviews for some of these other species. Just to give you an idea of some

of your alternative options, Option 1 is for staff to lead menhaden and you get lobster in 2016. Option 2 would be have NMFS staff out of Beaufort lead the menhaden assessment, in which case you will get lobster in 2014.

Option 3 would be to go with either the states head up the assessment, somebody from the individual states, or to have a consultant lead it, in which case you would also get lobster in 2014. I know this is difficult to read, but this gives you a list year by year – and this is also in the document – of which benchmarks and which updates are being done under each of these three options. You can kind of get a flavor of pretty much what is available and what is on tap.

What you will notice is that in 2014 we have got a bunch of species. There are a lot of commission-important species that are being peer reviewed, and we are running out of personnel and bodies to do this with. The other thing that the ASC actually made some comment on is the use of external consultants for stock assessments.

The Assessment and Science Committee strongly advises caution when hiring an external consultant to do this type of work. The pros are when you hire somebody else outside the system, you get a fresh look at what you're doing, which is always a good thing in the scientific realm. These people can bring new ideas, new methodologies, new ways of doing things in the assessment, which are invaluable in many cases.

However, there are also a lot of cons in bringing in somebody from the outside, particularly if you're paying them. One is the inability to reproduce some of the methods. A lot of times the data code and everything else becomes proprietary to the person who has formulated the model. The other is its open-endedness.

Remember, every time we go through a stock assessment, it is not just for that particular year. It is actually for a tool that we're then going to re-update either year or every few years until the next benchmark. Then when we do the next benchmark, what we have to do is actually reproduce the old assessment exactly.

In many cases if you hire a consultant, you're committing that consultant to doing that work not just as a one-shot deal but over the course of five or six years, and this drives up cost. You also still require a lot of staff time and a lot of state staff time in order to

get the data that you're going to use in the model, anyway. It is not just about modeling. It is also about data collection and bringing all of that stuff together in a usable format for the assessment.

In any case, the Assessment and Science Committee did make a recommendation and that would be that the consultants would be fully integrated into the process and that the use of consultants would probably be a rare event, on a species-by-species or case-by-case basis. Obviously, that type of long-term commitment and that type of work will certainly not be cheap. That's it.

EXECUTIVE DIRECTOR ROBERT E. BEAL: The SEDAR Steering Committee met via conference call two weeks ago and Atlantic menhaden is on the 2014 SEDAR Schedule as it stands right now. While I have the mike, Options 2 and 3 that Matt showed earlier, the long list for 2013, 2014 and 2015, the action plan for 2013 that the business session is going to review later today, the way it is drafted right now is based on Options and 3.

The assessments and the peer reviews that are going to be done under Options 2 and 3 are the same. There are different ways of getting there with the Beaufort lead or consultant lead on menhaden, but the workload and the results are the same. You can sort of keep that in mind as we move forward into the business session.

CHAIRMAN DIODATI: It seems to me although this was laid out in a decision tree with three options to begin with, we really don't have three options. It seems to me that only two of those options keep us on track with the timing that we anticipated and what we desire the best or the most.

One of those is not being recommended by the Assessment Committee or they're advising that we don't go in that direction because of the cost and using the outside consultants and so forth. It seems to me that we really only have one option or one preferred option, so can you elaborate on what the costs might be if we chose – that was that Option 2, I think it was – that is the states; or was it Option 3?

EXECUTIVE DIRECTOR BEAL: I think the only provision that needs to be considered with Option 2 is making sure that menhaden is on the SEDAR Schedule for 2014. As the SEDAR Schedule stands right now, that is on there and I think that lines up with what the Assessment and Science Committee would like to see, so Option 2 seems to be where things are kind of shaking out right now.

CHAIRMAN DIODATI: Okay, so I'll open it up to questions. Go ahead, Doug.

MR. GROUT: Yes, I'd certainly support Option 2, but I did notice one thing in the sturgeon information. The technical committee seemed quite concerned about being able to meet that 2014 deadline, and in fact was saying in all likelihood it would be 2015 before they could get an assessment done. Now, I'm just going by what is in the report there. How does that affect the schedule other than just moving it out? Is that going to cause a problem if it doesn't get done until 2015?

DR. CIERI: I'm not entirely sure because I would have to actually take a look at some of the scientists' workload. In a lot of cases there is not a lot else that is on the docket for 2015, but maybe Genny has a better idea if she knows off the top of her head about the commitments and time commitments of some of the staff.

EXECUTIVE DIRECTOR BEAL: I'll give it a try. I think it is a lot of work to get a sturgeon assessment done, and the group is still trying to figure out is it river by river, is it DPS; how would an assessment be broken out? The good news is a lot of the sturgeon scientists are unique to the sturgeon assessments. They're not overlapping on a lot of other species is my understanding. If sturgeon is delayed to 2015, it won't impact or I don't think there is a significant impact on the workload of red drum, croaker, weakfish and black drum. It should be different scientists in 2015.

DR. DANIEL: I sat in on the Assessment Committee conference call. One thing that would be helpful I think for us to see is that chart that they actually had with all the staff workloads for the states. It is pretty impressive the number of people that we have doing these jobs. There are some people that are sitting on four or five or six assessments.

One of the nice things about the way they structured this, if you will look at some of these, like bluefish is going to be handled mostly by the Mid-Atlantic; the black sea bass also by the Mid-Atlantic. Some of these assessments we're not fully responsible for, coastal sharks and some of the others that we won't have to carry all the load and won't be the lead agency in developing the stock assessments. It seemed like from the discussions that I was privy to they have got it kind of worked out to where nobody is really being overburdened too significantly. Option 2 seemed to be their preference.

CHAIRMAN DIODATI: Okay, as I said, Options 2 and 3 are the ones I think we want to focus on. Louis is driving us towards Option 2. Bob, you have already indicated there might be some issues with that depending on scheduling, but do we need to make a decision today on this?

EXECUTIVE DIRECTOR BEAL: I think the action plan for 2013 needs to reflect the priorities and the timing of these assessments. The way it is drafted now, as I mentioned, is consistent with Option 2. With menhaden on the SEDAR Schedule, Option 2 seems to be viable at this point. That seems to be the best option.

CHAIRMAN DIODATI: I'm we can just go with Option 2. Matt, are you going to say something that moves us away from that?

DR. CIERI: If we're going to do menhaden, we need to start fairly soon. Remember, menhaden has a lot of moving parts. We have to go back through and actually take a look at a retrospective pattern and lots of other things. We need to get moving on it if you want it by 2014.

CHAIRMAN DIODATI: Okay, I'm going to suggest that we focus on Option 2. I don't think we need a board action to do that. Matt, you can start on menhaden right now. Does that conclude this discussion; is that enough guidance? I believe it is. Okay, are there any other questions on this? Seeing none, we will move on. Okay, this is our Habitat Committee Report and it is going to be provided in a team approach today by Bob and Megan.

HABITAT COMMITTEE REPORT

DR. ROBERT VAN DOLAH: We, as you mentioned, are going to do a team approach for the first part of it. The first part is to give you a review or an overview of the review that Megan Caldwell conducted of the habitat program at the request of Vince O'Shea. That would be the first and major part of our presentation. The second would be just a few additional slides giving you an update of our activities in the past year and planned activities for 2013. We can do this separately or all at once at your pleasure.

CHAIRMAN DIODATI: Whatever you're comfortable with.

DR. VAN DOLAH: I'd say we will do the first part and then open it up for questions and see if we can't

get board approval. With that, I will turn it over to Megan who will start this.

MS. MEGAN CALDWELL: Bob and I are going to divide responsibilities on reporting out on this program review, and I will start by just giving you a little bit of background about how it was initiated. The Habitat Committee has been without a dedicated habitat coordinator for over three years, and they have made repeated requests for having a habitat coordinator hired to help out with their responsibilities.

The executive director at that time had asked the Habitat Committee Chair to do a review of the five-year strategic plan, the habitat components of that. That review just looked at what efforts have been made to address each of the strategies included for the habitat program. As a result of that report, the past executive director thought that a review of the habitat program mandates and activities should be conducted to ensure that it is meeting the commission's needs.

Last December a contract was initiated to conduct a program review. That program review responded to the following questions. The first one was did the objectives and Habitat Committee tasks in the Habitat Strategic Plan and Action Plan align with the broader objectives of the commission's plan.

The second question was is the completion of the habitat tasks realistic given the resources dedicated to the program and then does the current Habitat Committee approach add clear value to the ISFMP or states in general and to what is it adding value. Then the fourth question was the linkage between the Habitat Committee and the Policy Board is weak and what approaches could be used to strengthen that linkage between the two. The fifth question was is the Habitat Committee limited in capacity and is that limitation impeding results.

It was also asked to address with the arrival of ACFHP at that time; does that change the Habitat Program's vision, objectives and tasks; and then what is the appropriate relationship between the Habitat Program and ACFHP. And then finally it asked to identify potential regional and local partners and how the Habitat Program should engage those partners.

I was asked to take a look at a number of governing documents and use those to respond to those questions. ACFMA was looked at, the ISFMP Charter, and the ASMFC 2009-2012 Strategic Plan. The Habitat Program has a set of operational procedures manual that outlines how they conduct

their business. They also have their own strategic plan for 2009-2013.

I also took a look at the Habitat Committee notes for recent meetings and various products over the last few years. Then finally that was supplemented with conversations with various commission staff who have been involved with the Habitat Program.

DR. VAN DOLAH: The full review document has been provided to you in your briefing documents along with the full response of the Habitat Committee. Just to refresh everybody's memory, the Habitat Program and the Committee on Economic and Social Science are the only two committees that are actually appointed to and report directly to the commission chair.

I believe that is because these are cross-cutting committees that deal with all of the commission-managed species. At least with respect to the Habitat Committee, our goal really is to address the foundation of habitat requirements and needs and limitations for these particular species. There were a number of recommendations in the document, but six applied specifically to the Habitat Committee activities, and what I'd like to do is very briefly provide an overview of our response to those recommendations.

Recommendation 1 was basically to not have a separate habitat program, a strategic plan, but rather merge that plan with the overall commission's strategic plan with respect to goals, objectives and tasks and move the vision and larger objective-and-goal statements that are currently in the Habitat Program Strategic Plan to the operational manual.

We have kind of combined these two recommendations together. Basically, the Habitat Committee, when we met in the spring, reviewed all of these recommendations and endorsed all of them. These first two recommendations just make sense because it does minimize duplication of effort.

We have already started some revisions and we will work with Megan to prepare a revised operational procedures manual that addresses the recommendations in her full report, assuming the board approves of this change. Once we do that, the modifications will have to come back before the board for final approval.

Recommendation 3 was one I can assure the committee felt very strongly about. We have been struggling with not having a dedicated coordinator

for our committee, and so we very strongly endorse this. We appreciated the past executive director contracting with Megan to apply at least some limited contractor support for supporting our committee.

We feel that having a coordinator is obviously integral for completing the tasks that we are assigned and have identified to be completed and for the committee's effectiveness. Currently Megan has only supported by agreement with the past executive director for one day a week. We think that is too low. I can assure you having worked with her since she started in this capacity that she is working more than that and just not being paid for it all. We would recommend an increase in the support for Megan, recognizing that there are budget limitations, but to at least two days a week as level that is more reflective of her actual activities.

Recommendation 4 was that the Habitat Committee should develop a more detailed annual work plan. We have always created action plans each year, but I think the idea was for the habitat coordinator to work with the committee to get more specificity associated with these activities, identify specific individuals or subcommittees that complete the task with an appropriate timeline; whereas, before it was a little bit more generic, so we agreed with that recommendation as well.

Recommendation 5 was, as part of the revision of the operational procedures manual, that we should do a better job of defining what a Habitat Committee member should have with respect to characteristics. We already have some of that as it relates to the characteristics associated with NGOs but not with the general Habitat Committee members.

We recognize and fully agree within the committee that the committee members are really there to represent their agency's expertise and particular categories and we have a broad diversity of expertise, and that they're not there really to represent their agency's policy or regulatory views. This is supposed to be more an independent assessment of the problem.

That said, even though we have broad expertise amongst the committee members, it is limited still. Many of the committee members are not fishery research scientists or fishery managers specifically knowledgeable on the life history patterns and habitat needs of all of the managed species for the commission, and many of those staff on the committee don't have the authority to assign those kinds of review responsibilities or product

development responsibilities to others within their agency.

Recognizing the high workloads that they already have with their own job and with their expertise limitations, we strongly recommend that the way to move this process forward particularly with the habitat sections of the FMPs is, with the assistance of the coordinator, for most of the species contract out for the initial development of that habitat section, which would then be reviewed by the Habitat Committee as well as the technical committee, so the Habitat Committee would serve more of a broker, if you will, to identify a process to move those habitat sections forward.

Finally, Recommendation 6 was to kind of clarify the relationship between the Habitat Committee's responsibilities and those of ACFHP. Many of you may recall that the Habitat Committee members along with the coordinator at that time were instrumental in developing the proposal to get ACFHP funded, and many of the Habitat Committee members are actually serving on the ACFHP Committee as well.

Quite frankly, there was a blurring of activities between what the Habitat Committee was doing and thinking about and what ACFHP was doing and thinking about. As ACFHP has become more established, I think we have got a clear delineation of what the Habitat Committee is needing to focus on and it is very separate from what ACFHP is focusing on.

We do have a fluid dissemination of information between the two groups. Emily Greene provides an update to the committee at each of our meetings. In terms of trying to improve communications, we recognize that the Policy Board has a full agenda and there is not often a lot of time to get a lot of back and forth or feedback from the board, but we do want to try to solicit your feedback whenever possible to get what you feel needs are of the Habitat Committee to focus on in future habitat questions.

We also see a need to increase our communication with our respective commissioners prior to meeting week to see if we can't get a better dialogue going. As part of that, we plan to develop and provide an abbreviated meeting summary of our Habitat Committee meeting to the commissioners to solicit their input.

Finally, as far as communication, we recognize also that it is a challenge for us to keep up with what habitat issues may be of concern to a lot of the other

technical committees or committees in general. We just can't be at all of those meetings so we see that as a key role of the coordinator to facilitate communications between the coordinators of those committees.

Last, with respect to this review, one of the things that Vince O'Shea felt very strongly about and we agreed was that we make a more concerted effort to consider potential habitat bottlenecks for commission-managed species. We always have done that to some degree, but we are dedicating ourselves to make a more concerted effort to specify whether there are habitat bottlenecks or not based on the best available information.

We have already developed text for the Red Drum Habitat Section that we have recently completed, and we intend to do that in similar sections for the other species as we move forward. We are also considering a broader effort in terms of critical habitats that are used by many species and how we might be able to consolidate some of those recommendations.

I will point out, though, that not all of the commission-managed species are believed to have habitat bottlenecks; and in fact our review of the Red Drum Plan, the end conclusion was that there are not habitat bottlenecks for that particular species, as just as example. Again, you have greater detail on both the recommendations and the response from the committee to those specific recommendations. I guess I would stop here and see if we can't solicit from the board whether there is agreement with these recommendations that we concur with.

CHAIRMAN DIODATI: Are there questions or comments? Tom, go ahead.

MR. FOTE: I think it is important to know the history of how the Habitat Committee actually started, and I really think that is important. Al Goetz, who served on the Mid-Atlantic Council, basically looked at the Habitat Committee of the Mid-Atlantic Council, and was chairing that, and decided that we needed to start one at the Atlantic States Marine Fisheries Commission.

He came to me and basically said let's push for it. Bill Goldsborough was helpful in that regard. We basically got the Habitat Committee in place. We had a full-time staff. There was grant money available. Diane Stefan was the person. At that time it was the commissioners who were sitting on the Habitat Committee, the governor's appointees.

Actually I think Gordon was either the vice-chairman or the chairman at the time, and he sat on the Habitat Committee. Phil Coates wanted to be there. We were all members of that.

Over the years it kind of changed direction sometimes and basically I think Lance is the only governor's appointee or actually commissioner that sits on the Habitat Committee anymore. It was decided to go in slightly different directions, and it was also decided not to have a full-time staff. Diane was able to secure funds that basically paid her salary.

We accomplished a lot. At that point we were trying to put all the plans in together so we were doing the habitat sections for all the management plans, because we really didn't have that, and it was an important part of the Habitat Committee. I served as the original chairman for four years and then I basically stepped down and Bill Goldsborough took it over.

I don't know how many years you were there, Bill, but Bill can be – ten years – and actually even though I'm off and on the commission, I actually stayed on the Habitat Committee because of the direction of our director for a long time. Even though at one point I was off the commission, they left me on the Habitat Committee. I think it is an important role.

I think the highlight I thought of always the Habitat Committee was because of our concerns with what was going on with dredging permits and what was going on with other agencies, that we were able to put together a workshop. We brought in the Army Corps of Engineers, the other federal agencies that deal with habitat issues and actually had a joint meeting of the Mid-Atlantic Council's Habitat Committee and the Atlantic States and sat here and tried to get all those partners together to look at how we would restore fisheries habitats.

That was a great meeting. The followup on that really never came out. The Corps of Engineers didn't want to come back or they basically moved on to other things. But that is the history; that is part of the small history. I tried to keep it short, but that is why I have a lot of respect and I have always had a soft place, and Al Goetz always did, and I think Bill does. I'll stop there.

CHAIRMAN DIODATI: Are there any other comments or questions for Bob or Megan? Bob.

MR. ROBERT BALLOU: Bob, you spoke about the clear distinction as you see it between the committee and the partnership. Could you expand on that a bit and explain just what that clear distinction or differentiation is?

MS. CALDWELL: The commission serves as just one of many partners on the Atlantic Coastal Fish Habitat Partnership. The commission provides some administrative oversight or assistance to the program, but at the table the commission is just one more partner. Does that answer?

MR. BALLOU: If I could follow up; thank you for that, but maybe more in terms of mission and function, if you could speak to that more in terms of how they – I'll ask that question.

EXECUTIVE DIRECTOR BEAL: I can't give a clear distinction between the two, but Emily Greene might be able to describe sort of what tasks fall under the Atlantic Coastal Fish Habitat Partnership and what are deferred to our Habitat Committee. They do have very different roles.

MS. EMILY GREENE: I will take a crack at it; and I saw Wilson's hand up back there; so if it's possible to let him provide some feedback. I see ACFHP as being more of the on-the-ground arm, the group that solicits funding to give money to its partners in order to implement restoration projects or protection projects. I think that is a big defining difference between the two.

CHAIRMAN DIODATI: Wilson, did you want to add to that?

DR. WILSON LANEY: Yes, Emily basically said what I was going to say. If you look at it in terms of – and I tend to think of it in terms of how do these components fit into the Fish and Wildlife Service's approach to landscape-level management, which our brand I guess is commonly referred to as strategic habitat conservation, as five parts.

It has a biological planning part; it has a conservation design part; it has a conservation delivery part, and then it has monitoring and adaptive research and it basically goes in that kind of a cycle. If you think of it that way, Bob, the fish habitat partnerships, including the Atlantic Coastal Fish Habitat Partnership, are part of the conservation delivery part.

As Emily said, they're more of an on-the-ground institution that is seeking funding and doing things in a very hands-on way, usually at a local level in the watershed to try and make a difference from a fish

habitat perspective. From my perspective, the Habitat Committee is more of a biological planning and conservation design tool for the commission to take a look at the whole east coast and look at habitat from a 30,000 foot level, see what the big problems are and try and keep our stakeholders informed as to how they can make meaningful decisions and make a meaningful difference in habitat quality on the ground.

But also in the case of the diadromous species, which are the most complex ones that this institution manages, to try and restore access to those habitats and try and restore the quality of those habitats and increase the population of those which in many cases include key prey species for other species that are managed by either the commission itself or by councils.

To me that's a big difference. I think that based on some of the discussions that were held this week with the Habitat Committee, conversations going on between the Assessment and Science Committee and also the Management and Science Committee, I think those three committees need to work together to begin to do things like integrate habitat considerations in the stock assessments.

Dr. Nesslage talked to us about that today. We're very excited about that I think on the Habitat Committee. I think it is something that is very doable; but as part of that the Habitat Committee needs to continue to survey the literature and understand and learn more about the science and how these organisms relate to their habitats and begin to develop the habitat models that will inform the conservation delivery that the Atlantic Coastal Fish Habitat Partnership and the other fish habitat partnerships deliver.

CHAIRMAN DIODATI: Does that answer your question, Bob? Thank you, Wilson. Is there more to your presentation, Bob?

DR. VAN DOLAH: A few more slides in terms of our current activities and planned activities.

CHAIRMAN DIODATI: Okay, why don't you go with those and then we will come back to our action item on this issue.

DR. VAN DOLAH: Okay, that sounds good; and to answer your question, Bob, a little bit more, these next few slides will help highlight what the Habitat Committee is focusing on and has focused on in the past year and planning to in the next year. Emily Greene I believe is next on tap and you will get a

sense for what ACFHP is trying to do and I think that will clarify it. Each and every year we try to deal with an update to at least one of the FMPs.

We struggled with the lack of having a coordinator on the Atlantic sturgeon. That was actually done by NMFS staff and then reviewed by both the Habitat Committee and the technical committee and revised again. That is now completed. It is with the technical committee and I believe that section will be finalized tomorrow in their discussions.

This past year we have worked on the Red Drum Habitat Section. That was done also by contracting out with an outside individual to do it and reviewed by the committee, and that will go to the Red Drum Technical Committee in December, I believe. One of the new initiatives that we started, recognizing that creating significant and fairly lengthy documents is difficult to do in this day and age with everybody's commitments, is to start a new habitat management series where this is really intended to address cross-cutting issues that are pertinent on the east coast and provide some technical input and technical references, if you will, for coastal managers to be able to deal with responding to these problems.

We completed the offshore wind document that you had a chance to review this summer, and that is online. These are relatively short, four- or five-page documents with lots of good references that can be readily updated. I believe we're getting some very positive responses on that document as being fairly useful to those that have a need for that kind of information.

We have subsequently initiated a second effort in that series and that is on the harbor-deepening issues. There are deepening projects either ongoing, completed or proposed all up and down the east coast. It is a big issue and so we're rapidly trying to develop a document that will provide some advisory information on what coastal managers should consider in those projects and some reference documents as well. We hope to have that ready by next spring.

Each year we have tried to do at least an annual habitat hotline issue that highlights the issues that each of the states is dealing with as well as some examples of restoration projects or other projects like that. We hope to have the second of our annual hotline issues out by this December so that we will stay on schedule.

We have to take a two- or three-year hiatus in publishing habitat hotlines just because of the lack of a coordinator. As I mentioned, we are actively considering habitat bottlenecks as a primary discussion point in our meetings. This past spring we did review the habitat program proposal that we just reviewed. We have also finished our review of the 2012 habitat action plan in terms of our accomplishments and finalized our 2013 habitat action plan, which you will review.

This is my last meeting as chair of the Habitat Committee. I cycle off and the vice-chair, Kent Smith from Florida will serve as the new chair and we elected Jake Kritzer as the vice-chair for the committee, so I think the committee is in very good hands as we move forward. For our 2013 activities, we are proposing to update the lobster; and if funding permits, black drum habitat section.

Actually there is no black drum habitat section; we would have to create it, but we would update the lobster habitat section, including some specific emphasis on potential bottlenecks for those two species. Assuming you approve the recommendations that you heard earlier, we will then go into a concerted effort modify the operational procedures manual, including the FMP outline and what is covered in those FMPs with respect to habitat concerns.

We're planning on preparing a third installment, if you will, of the habitat management series. We have discussed a number of topics that we think are quite relevant, and we are going to share those topics as part of the Habitat Committee Summary that Megan will put together fairly quickly. If any of you on the board have a desire to see one of those topics be a high priority for this coming year, please provide us that input. We would greatly appreciate it. With that, that should give you a sense for where we have been and where we are going.

CHAIRMAN DIODATI: Thanks to both of you for the excellent report and work you have done on this. There is an action item here, though, and I am trying to wrap my arms around it because I think it is a little bit more in depth than just approving the report that has been provided us. There are a number of recommendations; and if we approve the report with all those recommendations, then they become encumbered somewhere in our work.

I think we might have to have some discussion of the separate recommendations to make sure that we're comfortable with all of them. For instance, I think it

was Recommendation Number 5 that talked about member characteristics. I can appreciate that, but I'd probably have trouble institutionalizing that type of a recommendation.

I think most of us are glad to get a warm body to send to a meeting to contribute. When we have to start choosing their characteristics, I think that would be pretty difficult although I sense the sentiment of the group. Likewise, with the issue of increasing staff support, I'm very much in favor of that. I think that requires some discussion about budgeting with our executive director on how we could approach that. I think we all would support having appropriate staff involvement. Dennis, you have something?

MR. ABBOTT: Well, I would think that we would want to refer this to the director or staff to come back to us probably at the February meeting with his recommendations of what we should do with each of the recommendations contained in the habitat report; because there are financial issues and a lot of other things involved that would require consideration.

CHAIRMAN DIODATI: That is an excellent suggestion. Is there any objection to that suggestion? Generally I think the report's recommendations are excellent. They're streamlining; they're providing more focus to the committee work. I think it is going to have a very positive outcome. Bob, are you comfortable with that?

EXECUTIVE DIRECTOR BEAL: Absolutely; I can work with Megan and Bob or Kent if he is now the chair and pull a package together come back with recommendations for this as well as the financial impacts and recommendations with respect that as well.

CHAIRMAN DIODATI: Okay, then without objection from the board. Tom, did you want to comment on this issue?

MR. FOTE: When we paid for Diane Stefan, we did it through grants that were available back then. Hopefully, we would look at that those grants so it wouldn't come out of the commission's budget but look at the avenues we used in the past to get that grant funding, and maybe we could find some of that grant funding available.

CHAIRMAN DIODATI: I think that is the kind of thing that Bob and staff will take a look at.

EXECUTIVE DIRECTOR BEAL: I was just going to comment by February we may have a better sense

of what next year's budget is going to look like. Right now all the action plan items that the business session will consider in a little bit are essentially level funded for this year and the next.

CHAIRMAN DIODATI: Wilson, do you want to cap this off?

DR. LANEY: Mr. Chairman, I would just cap it off by asking the commissioners who have habitat issues that they would like to see addressed to just send us an e-mail and route those to the chairman or the vice-chairman. By that I mean Kent Smith or Jake Kritzer now. One of the things we have been feeling is a sense of a lack of communication with the board, a lack of a lot of communication with the board.

I know there are a lot of commissioners sitting around the table that have habitat issues that they would like to see addressed, and it would be beneficial to the Habitat Committee, I think. As Bob indicated, take a look at that list of future habitat management documents and see if there are any that really strike your fancy that you would like to see us put in a priority mode. Also, if there are other issues and places where you think the Habitat Committee could make a difference, places where you would like to see the ASMFC Habitat Program step in, please let us know about that.

CHAIRMAN DIODATI: Okay, I think I'm going to end this particular topic by saying that at least in the Commonwealth of Massachusetts over the past ten years we went to having one person working parttime on habitat-related issues in our state and now we have about a nine-person team just working on habitat issues.

It is a very important area I think for all the states around the table. That just demonstrates how things have shifted over the past decade in terms of habitat issues. Thanks to you, Bob and Megan, and we will wait until our winter meeting for a report back from staff. Emily Greene I think is next with her five-minute presentation because that is what it says here. This is going to follow nicely with the ACFHP.

ATLANTIC COASTAL FISH HABITAT PARTNERSHIP REPORT

MS. GREENE: At the summer meeting I provided an update on on-the-ground projects which were approved for funding through the Fish and Wildlife Service. Each year we are eligible for \$90,000 to go towards on-the-ground projects. I mentioned a project in the James River to restore Atlantic

sturgeon habitat. Specifically spawning and nursery habitat was approved for funding as well as a project in the Indian River Lagoon to restore ten acres of coastal habitat wetlands, including mangroves.

We were also able to reallocate funds that weren't used in the previous year towards a third project located in Buzzards Bay, Massachusetts, that will focus on restoring eelgrass by replacing traditional moorings with elastic conservation rings that minimize impacts to the seafloor by preventing chain drag, so that was an exciting thing.

I also wanted to note that this past July the Atlantic Coastal Fish Habitat Partnership sent out a request for the next cycle of project funding with a deadline of mid-September. We received eleven proposals which were reviewed and scored by the ACFHP subcommittee, and on Monday the full steering committee discussed and approved that ranked list, which will be submitted to the Fish and Wildlife Service for consideration.

We also received funding from NMFS for a project focused on basically transferring that conservation marine technology that I just mentioned out of New England and into another region along the coast. At the meeting yesterday we discussed some potential locations for doing that demonstration project.

We continue to operate via funds from the Multi-State Conservation Grant Program and recently secured another year of funding through a grant submitted by the National Fish Habitat Board, so we're good for calendar year 2013. At the steering committee meeting on Monday the group also discussed other potential opportunities for operational and project funding, including foundational support, NOAA Community-Based Restoration Grant Program Funding, and a couple of opportunities for the National Fish and Wildlife Foundation.

We will further develop these ideas over the next few weeks and months. On the Science and Data Working Group Fund, I just wanted to inform you of two major projects that we have in process. The first is the development of a draft manuscript of our Fisheries Habitat Matrix Project. We will seek publishing in a Peer-Reviewed Journal in the near future; and after that, hopefully can make those individual matrices available to the public.

The second effort is one which is actually a requirement as a fish habitat partnership that we complete a habitat assessment, so we are currently pursuing funds through the North Atlantic Landscape Conservation Cooperative to do that. That will be

GIS-based assessments that will guide where we focus our protection and restoration efforts.

Lastly, at our meeting on Monday the steering committee discussed streamlining its project endorsement process; approved for a process for bringing in new partners; and approved our 2012/2013 implementation plan; and discussed progress on those tasks to date. I would be remiss if I didn't mention the National Board recently published its second edition of the National Fish Habitat Action Plan. I have a limited number of copies that I put on the back table. I am happy to see they are all gone; but if you didn't get one, you can download the PDF at fishhabitat.org. Thank you.

CHAIRMAN DIODATI: Are there any questions for Emily? Go ahead, Mitch.

MR. MITCHELL FEIGENBAUM: I heard you say that you had discussed yesterday potential locations to apply the information that you gained in the experimental project in Buzzards Bay; can you identify some of those locations that are under consideration?

MS. GREENE: We have considered areas in the Mid-Atlantic, and we are open to other ideas if you have them. The location needs to have two components. The first is that there is seagrass and the second is that there a marina where moorings are in place. Finding a place where both of those two things are happening and where there are clear halos will be a location that we would consider.

CHAIRMAN DIODATI: I will just briefly cap off that discussion by saying in Massachusetts, because of folks like Bill Adler who says we manage fishermen all the time and don't do anything about all those other things, we have looked at this very seriously. If you do overflights of your marinas or anywhere where you have some large moorings you will see the chain roads, because of the tide action scour, looks like crop circles from the sky, and it is pretty significant.

The new type of conservation moorings, as you mentioned, some of them are elastic and some are like telephone cords, the curly thing, and you no longer get that scouring. They are a little bit more expensive, but I think well worth the regulatory effort to require that in the future. Thanks, Emily. Next, Rick Robins is here and we appreciate Rick taking the time to come here today.

We spoke a little bit earlier this week because we're discussing our strategic plan in our executive

committee meeting and where we're going with our five-year strategic plan. We were impressed by the effort that is ongoing in the Mid, and Rick has volunteered to come here and provide us an update about that.

UPDATE ON MID-ATLANTIC COUNCIL'S VISIONING AND STRATEGIC PLANNING PROJECT

MR. RICK ROBINS: Mr. Chairman and members, I appreciate the opportunity to be here with you and to provide a brief summary and update on the Mid-Atlantic Council's Visioning and Strategic Planning Project. We're now almost two years into the initiative, and I look forward to the opportunity to update you.

We obviously share together with this commission a very strong and common interest in the management of fisheries throughout the Mid-Atlantic and also more broadly up and down the east coast. I think these are important opportunities to have these discussions and updates. The primary purpose of the Visioning Project was to develop a stakeholder-driven vision, and I think that is one of the things that sets it apart.

It wasn't simply a matter of the council sitting around the table saying what do we want to see for the management of our fisheries in the future, but rather we built it foundationally on stakeholder input, and to that extent it was organic in nature. We made a very comprehensive effort to collect data directly from stakeholders, and I will discuss those methods briefly.

Earlier this year we completed all the data collection and we published that in July. The report was distributed, posted on the council website and made available. This fall we began to form a Visioning Working Group and Strategic Planning Group, and so that group has since been meeting and actually getting into the details of synthesizing the data and developing a vision mission, strategic objectives and all the elements that are typical of strategic plans. We are now underway and developing strategic objectives. In terms of the rationale for having a strategic plan, there are a number of reasons that we wanted to do this, but in general the timing was right for us.

The council was in a position where we had rebuilt our stocks; and so that end the council had an opportunity I think to enter into the strategic planning

process to better identify and more strategically identify opportunities and threats that we should be aware of risk and then also consider our process and organizational structure and develop a plan that would allow us to maintain continuity of management despite things like turnover in council membership, also just recognizing some of the inherent limitations in the process in terms of how the council interacts with the public. Most of our interactions are in the settings of regulatory meetings. I think that frankly limits sometimes the opportunity that we have to have candid discussions about what the future ought to look like for the fisheries because oftentimes we're developing regulations and stakeholders are reacting to specific proposed regulations. This put in a position I think to have a more proactive look at how we would manage fisheries; also recognizing that we needed to improve our communications.

We have long-term objectives that we want to make progress on such as ecosystem-type management. The data collection, again we used a number of different methods. One was a survey. We received over a thousand survey responses on fisheries-specific plans. We also received over a thousand general responses to the survey.

I think one of the significant developments with this project was the use of round-table-type meetings. We actually went to the stakeholders and met in fishing ports up and down the coast. We recognized the importance of Southern New England to the Mid-Atlantic Council, and so we started out actually in New Bedford and had a number of meetings up in Massachusetts and throughout Southern New England. We met all the way down to Cape Hatteras.

In total we had 20 meetings. We met with people in fish houses; we met in restaurants; we met wherever they wanted to meet. We met in places where they were comfortable and that greatly I think facilitated some very good conversations about what the contemporary problems were in the fisheries, how the stakeholders perceived the rule-making process and the council meetings and the meeting processes. We got a lot of excellent input.

We also got a lot of feedback about council communications and how those could be improved. I think in terms of what methods worked the best, we got a lot of great input through these meetings. I am hopeful as we go forward we will be able to make that part of our regular communication's plan.

We also received position letters from about twelve organizations that wanted to submit position letters. The stakeholders told us a lot. We had to organize the data, of course, in order to make sense out of it. The data were binned in half a dozen categories. Most significantly I think we heard a lot of concerns about information and data. That won't come as a surprise to the commission, but that seems to be foundational.

I think in order to understand the other issues we have to understand the concerns related to the information and data that are used to manage our fisheries. We also had a lot of input about management strategies, economic challenges, communication and participation in the process. There were concerns about governance and representation. Those were significant and also were categorized as a specific category.

We did hear a lot about ecosystem-based management and ecological considerations relative to the management of our fisheries, whether it was how we're dealing with spiny dogfish and their predation and effects on other valuable species or the ecosystem and also how we're dealing with forage species and low trophic level fisheries.

We heard a lot of concern about making sure that the ecological importance of those species is adequately reflected in their management. Again, we had a total of probably 55 themes. Stakeholders made over a hundred specific recommendations for management. We began to organize the data. Some of the common themes included a lack of confidence in data, insufficient stakeholder involvement, and again you heard a lot of concern about ecosystem-type issues. I will just touch on these because I don't want to go into all the specific details.

The stakeholders told us through the process a lot about what they wanted to see for the future, and that was one of our key questions. As we met individually with them and in groups, we always asked them at the end what do you want to see the future of the managed fisheries look like, what would be the desired outcomes?

There may be some tension between and among some of the visions but I think they're easily recognizable. Sustainability is right at the top of the list, but also having accurate scientific data, being fair and transparent in the process in terms of how stakeholders are treated, utilizing fisheries resources efficiently, not wanting to see a lot of regulatory-induced waste, seeing the council and the

management process generally do a better job of considering social and economic considerations, and also having consistent regulations.

There was a lot of concern that we heard – and I think this will be of interest to the commission – about just the fact that the process itself can be confusing to the public. There is confusion about jurisdictional issues. There is confusion about who is responsible for what as you look across the different management organizations; so whether you're looking at the state level or the interstate level or the council level, there was some confusion among the public about that.

There was interest in seeing consistency between and among fishery management organizations and also seeing regulatory stability in the design and implementation of management regulations. Right now we have Strategic Planning Working Group and that working group is built around a diverse group of council members. Those are council members and state directors or their representatives.

We also have key stakeholders involved that have been participating throughout the process. The ASMFC has been involved through the representation by the executive director on that group. We have also benefited from Bob Ballou's participation throughout the planning process and now on the Strategic Working Group.

At the end of this process we will have a strategic plan that goes out for public comment. We will then bring it back to the council for approval, and that will be an important part of the process as well. The process itself is relatively straightforward. I know many of you have participated in the past. It begins with an assessment of the environment, and that in this case is largely built on the stakeholder data that we already collected.

Then we define the vision and mission. We then develop goals and objectives and then strategies to implement those. At the end of that process, we will develop a tactical plan. The timeframe for the strategic plan will probably be a ten-year horizon. The tactical plan will be one to three years, and at that point there will be a lot more staff involvement in the development of that because at that level we're prioritizing and beginning to identify what resources need to be assigned to achieve those objectives.

In terms of the questions that we have received about the project, we did hear a lot of questions about how this will relate to what the council does or how this

relates back to Magnuson because you might think that everything is already defined in Magnuson; but in fact within that we still have the flexibility to consider a more strategic approach to how we manage our fisheries. Again, as we get through a tactical plan, we will have the pathway really forward for how we would develop and implement the actual objectives that are identified in the strategic plan.

In terms of what we can do in the scope of things, we do hear questions about whether the strategic plan will address things like data collection programs that the council doesn't manage. I think some of these issues are so important and so central to the successful management of the region's fisheries that they have to be addressed, but we can't do it unilaterally.

To the extent that we identify problems or strategic objectives that are related to programs that we don't specifically manage – for example, building confidence in data collection systems – we're going to have to work very closely with the science center, with the regional office and with the commission in order to achieve those objectives.

We're not going to develop strategic objectives related to the management of striped bass, but we are going to develop strategic objectives related to building confidence in data collection. I think in that sense we will have to work very collaboratively to address some of those underlying problems that we face. Mr. Chairman, with that, that is all I have and I wanted to leave an opportunity, if possible, if there are any questions from the commission, to address those.

CHAIRMAN DIODATI: Congratulations; that is a very high-quality process that you implemented and I suspect that the report that you're going to get, the strategic plan, is equally going to be high quality. It is a fantastic effort. Are there questions for Rick? No questions? Okay, we're going to copy it; how is that? When I say copy, we're not going to go out and do that; we're just going to take that. Excellent effort, Rick, congratulations.

MR. ROBINS: Thank you, Mr. Chairman, and obviously as you all go forward with your process I am sure our staff would be available to provide any information regarding the process, the methods, the way we interacted with contractors, et cetera.

CHAIRMAN DIODATI: Is your presentation available to the board?

MR. ROBINS: We will make it that way and e-mail it to your staff.

CHAIRMAN DIODATI: We would like that. There is a question from Wilson.

DR. LANEY: Rick, I could ask Chris but since you're here I'll ask you. Does the Mid-Atlantic Council have a staff lead for habitat? Would that be Jason Didden or do you not have a particular staff lead for habitat issues and ecosystem-based issues as well?

MR. ROBINS: We have Jim Armstrong right now is working on some of that. I believe we're initiating a Deep Sea Coral Protection Amendment and that will be Kiley Dancy taking the lead on that project.

MR. LOREN W. LUSTIG: Thank you for that excellent report. One of your first slides I believe you spoke of or you put on the slide that there was a lack of confidence in the data for some of the public that was responding. I found that to be disquieting. I have been wondering as the minutes passed perhaps why would that be. I, of course, could only postulate about that. I wondered, for example if it was an inadequate amount of data that was upsetting to the public or perhaps untimely data or the interpretation of data. I would just like to request some elaboration on that particular part of your report.

MR. ROBINS: I think that is an important question. We have tried to understand through the lenses of our stakeholders. As you look across the different constituencies that we interact with, that lack of confidence manifests itself in several different ways. Frankly, with the recreational public the overwhelming concern has been a lack of confidence in the accuracy of recreational catch estimates or in the variability of those estimates.

With the commercial sector there has been primarily a lack of confidence in the way survey data are collected, so the survey work that is done that feeds into the assessment process. With the environmental community there has been a concern about a lack of adequate monitoring data especially within our commercial fisheries.

It varies by constituency group, but collectively it is a very important area for us to understand I think and address. These themes reflect perceptions, but we have to get into those in detail to really understand them. Again, it varies by sector but I think it is important that we understand each one of those concerns separately.

CHAIRMAN DIODATI: Okay, we're going to move on to our next item on the agenda, which is the Law Enforcement Committee Report.

LAW ENFORCEMENT COMMITTEE REPORT

MR. MARK ROBSON: Thank you, Mr. Chairman and members of the commission. Your Law Enforcement Committee had a really productive couple of days of meeting this week. You have got a written report in front of you so I won't spend a lot of your time going over all the details, but just a couple highlights.

As you can see, we're going to be working in the next couple of months with staff to develop some additional law enforcement recommendations and advice in writing to you to be used for development of the Atlantic Menhaden Amendment; also some of the management options in the American Eel Addendum.

We did have an opportunity yesterday to briefly discuss the v-notch issue for American lobster that the board discussed the other day. We're going to continue to work on that and go back and look at some previous positions the LEC put forward and review the definitions and develop for you a good written summary of the LEC recommendations or advice on that issue.

We were also fortunate this week to have with us at the LEC meeting the Chief of Law Enforcement for the U.S. Fish and Wildlife Service, William Woody, and he had expressed a very personal interest in what the LEC and the Atlantic States Marine Fisheries Commission is doing and made a point of coming to the meeting, and he was at the LEC meeting for the entirety. I consider that a really valuable thing for us as an organization.

We already have the active support and interest of Bruce Buxton as many of you know from NOAA Law Enforcement. I think it means a lot to have both of those gentlemen actively interested in what is going on with the Law Enforcement Committee. Then one last thing, Mr. Chairman; it was very interesting. Joe Fessenden from Maine brought to the LEC a very well-done video that they're using for recruitment of new officers in the Maine Marine Patrol.

I wish everybody could see it but it was very well done. What I saw out of that video was important to

me and the message that these men and women in the video were conveying; number one, how important it was for them to be working for conserving the resources. But, number two, the point was made that those officers see their value in aiding and supporting their local communities and the local fishermen in their communities.

I thought that was a very good point to make for recruiting. I think it is an important issue because in LEC meetings that I have been involved in now, we have been hearing a lot at every meeting about a couple of issues with regard to recruitment. Of course, everybody has faced budget reductions and loss of positions and it has been no different in law enforcement, and we hear this from state to state and agency to agency.

But even when they're able to develop recruit classes and go out and hopefully fill positions that have been vacant, one of the things that I have been hearing is that it is actually difficult for them to find good, qualified recruits for these positions. I think these kinds of recruitment videos are going to be helpful in looking for those kinds of people to come forward and work in resource protection. That concludes my report, Mr. Chairman.

CHAIRMAN DIODATI: Good report, Mark. How long is the video?

MR. ROBSON: They have a long version of eight minutes and then I think they have a 30-second PSA.

CHAIRMAN DIODATI: Well, I think perhaps at the winter meeting we can find time to watch the long version. I think that would be interesting. If there is no objection, I think we can put that on our agenda for the next meeting. I would like to see it at least. Are there any questions for Mark before he leaves? Seeing none, thank you, Mark, excellent. Next is Toni to give us an update on the Technical Orientation and Guidance Document.

UPDATE ON THE TECHNICAL ORIENTATION AND GUIDANCE DOCUMENT

MS. TONI KERNS: The Technical Orientation and Guidance Document was put forward to be updated. It is taking two guidance documents that the commission last updated in 2002 and combining it into one document, as well as giving guidance to stock assessment reports. We have drafted a document and it is being reviewed by the MSC and

the ASC currently, and we will take their edits together and then bring them forward to the Policy Board for final approval and publication at the February 2013 meeting. As a reminder, part of the reason for updating these documents was a request from stakeholders to have better guidance to how interactions could occur during technical committees that the ASMFC has.

DISCUSSION OF CLIMATE CHANGE-INDUCED SHIFTS IN SPECIES DISTRIBUTION

CHAIRMAN DIODATI: Are there questions for Toni? Okay, seeing none, thank you, Toni. This next item I think I'm going to handle. I don't have to step down in order to handle this. This has to do with a letter that I sent to Bob on behalf of Massachusetts Marine Fisheries Advisory Commission, who met with an ad hoc group of commission members at the annual meeting last year. What the letter does is it requests the Policy Board to task our Management and Science Committee to investigate the impacts of climate change on redistribution of some of the fish that we manage and particularly how that might impact allocations, among other things, and report back to this board their findings and perhaps a recommendation with how to address that in future management plans.

I think I laid out the issue well enough in the letter, and so what we would be looking for is an endorsement of the board to send that task to our Management and Science Committee. Is that correct, Bob; that sounds about right?

EXECUTIVE DIRECTOR BEAL: Yes, it sounds right. You probably don't need a motion if there is no objection to doing that.

CHAIRMAN DIODATI: Well, if there are any questions or discussion about it, I'm glad to entertain that. I'm not trying to push this through, but I would like to move it to the Management and Science Committee. If there is no objection or no questions, we will consider that done.

MR. BALLOU: Mr. Chairman, does this presuppose that a reallocation strategy is in the works and that this would form the basis for that, or is this just an open-ended exploration of an issue and let's see where it goes? Those are two very different perspectives and without any sideboards, I just wonder about the committee's ability to report back on the issue of allocation, which as we all know is a

very challenging issue. I'm just sort of wondering where we go with this.

CHAIRMAN DIODATI: Yes, it would be my impression that the committee would evaluate whether or not there have been significant enough changes in the distribution of these stocks that make some of the allocation or basis for allocation that we have depended on in the past are relevant. I think that is the first question. I'm not sure; I guess intuitively I'd say there probably has been a change for some of these species that we manage and we're going to see that.

I would like to get their response and along with that if they do identify significant shifts and our current methodology is outdated, then I would like their suggestion for how we deal with this moving forward in the future. That might mean a running three-year or five-year not reallocation but certainly a recalculation, a re-estimate of whether or not changes need to be made.

The Commonwealth could have done this exercise and presented a report to the Policy Board today, but we think it is best that our own Management and Science Committee does the work. That is where I'm at with it. I'm going to let Bob follow up and then I'll go to Pat.

MR. BALLOU: Mr. Chairman, I appreciate the interest in the issue. I would just state the obvious and that is I see it not as apples to apples but apples to oranges. I don't think the original allocation formulas were based on distribution of the resource. It was more on historical landings, so now we're looking at distribution of the resource potentially as a new basis for allocation. It really conceivably would send us in a new direction, and it may be a very appropriate direction. I just think we need to do this eyes wide open with the understanding that it would be a new approach. I will just leave it there; thank you.

CHAIRMAN DIODATI: And, again, that is why I thought the way to step into this is to have the Management and Science Committee examine it and see what they say. Although you're correct earlier allocation methodologies weren't based on geographic distribution, but for all intents and purposes that is what drove them. That is probably the underlying factor that drove the catches that we use to interpret the allocations. Pat.

MR. PATRICK AUGUSTINE: Thank you, Mr. Chairman; very complex issue. I'm just wondering if

you have specific species in mind or are we talking about across the board. It seems to me if we have a joint plan with a particular species of fish, even though the various species are moving further north and east, if you will, it just seems to me where we have interaction with the New England Council, for instance, and our interaction with the Mid-Atlantic particularly on our primary summer flounder, scup, and black sea bass, those species are moving along; and whether it is climate – well, we will call it climate – whether it is the availability of food and temperature, whatever it happens to be, it seems like an extremely big issue.

My concern is that we're not going to spend a whole lot of time and effort on this. It may be important but I'm not sure if it is going to take away from the time that could be spent doing other things that are more pressing at this moment. It's up to you, Mr. Chairman, and I think it is a good idea to look at this and get a white paper on it, if you will.

The question is how much time are we going to spend and what is the possible outcome of any changes we could get as a result of it other than saying, gee whiz, that is interesting or, gee whiz, we do have a change. That is my concern. I think it is something we should look at; again, the priority and how much time. I would leave it up to you, Mr. Chairman, to decide which way you want to go with it.

CHAIRMAN DIODATI: First of all, I didn't identify a specific species because I thought that would be best left to those on the Management and Science Committee to present case studies, if that is how they feel is best to examine this. As far as priority, the Management and Science Committee, if you take a look at their workload, they haven't had any significant assignments from the Policy Board in some time. In fact, they're looking for things to do.

I think this is an excellent task for them and I think it is a priority that deserves to be up there. The example I gave you in my letter has to do with the Southern New England Lobster Stock. That distribution has shifted so dramatically that we have a fishery failure. I think it is important.

I think it is important that if we're going to continue to utilize the nation's marine fisheries resources to the best extent practicable – and that is what I see as our role – then I think we have to know as much as possible about where these fish are. Otherwise, we're going to be assigning them to fisheries, gear types, geographic regions, political regions that can

never catch them. I don't think that is a good utilization of the resource. I think it is a high priority and I would like to see it move forward.

MR. FOTE: I know the National Marine Fisheries Service has been doing a lot of work about climate change and how it is affecting fish populations. I think the Management and Science Committee should basically work on that. I don't know what the U.S. Fish and Wildlife Service is doing with that, but I imagine they're still looking at it because of the high priority, so I would like to hear from both of them.

DR. LANEY: Yes, Tom, it is a big component of the Landscape Conservation Cooperatives or at least the charge to those Landscape Conservation Cooperatives that the Department of the Interior has created – you know, individual Fish and Wildlife Service units on the ground are working very closely with those units and also with the Climate Science Centers that have been created. Those Climate Science Centers and the LCCs are talking to each other.

If the commission is interested in maybe having a presentation on that at a future meeting, we could certainly arrange to give a presentation on what the Service is doing with regard to climate change. I believe our Climate Change Strategic Plan is also on the website, too, for anybody that wants to take a look at it.

CHAIRMAN DIODATI: Okay, is there anything more on this? I'm sure this will result in Maine getting a scup allocation in the near future, but we will see. If that is the right thing to do, then so be it.

OTHER BUSINESS

CHAIRMAN DIODATI: All right, we are going to move on to the next issue, which is Other Business. Is there any other business to come before the Policy Board before we adjourn this meeting? Seeing no other business before the board, we will adjourn.

(Whereupon, the meeting was adjourned at 5:12 o'clock p.m., October 24, 2012.)