

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

**Crowne Plaza Hotel - Old Town**  
Alexandria, Virginia  
February 21, 2013

Approved May 23, 2013

## TABLE OF CONTENTS

<b>Call to Order, Chairman Paul Diodati.....</b>	<b>1</b>
<b>Approval of Agenda.....</b>	<b>1</b>
<b>Approval of Proceedings, October 24, 2012 .....</b>	<b>1</b>
<b>Resolution from the Horseshoe Crab Management Board .....</b>	<b>1</b>
<b>Adjournment .....</b>	<b>2</b>

## INDEX OF MOTIONS

1. **Approval of Agenda** by consent (Page 1).
2. **Move on behalf of the Horseshoe Crab Management Board, that the Commission approve the resolution on the ban on the importation of Asian horseshoe crabs** (Page 2). Motion by David Simpson; second by Robert Boyles. Motion carried (Page 2).
3. **Move to Adjourn** by consent (Page 2).

## ATTENDANCE

### Board Members

Rep. Walter Kumeiga, ME (LA)	Mitchell Feigenbaum, PA, proxy for Rep. Vereb (LA)
Patrick Keliher, ME (AA)	Leroy Young, PA, proxy for J. Arway (AA)
Willis Spear, ME, proxy for S.Train (GA)	Loren Lustig, PA (GA)
Dennis Abbott, NH, proxy for Sen. Watters (LA)	David Saveikis, DE (AA)
Doug Grout, NH (AA)	Roy Miller, DE (GA)
G. Ritchie White, NH (GA)	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)
Rep. Sarah Peake, MA (LA)	Jack Travelstead, VA (AA)
Robert Ballou, RI (AA)	Cathy Davenport, VA (GA)
Bill McElroy, RI (GA)	Louis Daniel, NC (AA)
David Simpson, CT (AA)	Sen. Ronnie Cromer, SC (LA)
Dr. Lance Stewart, CT (GA)	Robert Boyles, Jr., SC (AA)
James Gilmore, NY (AA)	Patrick Geer, GA, proxy for S. Woodward (AA)
Steve Heins, NY, administrative proxy	James Estes, FL, proxy for J. McCawley (AA)
Pat Augustine, NY (GA)	Jaime Geiger, USFWS
Peter Himchak, NJ, proxy for D. Chanda (AA)	Kelly Denit, NMFS
Adam Nowalsky, NJ, proxy for Asm. Albano (LA)	A.C. Carpenter, PRFC
Tom Fote, NJ (GA)	

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

### Ex-Officio Members

#### Staff

Robert Beal

Toni Kerns

#### Guests

Margo Schultz-Haugen, NMFS

The Business Session of the Atlantic States Marine Fisheries Commission convened in the Presidential Ballroom of the Crowne Plaza Hotel Old Town, Alexandria, Virginia, February 21, 2013, and was called to order at 2:37 o'clock a.m. by Chairman Paul Diodati.

### **CALL TO ORDER**

CHAIRMAN PAUL DIODATI: We will start our Business Session. Louis has an item for us.

DR. LOUIS B. DANIEL: During the Policy Board earlier today, I briefly explained what I was trying to do. On behalf of the executive committee I move to authorize the executive director to withdraw no more than \$500,000 from commission reserves in order to meet our unavoidable expenses, primarily mortgage and salaries, if we have not received our ACFCMA funds by 1 March 2013.

This authorization is made with the understanding that upon receipt of our ACFCMA funds a deposit would be made to commission reserves equal to any withdrawals that may have been made. This is a one-time request and is made solely for 2013. The authority would expire upon receipt of our ACFCMA grant.

CHAIRMAN DIODATI: No second is needed here. Those of you who weren't at the executive committee meeting, for a little explanation what this is about is the sequestration that we hear so much about. If the federal monies are delayed, beginning in March we would have a problem in terms of administering grants; and so our reserve money could be used as a bridge if that is necessary. That is what this does. Are there any questions about it? Is there opposition? Seeing no opposition to the motion; I will consider this approved.

### **APPROVAL OF AGENDA**

CHAIRMAN DIODATI: Are there any changes to the agenda? Seeing none;

### **APPROVAL OF PROCEEDINGS**

CHAIRMAN DIODATI: Any changes or modifications to the minutes from the last meeting? I will consider those approved. I think the outstanding piece of business is a resolution from the Horseshoe Crab Management Board? Dave.

### **RESOLUTION FROM THE HORSESHOE CRAB MANAGEMENT BOARD**

MR. DAVID SIMPSON: Do I need to read the whole thing into the record? Okay, this is Resolution

13-01, Resolution to Ban the Import and Use of Asian Horseshoe Crabs as bait:

Whereas, the Atlantic States Marine Fisheries Commission (Commission) is comprised of representatives of the fifteen Atlantic coastal states and is charged with management of fisheries resources, marine, shell, and anadromous; and

Whereas, one of those fisheries resources is the Atlantic horseshoe crab (*Limulus polyphemus*) which is managed for its ecological services, use as bait, and in the biomedical industry; and

Whereas, horseshoe crabs are used as bait in fisheries for American eel and whelk fisheries; and

Whereas, bait shortages motivated seafood dealers in the State of New York to import 2,000 non-native Asian horseshoe crabs in 2011, and 7,400 kilograms of non-native Asian horseshoe crabs in 2012 for use as bait in state waters; and

Whereas, three species of Asian horseshoe crabs (*Tachypleus gigas*, *Carcinoscorpius rotundicauda*, and *Tachypleus tridentatus*) pose a potential threat to the marine resources and human health along the Atlantic coast of the United States; and

Whereas, recent evidence presented in 2011 suggests that the populations of these three species of Asian horseshoe crabs are in decline; and

Whereas, it will take the United States Fish and Wildlife Service up to a year to add the species to the Injurious Wildlife list of the Lacey Act so importation can be regulated on a federal level; and

Whereas, in the meantime measures should be put in place to address the issue; and

Whereas, one species of parasitic flatworm lays eggs in tough cocoons on the shell of the Asian horseshoe crab, which can easily survive and hatch even if the host crab is killed; and

Whereas, the introduction of such or similar parasites would have detrimental effects on the American horseshoe crab population, and

Whereas, detrimental impacts on American horseshoe crab populations will likely impact food availability for migratory shorebirds, including red knots; and

Whereas, one species of Asian horseshoe crab (*C. rotundicauda*) is known to contain the powerful,

potentially painful, neurotoxin tetrodotoxin (TTX); and,

Whereas, the potential for TTX accumulation in commonly consumed seafood product (whelk and eel) and subsequent human illness is unknown; and

**THEREFORE, BE IT RESOLVED that the Commission's Horseshoe Crab Management Board recommend to its member states that they take any and all action to ban the importation and use of Asian horseshoe crabs as bait as soon as possible.**

CHAIRMAN DIODATI: **That's a motion to adopt that resolution.**

MR. SIMPSON: It is a motion and a thanks to Marin who very quickly and professionally put this together.

CHAIRMAN DIODATI: Robert Boyles offers a second on that motion to adopt this resolution. Is there any comment for or against? **Seeing none; I am going to assume that this motion is unanimously approved.**

#### **ADJOURNMENT**

Is that all of our business for today? A motion to adjourn. Thank you.

(Whereupon, the meeting was adjourned at 2:45 o'clock p.m., February 21, 2013.)