

**PROCEEDINGS
of the
ATLANTIC STATES MARINE FISHERIES COMMISSION
BUSINESS SESSION**

August 18, 2005

**Radisson Hotel
Alexandria, Virginia**

Approved November 3, 2005

ATTENDANCE

Board Members

George Lapointe, Maine DMR	Ed Goldman, Proxy for Robert Smith, NJ
Patten White, Maine Gov. Apte.	Eugene Kray, proxy for Curt Shroeder, PA
John Nelson, New Hampshire F&G	Craig Shirey, Proxy for Roy Miller, DE
Ritchie White, New Hampshire Gov. Apte.	Bernard Pankowski, proxy for Robert Venables
Dennis Abbott, proxy for Mary Ann Blanchard, NH	Howard King, Maryland DNR
Paul Diodati, Massachusetts DMF	A.C. Carpenter, PRFC
Bill Alder, Massachusetts Gov. Apte.	Jack Travelstead, Virginia MRC
Mark Gibson, Rhode Island DEM	Kelly Place, proxy for John Chichester, VA
Eric Smith, Connecticut DMR	Preston Pate, North Carolina, DMF
Lance Stewart, Connecticut Gov. Apte.	Damon Tatem, North Carolina Gov. Apte.
Gordon Colvin, New York DEC	John Frampton, South Carolina DNR
Pat Augustine, New York Gov. Apte.	Robert Boyles, Jr. South Carolina Leg. Comm.
Brian Culhane, Proxy for Owen Johnson, NY	John Duren, Georgia Gov. Apte.
Bruce Freeman, New Jersey DFG&W	David Perkins, USFWS
Erling Berg, New Jersey Gov. Apte.	Anne Lange, NMFS

ASMFC Staff

Ruth Christiansen	Lydia Munger
Bob Beal	Brad Spear
Tina Berger	Nancy Wallace
Vince O'Shea	Mike Howard
Julie Nygard	Toni Kerns
Vince O'Shea	

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Summary of Motions

August 18, 2005

On behalf of the ISFMP Policy Board, I move that the Commission find the State of Connecticut out of compliance with Addendum III to Amendment 3 to the American Lobster FMP in that it has failed to implement and enforce the gauge increase from 3 ¼” to 3 9/32” in Area 6 by July 1, 2005. This measure is required to ensure that the F_{10%} targets of the plan are achieved and to maintain effective cooperative management of the lobster resource. In order to come back into compliance, Connecticut must increase the Area 6 gauge size to 3 9/32”.

Motion made by Mr. Lapointe; Motion carries (12 in favor).

On behalf of the ISFMP Policy Board, I move that the Commonwealth of Massachusetts be found out of compliance with Addendum III to Amendment 3 to the American Lobster FMP in that it has failed to implement and enforce the gauge increase from 3 3/8” to 3 13/32” in Outer Cape Cod by July 1, 2005. This measure is required to ensure that the F_{10%} targets of the plan are achieved and to maintain effective cooperative management of the lobster resource. In order to come back into compliance, the Commonwealth must increase the Outer Cape Cod gauge size to 3 13/32”.

Motion made by Mr. Lapointe; Motion carries (11 in favor, 1 opposed).

The meeting of the Business Session of the Atlantic States Marine Fisheries Commission convened in the Presidential Ballroom of the Radisson Hotel Old Towne, Alexandria, Virginia, on Thursday, August 18, 2005, and was called to order at 3:35 o'clock, p.m., by Chairman Preston Pate, Jr.

-- Welcome; Introductions --

CHAIRMAN PRESTON PATE, JR.: Move directly into the Business Session. Welcome and call to order for that group.

-- Approval of Agenda --

You have the agenda. Any changes necessary for the agenda? Seeing none and **without objection then we'll consider that approved.**

-- Approval of Minutes --

Minutes from the May meeting, any comments or changes suggested to that? Seeing none and **without objection we'll consider those approved.**

-- Public Comment --

Anyone from the public wish to comment at this point? Seeing none we'll move on. The next item is the review of recommendations on non-compliance findings from the previous actions. Mr. George.

-- Review of Recommendations on non-Compliance --

MR. GEORGE LAPOINTE: Thank you. Mr. Chairman there are two motions on behalf of the Policy Board. I'll read those in the record. The first is the one for the state of Connecticut and lobster and it reads:

On behalf of the ISFMP Policy Board I move that the Commission find the state of Connecticut out of compliance with Addendum III to the Amendment 3 to the American Lobster FMP in that it has failed to implement and enforce the gauge increase from 3-1/4 inch to 3-9/32 inch in Area 6 by

July 1, 2005.

This measure is required to ensure that the F-10 targets of the plan are achieved and to maintain effective cooperative management of the lobster resource. In order to come back into compliance Connecticut must increase the Area 6 gauge size to 3-9/32. And I make that on behalf of the Policy Board.

CHAIRMAN PATE: Thank you, George, and that does not require a second so any discussion on the motion? Any need to caucus? Seeing none all in favor of the motion please signify by raising your right hand; all opposed, like sign; null votes; abstentions. The motion passes by a vote of eleven in favor, zero against, no null votes, no abstentions.

MR. LAPOINTE: I have one more motion, Mr. Chairman.

CHAIRMAN PATE: Thank you, George.

MR. LAPOINTE: And when I see it I will read it. And it is: **on behalf of the ISFMP Policy Board I would move that the commonwealth of Massachusetts be found out of compliance with Addendum III to the Amendment 3 to the American Lobster FMP in that it has failed to implement and enforce the gauge increase from 3-3/8 inch to 3-13/32 inch in the Outer Cape by July 1, 2005.**

This measure is required to ensure that the F-10 targets of the plan are achieved and to maintain effective cooperative management of the lobster resource. In order to come back into compliance the commonwealth must increase the Outer Cape gauge size to 3-13/32 of an inch.

CHAIRMAN PATE: Any comments on the motion? All in favor please raise your right hand; all opposed, like sign; null votes; abstentions. The motion passes eleven in favor, one against, no nulls, no abstentions. That concludes the non-compliance issues that are before the board.

That concludes the agenda since there are no

fisheries management plan amendments to bring up. Under the section of other business before somebody else jumps in I'd like to take the opportunity to note that this is Mr. Lew Flagg's last meeting, as I understand it, after 40 years of dedicated service to the state of Maine. I think that's the right number, Lew.

And after umpidy-ump years of equally dedicated service to this board Lew has decided to move on. And certainly on behalf of everyone, Lew, thank you very, very much for the contribution that you have made to this program.

I think that not only are you very technically capable and have been a significantly contributory member to this group, you're just one of the nicest people that I've ever met and we'll all miss you. (Applause)

MR. LEWIS FLAGG: Thank you. Thank you, Mr. Chairman, and in my next life I hope to be contributing to the mortality of some of the species you're managing. (Laughter)

-- Other Business; Adjourn --

CHAIRMAN PATE: And we wish you luck in that endeavor as well. Any other business to come before the group? Thank you very much. Good meeting. Travel safely back home and we'll see you in New Jersey in October.

(Whereupon, the meeting adjourned at 3:42 o'clock p.m. on Thursday, August 18, 2005.)
