

**DRAFT**

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

**Crowne Plaza Hotel Old Town  
Alexandria, Virginia  
February 7, 2008**

**These minutes are draft and subject to approval by the Commissioners  
during their next Business Session.**

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1. **Approval of agenda by consent** (Page 1).
2. **Approval of minutes of November, 2007 meeting by consent** (Page 1).
3. **Committee Motion by the ISFMP Policy Board to find New Jersey out of Compliance** for not fully and effectively implementing and enforcing Addendum IV and Addendum V to the Interstate Fishery Management Plan for Tautog (Page 1); No second required. Motion approved (Page 1).
4. **Adjourn by consent** (Page 2).

## ATTENDANCE

### Board Members

George Lapointe, ME (AA)	Frank Cozzo, PA, proxy for Rep. Schroeder (LA)
Pat White, ME (GA)	Roy Miller, DE, proxy for P. Emory (AA)
Sen. Dennis Damon, ME (LA)	Bernie Pankowski, DE, proxy for Sen. Venables, (LA)
John Nelson, Jr., NH (AA)	Harley Spier, MD (AA)
Rep. Dennis Abbott, NH (LA)	William Goldsborough, MD (GA)
Ritchie White, NH (GA)	Russell Dize, MD, proxy for Sen. Colburn (LA)
Paul Diodati, MA (AA)	Jack Travelstead, VA, proxy for S. Bowman (AA)
William Adler, MA (GA)	Catherine Davenport, VA (GA)
Najih Lazar, RI, proxy for Gibson (AA)	Ernest Bowden, VA, proxy for Del. Lewis (LA)
Gil Pope, RI, proxy for Rep. Naughton (LA)	Dr. Louis Daniel, NC (AA)
Eric Smith, CT (AA)	Damon Tatem, NC (GA)
Dr. Lance Stewart, CT (GA)	Jimmy Johnson, NC, proxy for Rep. Wainwright (LA)
James Gilmore, NY (AA)	Malcolm Rhodes, SC (GA)
Pat Augustine, NY (GA)	Robert Boyles, Jr., SC (LA)
Brian Culhane, NY, proxy for Sen. Johnson	John Duren, GA (GA)
Tom McCloy, NJ, proxy for D. Chanda (AA)	William Sharp, FL, proxy for McRae (AA)
Erling Berg, NJ (GA)	April Price, FL (GA)
Leroy Young, PA, proxy for J. Austen (AA)	A.C. Carpenter, PRFC

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

### Ex-Officio Members

#### Staff

Vince O'Shea	Brad Spear
Bob Beal	Patrick Marchman
Nichola Meserve	Toni Kerns
Erika Robbins	Tina Burger

#### Guests

Emily Manashes, NMFS	Bill Archambault, USFWS
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The Business Meeting of the Atlantic States Marine Fisheries Commission convened in the Presidential Ballroom of the Crowne Plaza Hotel, Alexandria, Virginia, February 7, 2008, and was called to order at 11:25 o'clock a.m. by Chairman George LaPointe.

### **CALL TO ORDER**

CHAIRMAN GEORGE D. LAPOINTE: We will start the Business Session meeting. There is an agenda that was on your CD and in the back corner.

### **APPROVAL OF AGENDA**

CHAIRMAN GEORGE D. LAPOINTE: The first item on the agenda is approval of the agenda. We have one matter before us and that's the review of non-compliance findings. Are there other matters to come before the business session? Seeing none, is there opposition to its approval. Seeing none, the agenda is approved.

### **APPROVAL OF PROCEEDINGS**

We have proceedings from the November 2007 business meeting that we need to approve. Motion by Pat for approval; second by Robert Boyles. Does anybody have any comments on the proceedings that are before us? Seeing none, is there objection to their approval? Seeing none, they are approved.

### **PUBLIC COMMENT**

Our next agenda topic is public comment. As I mentioned at the last meeting, we have a spot on all of our meetings for public comment for items that aren't on the agenda. The one agenda topic is non-compliance. Are there any members of the public who wish to speak on something besides the non-compliance finding?

### **NON-COMPLIANCE FINDINGS REVIEW**

Seeing none, we'll go back to the board. Agenda Topic 4 is a review of non-compliance findings. We have a motion that I will read because it's on behalf of the Policy Board and it says:

On behalf of the ISFMP Policy Board I move that the Commission find the State of New Jersey out of compliance for not fully and effectively implementing and enforcing Addendum IV and Addendum V to the Interstate Fishery Management Plan for Tautog. The State of New Jersey has not implemented management measures to achieve the required 25.6 percent reduction in exploitation. This reduction in exploitation is necessary to initiate rebuilding of the overfished Tautog stock. In order to come back into compliance, the State of New Jersey

must implement management measures that achieve the required reduction in exploitation as required by Addenda IV and V.

That is a committee motion from the Policy Board so it doesn't require a second. Is there any discussion on the motion on the part of Board members? I see none. Is there any member of the public who wish to speak on the motion? Seeing none, I'll come back to the business section. Do we need time to caucus? Seeing none, all those in favor of the motion to find New Jersey out of compliance, please raise your hand, 12 in favor; those opposed, same sign, one opposed; abstentions, 4 abstentions; any null votes. The motion carries.

MR. JOHN I. NELSON, JR.: Thank you, Mr. Chairman. Again, going back to this, Mr. Chairman, it's always unfortunate to deal with a non-compliance issue. Recognizing the State of New Jersey has pointed out the process they have to go through to get their measures put in place and the fact that the staff has to convince a group to move ahead with this, I would hope that a couple of things could happen.

One is if the Commission could provide to them exactly why it was not accepted by the technical committee so they can point that out to their commission. Also, I think it's important for their industry to understand what the rules will be and the timing of everything. I would suggest that the letter be sent as immediately as possible to move this along so that everyone has enough time to acclimate themselves to what needs to be done and what will happen.

CHAIRMAN LAPOINTE: Thank you, John. Any comments to John's suggestion? Tom McCloy.

MR. THOMAS MCCLOY: I love that suggestion. I just thought I'd add another piece of information for everybody's benefit. The council's next meeting dealing with true fisheries will be March 6<sup>th</sup>, so obviously before then would be great.

### **OTHER BUSINESS**

CHAIRMAN LAPOINTE: Great, it makes sense to me to get it out sooner than later as well. Does that make sense to everybody? I see heads shaking yes. Thank you. There is one more item I want to talk about. This is the last meeting of our esteemed colleague, John Nelson, who has been with the Commission for a whole long time. He is retiring; he's grinning.

John has been a friend and colleague and mentor for many of us. He has done just about every dangd job

at the Commission you can think about. He has been the Chair; he has chaired many of the boards of New Hampshire's interests. He has reached the epitome of his career this week with a new career designation of remote mouse, as near as I can tell. But, John, for myself and for the Commission as whole I want to congratulate you on your retirement and thank you for your long service. (Applause) Any parting words?

MR. NELSON: I feel a little warm, Mr. Chairman. Thank you, George, that was very kind of you and I thank all my fellow commissioners. It's been a interesting career. I would say that working with the Commission, Vince, Bob, Laura and staff – and I've seen a little bit of changeover in staff, but all of the staff continues to be topnotch, which makes Bob look real good.

I would just point out working with all the commissioners from the different states, I think we've achieved a lot. We've obviously compromised a lot over the years, and I urge that to continue on certain species. I just would point out that working with the Commission has, in my mind, been one of the highlights of my career. I thank you all for letting me be involved in that. Thank you. (Applause)

#### **ADJOURN**

CHAIRMAN LAPOINTE: Thanks, John. Any other matters to come before the business session? Seeing none, we are adjourned.

(Whereupon, the meeting was adjourned at 11:30 o'clock a.m., February 7, 2008.)