

PROCEEDINGS
of the
ATLANTIC STATES MARINE FISHERIES COMMISSION
52ND ANNUAL MEETING
BUSINESS MEETING

November 18, 1993
Newport Islander
Doubletree Hotel
Newport, Rhode Island

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TABLE OF CONTENTS

Call to Order, Chairman Philip G. Coates....1

Nominating Committee Report.....3

Recognition of New Commissioners.....6

Executive Director's Report.....7

Executive Committee Report.....12

Congressional Legislative Committee Report.15

Management and Science Committee Report....23

Law Enforcement Committee Report.....26

Policy Board Report.....31

Approval of Change in Rules and Regula-
tions.....35

Amendment 5 to Summer Flounder FMP.....37

Resolutions Committee Report.....40

Incoming Chairman's Remarks.....64

Adjournment.....68

- - -

INDEX OF MOTIONS

<u>MOTION</u>	<u>PAGE</u>	<u>ACTION</u>	<u>PAGE</u>
Accept Executive Committee report)	14	Carried	15
Re Magnuson reauthorization)	20	Carried	21
Accept report of Congressional Legislative Committee)	23	Carried	23
Accept Management and Science Committee report)	26	Carried	26
Accept Law Enforcement Committee report)	30	Carried	31
Accept Policy Board report)	32	Carried	35
Accept change in rules and regulations)	36	Carried	37
Adopt Amendment 5 to Summer Flounder FMP)	39	Carried	40
Suspend rules)	41	Carried	41
Adopt resolution re wetlands pro- tection, etc.)	43	Carried	48
Amend)	44	Carried	46
Suspend rules)	51	Carried	52
Adopt resolution re proposed Basin) Mills Hydroelectric dam)	53	Carried	53
Suspend rules)	54	Carried	54
Adopt resolution re collection of) critical social and economic data) etc.)	57	Carried	61
Adopt resolution of appreciation) to Rhode Island)	62	Carried	62

ATLANTIC STATES MARINE FISHERIES COMMISSION

52ND ANNUAL MEETING

Newport Islander Doubletree Hotel Newport, Rhode Island

November 14-18, 1993

BUSINESS MEETING

November 18, 1993

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The Business Meeting of the Atlantic States Marine Fisheries Commission 52nd Annual Meeting convened in Ballroom A of the Newport Islander Doubletree Hotel, Newport, Rhode Island, Thursday morning, November 18, 1993, and was called to order at 8:30 o'clock a.m. by Chairman Philip G. Coates.

CHAIRMAN PHILIP G. COATES: Good morning, ladies and gentlemen. I'd like to welcome you to the 52nd Annual Meeting Full Business Session of the Atlantic States Marine Fisheries Commission. And with luck, we'll move through our business expeditiously, and we should be out of here in a timely manner.

Our first order of business is the report of the Nominating Committee, Duane Harris.

MR. DUANE HARRIS: Thank you, Mr.

Chairman. It's going to be very difficult for me to be serious after last night's event, and I want to let you know I was completely innocent.

We've got to call the roll.

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

EXECUTIVE DIRECTOR JOHN H. DUNNIGAN: Mr. Chairman, a majority of the states that are members of ASMFC are here, and I would note that we have one delegation that has all of its commissioners here with us this morning, and that's the State of New York, and they should be congratulated. Thank you.

CHAIRMAN COATES: Thank you.

Now we will hear from the Nominating Committee. Duane.

MR. HARRIS: As I was saying when I was so rudely interrupted, I was completely innocent of all wrongdoing last night. I was only pulled into the fray when I was hit by an irate rubber band, sent my way by one Dr. Bonnie Brown. I know it was an irate rubber band, because it was obviously aimed for the back of my wife's head, who was also not joining in the fray.

It's my pleasure to represent the report of the Nominating Committee, and those members of the Nominating Committee were Pete Jensen and Tony Verga and myself, and I would like at this time to present the Nominating Committee's recommendation to ASMFC for the chairman for the next two years of ASMFC.

But before I do that, on a personal note, I'd like to personally and publicly thank and congratulate Phil Coates who has done an outstanding job as our chairman for the last two years. (Applause)

Now, at this time, I would like to put forward the nomination of someone who you all know as Dr. Bill Hogarth from North Carolina, but who those of us who really know him know him very affectionately as the one, the only Mister Ed. (Laughter) And I'd like those of you that would to join me in a round of "A horse is a horse is a horse."

Mr. Chairman, it's my pleasure to nominate Dr. Bill Hogarth from North Carolina to the position of chairman of ASMFC.

EXECUTIVE DIRECTOR DUNNIGAN: Thank you very much.

The Nominating Committee has given the Commission its nomination for chairman of ASMFC for the next year. Are there any other nominations from the floor? The Chair would entertain a motion to close nominations.

MR. GORDON C. COLVIN: So move.

MR. HARRIS: Second.

EXECUTIVE DIRECTOR DUNNIGAN: Is there any objection? Nominations for chairman are closed. The only nominee that we have is Dr. Hogarth. Is there a motion to elect Dr. Hogarth chairman of the Atlantic States Marine Fisheries Commission by acclaim?

MR. HARRIS: So move.

MR. DAVID V. D. BORDEN: Second.

EXECUTIVE DIRECTOR DUNNIGAN: Is there any objection? Hearing none, Dr. Hogarth is elected chairman of the Atlantic States Marine Fisheries Commission for the next year. (Applause)

MR. HARRIS: Mr. Chairman, the Nominating Committee submits for consideration by the Commission the name of Gordon Colvin from New York for the vice-chairman of ASMFC.

EXECUTIVE DIRECTOR DUNNIGAN: The Nominating Committee has submitted its nomination of Gordon Colvin to be the vice-chairman of the Atlantic States Marine Fisheries Commission. Are there any other nominations from the floor? Mr. Travelstead.

MR. JACK TRAVELSTEAD: At the request of the LGAs, I'd like to nominate Dr. Bonnie Brown.

EXECUTIVE DIRECTOR DUNNIGAN: Dr. Brown has been nominated to be vice-chairman. Are there other nominations from the floor? Seeing none, I will entertain a motion to close nominations.

MS. SUSAN SHIPMAN: So move.

MR. HARRIS: Second.

EXECUTIVE DIRECTOR DUNNIGAN: Without objection, nominations are closed, and we have two nominations. Let me review the procedure. The vote for vice-chairman of the Atlantic States Marine Fisheries Commission will be by state. Each state has one vote. Delegations must caucus to determine how that vote will be cast.

Take a couple of minutes, go ahead and do that, mark a piece of paper with the name, and we will

then collect the ballots and tally.

Do we have all the ballots? Let me indicate for the record that Mr. Manus has arrived, and with that we now have two state delegations that are completely represented here this morning. Pennsylvania is not here either, so we should only have 13.

The majority of states having voted for Dr. Bonnie Brown, she is declared the new vice-chairman of the Atlantic States Marine Fisheries Commission.
(Applause)

Mr. Chairman, I return it to you.

CHAIRMAN COATES: Thank you, Jack.

Congratulations, Bill and Bonnie. We're looking forward to two years of great leadership under the new slate of officers.

The next order of business, which I again neglected -- I seem to be starting off on the wrong page this morning -- is the recognition of new commissioners. We have two new administrative commissioners, Ernie Beckwith from Connecticut who replaces Eric Smith, and Andrew Manus from Delaware, who replaces Bill Wagner.

We have four new legislative com-

missioners: Representative Herb Drake from New Hampshire, replacing Roger Heath. Several of us in New England know Herb well. Representative John Richard Schroeder from Delaware, replacing Ruth Ann Minner; Representative Jeffrey Coy from Pennsylvania, replacing Matthew Lyon; and Representative Bob Hanner from Georgia, replacing Ralph Balcom.

And last but not least among the governors' appointees, we have two new commissioners: Steve Driscoll from New Hampshire, who's been with us through this whole meeting, in fact was holding forth in the hospitality suite, watching the returns on NAFTA quite late into the evening, with his wife; and Bob Lucas from North Carolina, replacing Kenny Daniels.

Our next order of business is for me to give the Executive Committee report. No. It's to recognize Jack first, so I can organize my Executive Committee report while he's giving the executive director's report. Jack.

EXECUTIVE DIRECTOR DUNNIGAN: Thank you very much, Mr. Chairman. I will try to be brief this morning. Let me add my own note of personal thanks,

Phil, to you for all of the assistance that you've given and for the wonderful relationship working together that we've been able to have for the last two years. From a personal standpoint, it's been very rewarding. I feel very fortunate to have served with Phil and with Duane, two excellent chairmen that I think have provided wonderful leadership to the states as we move into some very new and difficult and yet challenging times.

What I would like to do this morning is just hit a couple of highlights of things that I see coming over the next year, and what I think some of the challenges might be as we move into 1994. A number of them we got to the other day when we had the panel looking forward to the future, talking about visions and strategic planning.

The Atlantic States Marine Fisheries Commission is obviously going to become a focal point for a lot of activities having to do with conservation and management of our valuable coastal fishery resources. It's going to be a challenge, as we said, not so much in deciding whether we can support new ways of doing business, but how we actually pick up that challenge and

run with it, what kinds of programs we find.

I think it's going to be important for us to recognize that there are a number of areas where we've not had an opportunity to address in the past, where the states can be greatly assisted by further coordination and cooperation of their activities. Statistics is one. We have had an ongoing statistics program for a number of years. We've had a commitment to working on fisheries statistics even before the Commission was founded, and yet we still have that challenge out there, and the needs for good statistical information to support our fishery management decisions are greater than ever before.

I think that the Policy Board yesterday gave good consideration to the issue of elevating this as an issue within the Commission, bring some commissioner-level energy and support to helping work on these issues at the policy level. The problems with statistics are not just problems of coding data and deciding what formats to use. The problems are commitments of resources and commitments of time and energy to get the states and the Federal Government working together.

I think another area is law enforcement.

What the states are finding and what the Federal Government is finding is that none of us have the opportunity, none of us have the resources on our own to do the job that has to be done. We're only going to be able to do it if we can work together, if we can find ways of pooling our resources to achieve all of our mutual objectives.

So I think these are areas where I think we're going to see some efforts made, I hope, over the next year to try to expand our program.

The other thing that we want to try to do, I think is to continue the commitment that we have to the habitat program. It was one thing to be able to conduct this program over the last eight or nine months; it was another thing to come to this meeting and see the tremendous response that we had in all of the habitat sessions and panels that we had scheduled.

We knew it would be popular. We didn't know it was going to be this popular. I think that's a good sign of the commitment that the states and the Commission have got to carry them forward on this very important part of our overall program for fisheries con-

ervation and management.

And then, of course, our fishery management program. This is going to be a very, very busy year on the assumption that some time in the next week the Atlantic Coast Bill gets passed out of Congress and ultimately is signed by the President. There's going to be a lot of work to do.

Look around and get to know each other, because you're going to be seeing a lot of each other over the next six months. We're going to have to get together to do planning, determining how quickly states are going to come into compliance with the new plan, establishing priorities, looking at existing plans and finding out whether they meet the realistic and current needs of our fishery resources.

It's going to be a very, very busy time, and from a staff standpoint, I certainly can say that we all look forward to it.

Let me once again, as I like to do every year, but I really do mean it, say a very large thank you to the people that I get to work with every day. We have a tremendous staff. They work very hard on your behalf.

I want you to know that I appreciate it, and I pass it on to them whenever you come to us and tell me what a great job they're doing. I know that you appreciate them, too.

And with that, Mr. Chairman, I'll conclude my report, and I thank you all very much.

CHAIRMAN COATES: Thank you, Jack.

The next order of business is the Executive Committee report. The Executive Committee has met twice within the last year. We met last spring, and at that time we approved the fiscal '94 budget for \$1.1 million, and in addition, in our most recent meeting yesterday, we approved the report of the Administrative Oversight Committee with regard to the audit.

We also identified and firmed up the plans for future annual meetings, including the 1994 meeting in Delaware; the 1995 meeting in South Carolina; the 1996 meeting in Massachusetts, and hopefully the 1997 meeting in Pennsylvania. I believe three sites were identified for the Pennsylvania meeting, possible sites: Hershey, Philadelphia or Pittsburgh.

The meeting in Massachusetts at this point I think is going to be in either Cape Cod or maybe

Martha's Vineyard, depending on where most of the striped bass are -- (laughter) -- although at that time of the year they are everywhere. If anyone can't catch a striped bass, I don't know what to say.

We also received a report from the Administrative Oversight Committee and a recommendation with regard to the budget and the very vexing issue of dues and the costs of operating the Commission. And after much discussion focusing on such things as the states' deepening fiscal crisis, a thorough examination of all possible alternative funding mechanisms to help the Commission, and a host of other issues, we approved for planning purposes that the budget will be prepared for the next five years with a five percent increase.

This is for planning purposes, remembering that the budget is approved every spring. It was felt this was the only way we could get off the dime on this issue. It's a very vexing issue. Part of our problem is compounded by the fact that our southern-most member has not paid dues for five years. I believe Florida is now five years in arrears, and that amount is well over \$100,000, and that is a particularly troublesome problem.

I think with the new slate of officers and with the growing vitality of the legislators' and our governors' appointees, we might be able to get more help in focusing specifically on the Florida problem, since it continues to be a very vexing one, and we don't want passage of the Interjurisdictional Act to be the focal point which drags them in. We'd much rather have them come to us and say, "Yes, we are participating in many functions of the Commission, and as a consequence we want to participate as full members again, and we are even willing to pay twice the amount as a penalty for our in-arrears dues." (Laughter) That would be nice.

I'm trying to think if there's anything else that the Executive Committee took that is substantive action that needs to be called to your attention this morning. I'm not aware of any.

So on behalf of the Executive Committee, I move acceptance of the Executive Committee report.

MR. HARRIS: Second.

CHAIRMAN COATES: The motion's been made and seconded to accept the Executive Committee report. Is there any discussion? Seeing none, I'll take a vote

now. All those in favor, signify by saying Aye; those opposed. Does that state wish to be recorded? Let the record show that the State of Maine voted in opposition to acceptance of the Executive Committee report, and the reasons were brought forward in yesterday's Executive Committee deliberations, so if anybody wants to examine the record, they can determine what the cause was. Any abstentions? Okay. The motion carried.

That concludes the Executive Committee report.

Our next order of business is to recognize Gordon Colvin for the Legislative Congressional Committee report.

MR. COLVIN: Thank you, Mr. Chairman. The Congressional Legislative Committee met here on Monday and reviewed, primarily reviewed the legislative tracking summary sheet which has been incorporated in the briefing books that all commissioners received. I should recognize at the outset the outstanding work done by the staff under Jack's direction, and particularly by Linda Schwab in keeping these tracking summaries up to date, comprehensive and thorough as a representation of your

Commission's position on important legislative matters. They have done an outstanding job, and this tracking summary is perhaps one of the most effective tools we've had emerge in the course of the Commission's deliberations in recent years. They really do a great job with it.

Just a few issues to report, and one or two actions that I will ask the Commission to endorse on behalf of the committee. First, the staff reviewed the Priority 1 issues, those legislative issues which are of major and substantive interest to the Commission. We received a comprehensive report particularly on the status of the Atlantic Coast Interjurisdictional Fisheries legislation.

That legislation is presently passed the House of Representatives and it is pending in the Senate. It has been reported out of committee. The report hasn't yet been written and filed, but it should be imminently, and Senate action could actually occur before the session ends.

We heard comprehensive reports on appropriation, which will be recorded in the various

reports and updates that we get from Commission staff.

We did take one action with respect to the Magnuson Act reauthorization, which I would like to report on and request the Commission's support for an adjustment to our position. The Commission's position on the Magnuson Act reauthorization is to support it with a request for five specifically identified issues of modification and strengthening of the act, which we've previously adopted.

At our meeting on Monday, we adopted one additional supplement to our position on Magnuson, which I would ask the Commission's support of at this time. The amendment requested would occur to the end of Section 306A of the Magnuson Act, which deals with the interaction between state and federal regulation.

I'm going to read the specific amendment and then entertain any questions from the Commission on the reasons why we're asking that our position incorporate this. At the end of Section 306A, add the following paragraph:

4.a. For any fishery for which there is no fishery management plan approved and implemented

pursuant to this title, a state may enforce its laws or regulations pertaining to the taking of fish in the EEZ off that state or the landing of fish caught in the EEZ, providing there is a legitimate state interest in the conservation and management of that fishery.

b. For any fishery for which there is a fishery management plan approved and implemented pursuant to this title, a state may enforce its laws or regulations pertaining to the taking or landing of fish caught in the EEZ, so long as said law or regulation is not inconsistent with any relevant fishery management plan approved and implemented under this title. Any state may request that the relevant regional fishery management council issue a determination of consistency with respect to any specific state law or regulation. Such determination shall be issued by the council within 90 days of the date of request.

Are there any questions, or does anyone desire discussion on the committee's recommendation for incorporation of this into our position statement on

Magnuson? Pete Jensen.

MR. WILLIAM P. JENSEN: Gordon, does the reference to enforcement mean enforcement against all vessels in the waters off that state, or only enforcement of the state vessels, state licensed vessels?

MR. COLVIN: I'm not sure, Pete. My understanding is that this basically allows a state to enforce its regulations, however those regulations may be applied. Ordinarily state regulations apply to vessels, regardless of their origin. But it is particularly designed to protect the laws that states have with respect to possession and landing of fish in those states. That's what it's focused on.

MR. RICHARD B. ALLEN: Gordon, it wasn't clear to me on the consistency. The consistency is that is the regulation not of the state's management program for that species? What I can see is that a state may have a management program for a species that may be equivalent in total to the management they expect under a federal plan, but a particular regulation, say a size limit, may be lower than a size limit in the federal plan.

How do you --

MR. COLVIN: The way the second part of this would apply, which is the section you're inquiring about, is that where there is a federal fishery management plan for the EEZ and the state has regulations or laws applicable in their waters or on their landings which are different, that those laws or regulations would be recognized by the Federal Government so long as they are not inconsistent with the federal fishery management plan.

That does not require them to be identical. It requires them to be not inconsistent.

MR. ALLEN: On a regulation-by-regulation basis, not a management program.

MR. COLVIN: Not quite. Again, that the states' laws or regulations are not inconsistent with the fishery management plan in place for the adjacent EEZ. That's how it reads.

On behalf of the Congressional Legislative Committee, Mr. Chairman, I move that the language I read be incorporated as a part of the Commission's position on Magnuson reauthorization.

CHAIRMAN COATES: You've heard the motion.

Is there a second?

DR. PAUL SANDIFER: Second.

CHAIRMAN COATES: Any discussion on the motion? All those in favor, signify by saying Aye; those opposed. Abstentions? The motion carries unanimously.

MR. COLVIN: Thank you, Mr. Chairman.

CHAIRMAN COATES: There was an abstention. Let the National Marine Fisheries Service be recorded as abstaining.

MR. SCHAEFER: Let the record show that even though we can't vote in this forum, we abstain.

CHAIRMAN COATES: There's another abstention. Two NMFS employees are abstaining.

MR. COLVIN: I have several brief matters to report on the Priority 2 list. Those are the legislative matters of significant interest to the Commission. The committee reviewed the presentation by the staff on HR.3058 and HR.3188, the relevant provisions of which deal with the legislation to provide for the United States participation in the North Atlantic fisheries organization.

After some considerable deliberation, both during the meeting and following the meeting, the com-

mittee does not have a recommendation for the Commission at this time. The committee is not recommending that the Commission establish a position and will recommend that the tracking sheets so reflect in the future.

The committee had only a brief amount of time to review the many wetland and habitat related pieces of legislation that the staff has incorporated on the tracking sheet and that are presently being looked at in Congress. What we did do was to vote to express committee support for a resolution that will be offered later this morning that specifically supports five bills, HR.350, Senate 1195, HR.1720, Senate 815, and HR.2543.

Assuming that resolution is adopted, Mr. Chairman, we presume that the tracking sheet will so reflect.

We also reviewed a number of bills relating to seafood safety and seafood inspection issues and have recommended that these bills be, as a body, moved to Priority 1 from Priority 2, and we have requested that the staff undertake a more comprehensive review of these issues and their impacts on state inspection and shellfish programs consistent with

Priority 1 status and review that comprehensively with the committee at its next meeting, at which time the committee would expect to have a more specific recommendation for the Commission.

Lastly, the committee asked the staff to move HR.2761, the Ocean and Coastal Improvement Act of 1993, from Priority 3 to Priority 2.

Mr. Chairman, that concludes my report, and I move acceptance of the report by the Commission.

CHAIRMAN COATES: Is there a second?

MR. DAVID CUPKA: Second.

CHAIRMAN COATES: The motion's seconded. Any discussion? All those in favor, signify by saying Aye; those opposed. Any abstentions? The motion passes unanimously.

We will now hear from Mike Street for the Science and Management Committee report.

MR. MIKE STREET: Thank you, Mr. Chairman. The Management and Science Committee met twice during the past year, both times in Rhode Island. Most of our work concerned review of Atlantic States Marine Fisheries Commission fishery management plans. We found that the

plans for the following species are being implemented satisfactorily: Atlantic croaker, spot, northern shrimp, spotted sea trout, Atlantic menhaden, winter flounder and Spanish mackerel.

Amendment Number 5 is being prepared for striped bass. Plans are being developed for tautog or blackfish, as we've been instructed to say here, scup and black sea bass.

The proposed New York regulatory program for Atlantic sturgeon was accepted by the Policy Board upon recommendation of the Management and Science Committee.

There are significant problems in the management programs for the following species: summer flounder, northern lobster, shad and river herring, weakfish, bluefish and red drum. And we made recommendations concerning these plans to the Policy Board.

We also reviewed what we called de minimis management situations. Under some fishery management plans using quota management, states with minimal landings must undertake significant management efforts which can be tracked from work on other species where

greater beneficial impacts could be realized.

The question is this: Should Commission FMPs provide alternatives or exemptions to states with very small landings of species under quota management? We believe that states which have landings below some established threshold should have the option to utilize alternative management measures, rather than a strict quota in order to be in compliance with the plan. We made specific recommendations on this topic to the Policy Board.

The Management and Science Committee evaluated difficulties associated with the unfortunate lack of good habitat sections and recommendations in Commission fishery management plans. Recommendations of the Commission in fishery management plans could assist state fishery management agencies to improve local habitat situations which are generally under the authority of different agencies.

In concert with the Habitat Committee, we made recommendations concerning this topic, and the amendment to the Striped Bass Fishery Management Plan will likely be used as a vehicle to try this new approach.

The Management and Science Committee discussed the concerns of its Artificial Reef and Marine Recreational Fisheries Committees about the lack of programs to collect and manage social and economic data concerning the marine recreational fisheries. We voted to support a resolution on this topic, which has been referred to the Resolutions Committee.

Mr. Chairman, that concludes my report.

CHAIRMAN COATES: Thank you, Mike.

On behalf of the Commission, I move acceptance of the Management and Science Committee's report. Is there a second?

DR. WILLIAM T. HOGARTH: Second.

CHAIRMAN COATES: The motion's been made and seconded. Any discussion? All those in favor, signify by saying Aye; those opposed. Any abstentions? The motion passed unanimously.

We will now hear from Bob Babula for the Law Enforcement Committee report.

MR. ROBERT A. BABULA: Thank you, Mr. Chairman. The 1993 Law Enforcement Committee report for the fall meeting. The Law Enforcement Committee met on

November 15th and 16th, 1993 at the Newport Islander Doubletree Hotel in Newport, Rhode Island. States present were New Hampshire, Massachusetts, Rhode Island, Connecticut, New York, Delaware, Maryland, North Carolina, Georgia and New Jersey. Other members were Washington, D. C. Agencies present were representatives from the Law Enforcement Branch of the National Marine Fisheries Service and the U. S. Fish and Wildlife Service, and representatives from the United States Coast Guard.

The states reported on striped bass enforcement activities in their respective states. In the past year, the states have reported that 64,715 hours were spent on striped bass enforcement. One thousand, six hundred and twenty-nine complaints were responded to in addition to regular patrols. A total of 1,319 arrests and warnings were processed, resulting in the assessment of \$52,820 in fines and confiscation of equipment, and 5,420 pounds of striped bass were seized.

The committee discussed the need to improve communications between states so that fish taken illegally in one state cannot be trafficked in another.

Committee members expressed their concern with the various size limits within a state creating a situation where the smaller size fish was being the targeted species. The committee does realize that size limits have to vary along the coast. Our consensus is that these changes should occur on state boundary lines.

The general consensus among the committee members is that sport fishermen are supportive and extremely pleased with the overall success of the striped bass restoration program but are somewhat confused and apprehensive of the repeated size limit changes.

One recent enforcement tool being utilized to combat unlawful fishery acts is the seizure of vessels and equipment used in violation of the law.

The committee discussed the concerns of a few of the states on the issue of mixing hybrid and wild striped bass in the commercial market. It was decided that the committee would monitor and evaluate the issue at the spring meeting.

The law enforcement staff from the District of Columbia and the Chesapeake Bay area held a meeting last summer with the Atlantic States Marine

Fisheries Commission to discuss regional problems with the enforcement of striped bass and other interjurisdictional fisheries issues.

Because of the recognized need to have law enforcement participate in the development of fishery management plans in an advisory role and with the concurrence of various members and staff of the Atlantic States Marine Fisheries Commission, the Law Enforcement Committee appointed members to attend fishery management board meetings to provide insight and advice on law enforcement issues.

The committee continues to develop a white paper on the cost of enforcing current and future fishery management plans. The committee anticipates having the report completed for the Atlantic States Marine Fisheries Commission by early 1994.

The committee is creating a data base of commercial fishery regulations from all states for the purpose of interjurisdictional fisheries enforcement. New York is the lead agency in developing the program. The National Marine Fisheries Service has offered their resources to assist New York.

Cooperation between the states, the United States Fish and Wildlife Service, the National Marine Fisheries Service and the United States Coast Guard on interjurisdictional fisheries enforcement issues continues to be excellent.

This committee commends the efforts of the Atlantic States Marine Fisheries Commission for providing funds to assist Law Enforcement Committee members to attend Commission meetings and become an integral part of the activities of the Atlantic States Marine Fisheries Commission.

Robert Babula of New Hampshire was reelected as chairman, and Wayne Brewer of New York was reelected as secretary of the Law Enforcement Committee for the upcoming year.

And this concludes our report.

CHAIRMAN COATES: Thank you, Bob.

Is there a motion to accept the report of the Law Enforcement Committee?

MR. TOM FOTE: So move.

CHAIRMAN COATES: Is there a second?

MR. BORDEN: Second.

CHAIRMAN COATES: Discussion? All those

in favor, signify by saying Aye; those opposed. Abstentions? The motion passes unanimously.

The next item of business is the Policy Board report. The Policy Board met, as you know, and most of you were in attendance, several days over this last annual meeting, and we conducted, concluded a lot of business.

We reviewed and accepted the 1994 ISFMP Work Plan. We also approved a new ISFMP Charter, pending approval by this body of a change in the rules and regulations of the Commission, which I will be bringing forward after we conclude this report.

We were going to approve the Atlantic Herring FMP, but by virtue of our new outreach effort with the public, the need for public input on planning and planning development, the Atlantic Herring Plan was approved basically for public hearing. So we're not ready yet with the Atlantic Herring Plan.

We conducted a number of fishery management plan reviews, including herring, summer flounder, black sea bass, weakfish, menhaden, winter flounder, lobster, bluefish, tautog, South Atlantic Board, striped

bass, and there were a number of other plans provided by the Management and Science Committee during the course of those deliberations.

We heard a report from the Northern Shrimp Section, a report from the Shellfish Transport Committee and a further report from the Management and Science Committee. And, of course, Jack has already mentioned the statistics, the major action on statistics, which I think is well needed and very important for the Commission in order to maintain its status as the preeminent state management entity, interstate management entity.

There was a discussion about a change in the Federal Energy Regulatory Commission's way of doing business, which is going to provide more public input.

I think that pretty much concludes my report. So on behalf of the Policy Board, I move acceptance of the Policy Board report. Is there a second?

DR. HOGARTH: Second.

CHAIRMAN COATES: Motion made and seconded. Any discussion? Doc.

SENATOR GEORGE L. GUNTHER: Would it be in order to separate the question on the approval of the Weakfish Management Plan and ask for a separate vote on that?

CHAIRMAN COATES: Approval of the Weakfish Management Plan?

SENATOR GUNTHER: Yes.

CHAIRMAN COATES: I don't believe that there was any specific action required on that, but if you --

SENATOR GUNTHER: No, I just asked if that was in order.

CHAIRMAN COATES: We do have an item of business regarding summer flounder. This body has to accept the Amendment 5 of the Summer Flounder Plan. But I'm not aware of any other substantive action with regard to any particular plan.

Oh, that's right. Yes, I'm sorry. There was an action. We agreed -- John Bryson and others from the Mid-Atlantic Council were here, and they made an offer to help us get this process under way, this plan development process. Is that what you were referring to?

SENATOR GUNTHER: Well, let me say it might be sufficient just to comment and say that I'm not particularly fond of the program that you have suggested here in weakfish. I think it's a very weak program. Last year we had taken no action at all. This year I can see there's action, but I've just had a chance to read it over, and unfortunately the North Carolina Police had me held at a discount center up here, or I would have made it back at this meeting yesterday.

Anyway, as I say, being from Connecticut and reading over closely on the management plan and the review there, I find it very weak. You know, we're talking about cutting back 50 percent of a fishery that doesn't exist in Connecticut right now and probably won't be in 1995 as under the recommendations of this plan.

So may it be sufficient -- I was derelict in not being here yesterday -- saying that I'd just like to have that registered.

CHAIRMAN COATES: We'll be glad to record your comments regarding your concerns about the Weakfish Plan into the record of the Policy Board's report, if that's appropriate.

Are we about ready to vote on the acceptance of the Policy Board report? All those in favor, signify by saying Aye; those opposed. And abstentions? (Motion carried)

That concludes the Policy Board report.

And now what I would like to do is bring forward the issue of -- consistent with the change in the ISFMP Policy or as a prelude to that, this Commission needs to approve a change in the rules and regulations, specifically Article VI, and I think most of you have received the package on this. Essentially, we would amend the Charter, the rules and regulations.

And Jack, all the commissioners have copies of this item, do they not?

There's an October 27th memorandum from Executive Director Dunnigan, and then on the back of that is the proposed revision.

Does anybody need further explanation or clarification of what this revision does? Jack.

EXECUTIVE DIRECTOR DUNNIGAN: I just want to note for the record that there were some changes made to this by the Policy Board the other day. If you're

reading on the back of the October 27th memorandum, Section 5(a), the change as I have it is drop the words "or periodically" and drop the words "in marketable sizes or quantities."

And with that change, the Policy Board recommended the adoption of the new rule.

CHAIRMAN COATES: Thank you for catching that. I missed that on this copy I had.

Are there any other further questions?
Bill Brennan.

MR. WILLIAM J. BRENNAN: Which document number are you dealing with, P6?

EXECUTIVE DIRECTOR DUNNIGAN: P5.

CHAIRMAN COATES: Okay. If there are no other questions or clarifications, I move that the Commission accept this change in the rules and regulations. Is there a second?

MR. BRUCE FREEMAN: Second.

CHAIRMAN COATES: Motion made and seconded. Any further discussion on this change in the rules and regulations? All those in favor, signify by saying Aye; those opposed. Any abstentions? Motion

passes unanimously.

That concludes the report of the Policy Board and the business we had to conduct under that.

I'll now recognize Gordon Colvin for presentation of Amendment 5 of the Summer Flounder Fishery Management Plan.

MR. COLVIN: Thank you, Mr. Chairman. The Summer Flounder Fishery Management Plan is a joint endeavor between the Commission and the Mid-Atlantic Fishery Management Council. Prior to this time, we have adopted a basic framework for management under Amendment 2 to the plan and have amended it twice through Amendment 4.

Earlier this year, the Commission, acting through its Summer Flounder Board, and the council jointly developed an Amendment 5 to the Summer Flounder Fishery Management Plan. That amendment has been adopted by the Mid-Atlantic Council and forwarded to NOAA for secretarial approval. It is in the secretarial review process at NOAA.

However, the provisions of Amendment 5 are in place through emergency regulatory action. Those

emergency regulations will expire later this month and will be renewed for an additional 90-day period, during which the secretarial decision will become final.

The Summer Flounder and the ISFMP Policy Board have endorsed Amendment 5 and have recommended that Amendment 5 be placed to the full Commission for approval as an amendment to the Summer Flounder Management Plan. I'll read a summary of the principal provisions of Amendment 5. It is brief.

Amendment 2 to the FMP as adopted by the council and ASMFC and approved by the National Marine Fisheries Service established a coastwide quota to manage the commercial fishery. The quota was allocated to the states based on shares derived from the state's percentage of the commercial landings for the period 1980 to '89.

In 1993, the first year the quota was implemented, fishermen from states who had traditionally landed summer flounder in their home ports changed their fishing patterns and landed summer flounder in other states. In addition, in several instances, vessels fishing for summer flounder encountered

emergency situations which forced them to offload in states that were not their appointed destination.

In both situations, the amount of summer flounder quota available to fishermen who traditionally used the ports in their home state was reduced.

The purpose of this amendment is to resolve these problems by allowing two or more states under mutual agreement and with the concurrence of the regional director to transfer or combine their summer flounder commercial quota between their states.

I should note that under the provisions of the emergency regulation, some transfers have already occurred and that the program appeared to have worked effectively in those instances.

Mr. Chairman, I move that the Commission adopt Amendment 5 to the Summer Flounder Fishery Management Plan.

CHAIRMAN COATES: The motion's been made. Is there a second?

MR. TRAVELSTEAD: Second.

CHAIRMAN COATES: Any discussion? All those in favor, signify by saying Aye; those opposed. Any abstentions? Motion passes unanimously.

Thank you, Gordon.

The Chair now recognizes Bruce Freeman for the presentation of the Resolutions Committee report.

MR. FREEMAN: Thank you, Mr. Chairman. This report is given in behalf of the Resolutions Committee. That includes George "Doc" Gunther, Kenny Daniels and myself. The committee asked that I give this report. I think it was a conspiracy by my good friend Doc Gunther. There was a contest as to who wasn't going to wear the tie, and I lost. Doc's still in his favorite shirt. (Laughter)

I have passed out copies of the resolutions at the Policy Board meeting. I have some additional copies which I'll pass around. The resolutions were not presented to the Commission in the 60-day period and were not distributed, so in each instance I'm going to ask for the voiding of the rule that requires the 60-day period. I'll ask for the vote to void that rule for the various resolutions and then I'll read the

resolutions and ask for a vote on those resolutions.

Those of you who have copies, please allow those who don't to use these.

There are four resolutions being passed around. Three of these resolutions deal with environmental issues. These resolutions were discussed at the Habitat Committee and passed unanimously by the members of the Habitat Committee.

The first resolution is in support of federal legislation that would strengthen wetlands protection, control of polluted runoff and improving the National Estuary Program.

I'll ask for a motion to suspend the rule.

CHAIRMAN COATES: The motion's been made to suspend the rule.

MR. COLVIN: I so move.

MR. ALLEN: Second.

CHAIRMAN COATES: Made by Gordon, seconded by Allen. All those in favor, signify by saying Aye; those opposed. Okay. The rules are suspended.

MR. FREEMAN: This resolution is stated as such:

WHEREAS, the Atlantic States Marine Fisheries Commission, comprised of the 15 states bordering the Atlantic Ocean and its tributaries, is charged with the overall management of the fisheries under its jurisdiction; and

WHEREAS, healthy and sufficient marine habitat and good water quality are vital to the health of the Atlantic coast fisheries; and

WHEREAS, coastal wetlands continue to be lost at a rate of 64 square miles per year; and

WHEREAS, nonpoint source pollution, which includes oils, heavy metals, pesticides, silt, fertilizers, herbicides and bacteria from streets, sewer systems, lawns, farms, timberlands, boats and other sources, is currently the most significant cause of water pollution; and

WHEREAS, water pollution in estuarine areas has resulted in the closure of many shellfish beds along the Atlantic coast and health advisories on the consumption of certain marine finfish; and

WHEREAS, reauthorization of the Clean Water Act is scheduled for the 103rd Congress; and

WHEREAS, HR.350 and S.1195 would strengthen wetlands protection; HR.2543 would control polluted runoff; and HR.1720 and S.815 would strengthen the National Estuary Program;

THEREFORE, BE IT RESOLVED that the Atlantic States Marine Fisheries Commission recognizes the pressing need for legislation to protect marine habitat and coastal water quality, and strongly supports the adoption of the aforementioned bills by the 103rd Congress; and

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to members of the United States Congress.

I move this resolution.

CHAIRMAN COATES: The motion's been made to accept the resolution. Is there a second?

MR. ALLEN: Second.

CHAIRMAN COATES: Any discussion? Pete.

MR. JENSEN: Mr. Chairman, I would move to amend. Virtually all of these bills have simply been referred to committee. I don't know that every state has had an opportunity to see the full language or to take

their own position. And so I would propose to amend in the resolution clause to strike the words, "the aforementioned bills," and substitute the word "legislation," and to insert after the word "Congress," "to accomplish these purposes."

CHAIRMAN COATES: Okay. Could you repeat it, Pete, so that --

MR. FREEMAN: The wording, Pete.

MR. JENSEN: Strike the words "aforementioned bills," and substitute the word "legislation," and insert after the word "Congress," "to accomplish these purposes."

I believe, Mr. Chairman, that this resolution is as much a resolution for the member states to actively consider this resolution and support to the degree they can as much as it is a resolution to go to the U. S. Congress.

CHAIRMAN COATES: This is a motion to amend. It requires a second. Is there a second?

MR. TRAVELSTEAD: Second.

CHAIRMAN COATES: The motion's been made and seconded to amend the resolution as Pete stated. Is

there any discussion? Gordon?

MR. COLVIN: I would just like to ask whether the word "aforementioned" is to be stricken or just the word "bills"?

MR. FREEMAN: Pete indicated "aforementioned bills," and that's the way I have written it.

MR. COLVIN: I had it both ways.

CHAIRMAN COATES: It is stricken.

MR. JENSEN: Yes, I propose that.

MR. FREEMAN: And substitute "legislation."

CHAIRMAN COATES: If this amendment passes, it will be stricken. Is there any further discussion on the amendment? Are we ready for a vote on -- Tom.

MR. FOTE: Yes. I would say that those bills have been on the Tracking Committee and have been passed by the Commission as a Priority 2 or 1. They've gone out. So anybody that knows could have researched the bills and found out. That's all I have to say.

CHAIRMAN COATES: Any further discussion? Are you ready for the vote on the amendment? All those

in favor, signify by saying Aye; those opposed. I think the Ayes have it. The motion is amended, or the resolution is amended.

Are you prepared to read that last portion now, Bruce?

MR. FREEMAN: Let me read the amended portion.

NOW, THEREFORE, BE IT RESOLVED that the Atlantic States Marine Fisheries Commission recognizes the pressing need for legislation to protect marine habitat and coastal water quality, and strongly supports the adoption of the legislation by the 103rd Congress to accomplish these purposes; and

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to members of the United States Congress.

CHAIRMAN COATES: You've heard the amended resolution. Are you ready for a vote? Is there any further discussion? I'll bring it to a vote. All those in favor --

EXECUTIVE DIRECTOR DUNNIGAN: From the

staff's standpoint, I would like to have some guidance as to what the amendment that we just made does to the Commission's position on these bills specifically. Does it mean that we don't have a position on these bills specifically and that we generally are continuing to be in favor of legislation that strengthens the Clean Water Act and we're opposed to anything that would weaken that law, or what?

Because I think when the Congressional Legislative Committee considered this, as Gordon said in his report, it was understood that this resolution would establish specific positions on these bills for ASMFC. So my question is for guidance from our standpoint in preparing the tracking sheet. What does this do to the Commission's position on this?

CHAIRMAN COATES: Staff or anyone else?

Yes, Jim.

MR. JIM BECK: It is my view that the staff of the Commission would support these bills as long as they address and accomplish the specific purposes as listed in the resolution. Were they amended in committee such that they no longer deal with issues or are for some different purpose, then the staff would not

support the bill. They've become something different in committee.

CHAIRMAN COATES: All right. With that clarification, are we ready for the vote? All those in favor, signify by saying Aye; those opposed. Abstentions. The resolution passes.

MR. FREEMAN: The second resolution deals with the need to remediate the dumping of contaminated dredge spoils in the Atlantic marine waters. I would first ask that you suspend the rule to bring this resolution to the attention of the Commission.

CHAIRMAN COATES: Motion has been made to suspend the rules. We need a second.

MR. CUPKA: Second.

CHAIRMAN COATES: Any discussion on the motion to suspend the rules? All those in favor, signify by saying Aye; those opposed. Abstentions? The rules are suspended.

MR. FREEMAN: There are some minor changes on here. I just indicate that rather than use the acronyms ASMFC, this will be spelled out in all instances. It's repeated three times through this

resolution. And the PCB will be spelled out, polychlorinated biphenyls, and the PAHs as polyaromatic hydrocarbons. Just for clarity, we'll get rid of the acronyms. I'll read the resolution:

WHEREAS, the Atlantic States Marine Fisheries Commission, made up of three representatives from each of the 15 states bordering the Atlantic Ocean and its tributaries is concerned with overall management of the fisheries under its jurisdiction and prepares plans and makes recommendations with respect to those fisheries; and

WHEREAS, the Atlantic States Marine Fisheries Commission has met and considered the effects that contaminated sediments, dredges from ports and harbors on the East Coast has upon marine fisheries; and

WHEREAS, dredged sediments may contain contaminants, particularly dioxins, polychlorinated biphenyls, polyaromatic hydrocarbons and heavy metals which adversely affect marine species, marine habitats and consequently the success of the Atlantic States Marine Fisheries Commission inter-

state fisheries management plans; and

WHEREAS, the Atlantic States Marine Fisheries Commission is of the opinion that all such contaminated sediments be remediated or decontaminated to the greatest extent possible before allowing reintroduction into the marine environment;

NOW, THEREFORE, BE IT RESOLVED that the Atlantic States Marine Fisheries Commission call upon the United States Army Corps of Engineers, the United States Environmental Protection Agency and Congress to fund, study and explore options for treatment and decontamination of dredge spoils in order to remove contaminants to the greatest extent technically feasible, and investigate alternatives to ocean disposal of contaminated materials, with the ultimate goal of ending the disposal of all contaminated dredged materials in the Atlantic Ocean; and

BE IT FURTHER RESOLVED that a copy of this resolution is to be forwarded to the governor of each state, the presiding office of each branch of the legislature of each state, to the United States

Army Corps of Engineers, the United States Environmental Protection Agency, and to members of the United States Senate and House of Representatives.

I move this resolution be accepted.

CHAIRMAN COATES: The motion's been made to accept this resolution. Is there a second?

DR. BONNIE BROWN: Second.

CHAIRMAN COATES: Is there any discussion? Seeing no discussion, are we ready for a vote? All those in favor of accepting this resolution, signify by saying Aye; those opposed. Any abstentions? This resolution is accepted unanimously.

MR. FREEMAN: The third resolution deals with a hydroelectric proposal in the State of Maine, and I'll move that we suspend the rule to consider this resolution.

CHAIRMAN COATES: The motion's been made to suspend the rules. Is there a second?

MR. ANTHONY VERGA: Second.

CHAIRMAN COATES: The motion's been seconded. Any discussion? All those in favor, signify by saying Aye; those opposed. Any abstentions? No

abstentions. Okay, the rules are suspended.

MR. FREEMAN: In reading this, I also have made several minor changes. Where acronyms were used, they'll be spelled out. There are several minor typos. I will read this, and you will see where those typos are. The resolution is as follows:

WHEREAS, the Penobscot River has been nationally designated as a model river for the restoration of Atlantic salmon and other anadromous fishes, particularly American shad and river herrings; and

WHEREAS, the proposed Basin Mills Hydroelectric dam will destroy riverine habitat and create an additional obstacle to fish passage to over 90 percent of the anadromous fish habitat of the Penobscot River Basin; and

WHEREAS, the proposed mitigation for this dam is inadequate to compensate for habitat loss and the cumulative effects of another dam on the lower main stem Penobscot River; and

WHEREAS, the Atlantic States Marine Fisheries Commission has an interest in aquatic habitat and

shad and river herrings through its Habitat Committee and Interstate Fisheries Management Program respectively;

NOW, THEREFORE, BE IT RESOLVED that the Atlantic States Marine Fisheries Commission is opposed to the construction of the Basin Mills Hydroelectric project as proposed because of the failure to provide full mitigation for the effects of this project on aquatic habitat and the anadromous fish resource of the Penobscot River Basin;

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to the governor of the State of Maine, the Maine congressional delegation and the Federal Energy Regulatory Commission.

I move this resolution be adopted.

MR. BORDEN: Second.

CHAIRMAN COATES: The motion's been made and seconded to adopt this resolution. Is there any discussion? Seeing no discussion, all those in favor, signify by saying Aye; those opposed. Any abstentions? The State of Maryland. The resolution passes.

MR. FREEMAN: The fourth resolution deals

with a joint resolution on collection of critical social and economic data for the marine recreational fisheries of the Atlantic coast. This was passed by the Recreational Fisheries Committee.

I will move that we suspend the rule to consider this resolution.

CHAIRMAN COATES: The motion's been made to suspend the rules.

MR. FOTE: Second.

CHAIRMAN COATES: Discussion? All those in favor, signify by saying Aye; those opposed. Abstentions? Rules are suspended.

MR. FREEMAN: I'll read this resolution, and again, any acronyms will be spelled out in their entirety.

WHEREAS, marine recreational fishing provides significant social and economic benefits to local, state and regional communities and the nation as a whole; and

WHEREAS, estimates of participation and associated social and economic benefits in marine recreational fishing vary greatly in national data

collection effort; and

WHEREAS, timely social and economic data are critical in the development of fishery management plans, and the consideration of such is mandated by the Magnuson Fishery Conservation and Management Act of 1976, as amended, for fisheries management plans developed by the regional fishery management councils, and such data are critical to support the development and management of state and federal fisheries programs, in particular during the current austere budgetary climate; and

WHEREAS, the National Environmental Policy Act of 1969, as amended, also requires that an Environmental Impact Statement developed for any significant federal action must consider social and economic information in describing the environmental consequences of the proposed actions and alternatives to the human environment, despite that there is no federal source of such data; and

WHEREAS, structure-dependent fish community constitutes a significant portion of the marine recreational catch and the availability of these

resources is limited by requisite habitat. And, states have invested significant federal, state and private resources to enhance marine fisheries habitat and fishing opportunities through establishment of artificial reefs. And, artificial reefs provide a critical reference point for collection of pertinent data for management of vital marine recreational fisheries; and

WHEREAS, there is a scarcity of current information on the social and economic benefits of artificial reefs. And, random data collection programs have been conducted by several states and the Federal Government, with add-ons to the Marine Recreational Fisheries Statistical Survey, to meet state-specific and national needs; and

WHEREAS, there have been no recent comprehensive studies to assess the full extent of such benefits, and the potential is high for development of disparate data collection programs among state and federal agencies yielding incompatible data among programs;

THEREFORE, BE IT RESOLVED that the Atlantic

States Marine Fisheries Commission finds that the collection, analysis and utilization of pertinent social and economic data to be a high priority. And that states are herewith encouraged to initiate such data programs in coordination with, and consistent with, existing state and federal marine recreational fishery statistics programs. Such efforts should be encouraged and coordinated through the relevant committee(s) established by the Commission and regional fishery management councils in implementation of statistically compatible interstate and joint state/federal fishery management plans.

I move that this resolution be adopted.

CHAIRMAN COATES: You've heard the resolution. Is there a second to the motion?

DR. BROWN: Second.

CHAIRMAN COATES: Any discussion on the resolution? Dick Allen.

MR. ALLEN: It's not clear to me whether the overall program that's being asked for is directed at artificial reefs or a general social and economic data collection program.

MR. FREEMAN: The chairman of the Marine Recreational Fisheries Committee, would they answer Mr. Allen's question?

MR. RICHARD CHRISTIAN: First, let me apologize for the length of this. This is what happens when you get two committees together on something; it's twice as lengthy. It started out as a resolution from the Artificial Reef Committee, but they wanted to focus this on artificial reefs as a need to collect social and economic data on artificial reefs.

And it advanced through the Marine Recreational Fisheries Committee, which also thought it was germane to all issues pertaining to data needs across the broad range of marine recreational fisheries.

This is an artifact in here with the reference to the Artificial Reef Committee, because they wished to keep that reference in there. But it is not the primary intent to focus specifically on artificial reefs.

CHAIRMAN COATES: Any other discussion?
Pete.

MR. JENSEN: What is the relationship of

this resolution to the executive director's proposals? And secondly, what do the words "high priority" mean if this resolution is passed?

EXECUTIVE DIRECTOR DUNNIGAN: I'm not sure which of the things that I said you're referring to.

MR. JENSEN: Well, you've made two presentations, and you reiterated today about statistics being an issue we've got to deal with, set up committees, whatever. I'm not sure how your proposal relates to this, or whether this would somehow change or modify or put a higher priority on social and economic data as opposed to everything else.

EXECUTIVE DIRECTOR DUNNIGAN: In my own view, they would be mutually consistent with each other. I think that when you look at statistics, there's a whole range of things that you have to have as fishery managers to be able to make the decisions. And what I've been talking about and trying to emphasize is the need to provide you with the data that you've got to have on a real-time basis to make decisions, both for your fishery management plans and preparing them and also carrying them out.

So in my mind, these are mutually consistent.

Specifically what the words "high priority" would mean, I'm not sure what was in the minds of the committees when they put it together, and perhaps Richard might want to comment.

MR. CHRISTIAN: As far as explaining what "high priority" means? The attempt here is to elevate this to what would be -- what the committees thought was high priority. I don't know how that would fall out in the way of, I guess, another item that has high priority also.

Typically, when these programs come around, they're very expensive, so they get shuffled down to the bottom, and this is an attempt at a coordination effort with the existing programs, such as the MRFSS and other state programs where they may be collecting a segment of the social or economic informations that would be complementary to MRFSS efforts or other state and federal efforts.

In describing a high priority, it's just a relative term, I think.

CHAIRMAN COATES: Further discussion on the resolution? Are we ready for the vote? All those in favor, signify by saying Aye; those opposed. Any abstentions? The resolution passes unanimously.

MR. FREEMAN: Thank you. The last resolution is a resolution to show appreciation to the host state. I move that we suspend the rule for consideration of this resolution.

CHAIRMAN COATES: Is anybody objecting to the suspension of the rules? The rules are suspended.

MR. FREEMAN: I will read this. You don't have this in front of you. This is appreciation to Rhode Island.

WHEREAS, the 52nd Annual Meeting of the Atlantic States Marine Fisheries Commission convened in Newport, Rhode Island, November 14 through 18, 1993; and

WHEREAS, the hospitality of the State of Rhode Island, Director Louise Durfee; Commissioners David Borden, Dick Allen, Dick Sisson; and Deputy Chief Don Green was very congenial; and

WHEREAS, Rhode Island's Island Boiler Baker

was beyond compare and brought considerable cheer to all that attended; and

WHEREAS, the Second Annual Laura Leach Fishing Contest was creatively organized by Dick Sisson and proved once again that fishery managers will be and try to catch the very last fish;

NOW, THEREFORE, BE IT RESOLVED that the Atlantic States Marine Fisheries Commission, in its annual meeting convened in Rhode Island, wishes to express its sincere appreciation to the host state for its gracious hospitality in hosting the 1993 meeting.

I move that this resolution be adopted.

CHAIRMAN COATES: The motion's been made to adopt this resolution, and I recommend that it be made by acclaim, approved by acclaim. Are there any objections? All those in favor, signify by saying Aye.
(Applause)

(Off-the-record comments.)

MR. FREEMAN: Thank you, Mr. Chairman.

CHAIRMAN COATES: Thank you, Bruce.

Before I turn the gavel over to Bill

Hogarth, it appears that there's one item of business we have to take care of because of the result of the election. Jack indicates to me that it is illegal for the chairman of the Governors' Appointees -- for there to be a concurrent chairman of the Governors' Appointees and vice-chairman. So we need to conduct an election for the Governors' Appointees chair.

EXECUTIVE DIRECTOR DUNNIGAN: I think we can do that by ballot, because we're going to do it for the legislators anyway. In fact, it would be good for us to have the nominees set up to put on the ballot.

CHAIRMAN COATES: So the Chair is open to nominations for the Governors' Appointees chair. Lou.

DR. LOUIS ZGLOBICKI: I nominate Tom Fote.

CHAIRMAN COATES: Tom Fote has been nominated.

(Nomination seconded from the floor.)

CHAIRMAN COATES: The nomination's been seconded.

Are there any other nominations? Bonnie.

DR. BROWN: I nominate Larry Cantwell.

CHAIRMAN COATES: Bonnie nominates Larry

Cantwell. Is there a second?

MR. ALLEN: Second.

CHAIRMAN COATES: Are there any other nominees? Is there a motion to close nominations?

DR. ZGLOBICKI: So move.

CHAIRMAN COATES: The motion has been made. Second?

MR. FREEMAN: Second.

CHAIRMAN COATES: Nominations are closed, and the ballot reflects two candidates for the chairmanship of the Governors' Appointees, Larry Cantwell and Tom Fote, and those ballots will go out as a mail ballot.

It now gives me great pleasure to turn the gavel and the podium over to my successor, Bill Hogarth, Chairman Bill Hogarth, and he will conduct the business of the Administrative Oversight Committee.

It's been a pleasure, ladies and gentlemen. I've really enjoyed these last two years and appreciate your support. (Applause)

INCOMING CHAIRMAN HOGARTH: It's a great honor, really, to be the chairman of this organization. I think back eight years ago when I started with the

Marine Fisheries and with this meeting the first time, and I felt like that I'm not sure what job I'd taken. It seemed like the state had such a reputation for never thinking about fishery management because nobody could think of how many fish to catch.

Also I remember going to the first South Atlantic Council meeting in which we were given big tubs of mackerel, and Ed Joseph was there, too, and he said, "Look, just take it slowly, think about what you're doing, try to make small steps and maybe you will accomplish something over time, but just always think of the way you're going and don't let them ground you."

Ed Joseph supported me quite a bit in the South Atlantic and helped me, I think, make some of the decisions we made.

I really look forward to the opportunity to work with you. As I said, it is an honor. It's an honor to follow Phil Coates, and he's done an excellent job, and I just hope I can do something to further the ASMFC. I know we've got a couple of challenging years coming forward. I know one is to try to get some of the financing straight, because we're all having financial

problems. I think it's one of the big issues we have to address.

And I think also the Interjurisdictional is going to challenge us all. I think we have to look at, you know, partnerships with the Federal Government more than we have in the past. I know that's one of the things we've been fortunate enough in North Carolina to have U. S. Fish and Wildlife in the same office and National Marine Fisheries right across the bridge. So when we had issues, we were able to work with them. And I hope we can further that partnership.

I will tell you that we're doing everything we can in North Carolina to manage weakfish, Doc. We have a new commission chairman who is determined that we're going to protect the resource better than we have. He's given me till January the 1st to do something about fly net fishermen and that impact on weakfish. So I think you will see North Carolina even making further strides in the future, and we will do our best to do that and I will make sure that we do our fair share of the protection of the resource.

I also want to tell you today that we are

-- and I want to do this, because we're looking for the best person we can find. The Division of Marine Fisheries in North Carolina will be hiring a deputy director -- the first time we've really had a full-time deputy director -- to operate the division on a day-to-day basis, so that I'll have time to do more with the commission, more with the public, and even more with ASMFC over the next two years.

So if any of you have any good people, please tell them to get in touch with me. The announcement will be going out shortly. We are looking for the best person we can find for deputy director.

Laura, I guess it's time to draw for prizes.

Folks, any suggestions you have, please give them to me, because we will be looking at how to improve things, we'll be looking at how to improve the efficiency, and so anything that you could do, suggestions that you have, please let me know.

(Whereupon, prizes were drawn.)

INCOMING CHAIRMAN HOGARTH: Is there any other business to come before this body? If not, do I

hear a motion to adjourn?

(Motion made and seconded from the floor.)

INCOMING CHAIRMAN HOGARTH: Thank you very
much.

(Whereupon, the meeting adjourned at 10:10
o'clock a.m., November 18, 1993.)

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