

# Atlantic States Marine Fisheries Commission

## Executive Committee

*November 9, 2022*

*8:00 – 10:00 a.m.*

*Hybrid Meeting*

## Draft Agenda

The order in which these items will be taken is subject to change; other items may be added as necessary.

1. Welcome/Introductions (*S. Woodward*)
2. Board Consent
  - Approval of Agenda
  - Approval of Meeting Summary from August 3, 2022
3. Public Comment
4. Review and Consider Approval of FY2022 Audit **Action** (*J. Cimino*)
5. CARES Update (*R. Beal*)
6. Review Draft *De Minimis* Policy (*T. Kerns*)
7. Future Annual Meetings Update (*L. Leach*)
8. Other Business/Adjourn

The meeting will be held at The Ocean Place Resort (1 Ocean Boulevard Long Branch, NJ; 732.571.4000) and via webinar; click [here](#) for details

**DRAFT MEETING SUMMARY OF THE  
ATLANTIC STATES MARINE FISHERIES COMMISSION  
EXECUTIVE COMMITTEE**

**The Westin  
Arlington, VA  
August 3, 2022**

## INDEX OF MOTIONS

1. Approval of Agenda by Consent. (Page 1)
2. Approval of Meeting Summary from May 4, 2022 by Consent. (Page 1)
3. Motion to approve the revised Investment Policy. (Motion by Ms. Patterson; seconded by Mr. Keliher; motion passed unanimously) (Page 1)
4. Motion to accept the proposed changes to the Commission's appeals process policy to be forwarded to the Policy Board for action. (Motion by Mr. Clark; second by Ms. Patterson. Motion passed unanimously.) (Page 1)
5. Adjourn by Consent (Page 1).

## ATTENDANCE

### Committee Members

Pat Keliher, ME  
Cheri Patterson, NH  
Dennis Abbott, NH (LA Chair)  
Dan McKiernan, MA  
Jason McNamee, RI  
Justin Davis, CT  
Jim Gilmore, NY  
Joe Cimino, NJ  
Kris Kuhn, PA

Roy Miller, DE (GA Chair)  
John Clark, DE  
Lynn Fegley, MD  
Patrick Geer, VA  
Kathy Rawls, NC  
Mel Bell, SC  
Spud Woodward, GA  
Erica Burgess, FL

### Other Commissioners/Proxies

Chris Batsavage, NC  
David Borden, RI  
Peter Clarke, NJ  
Tom Fote, NJ  
Emerson Hasbrouck, NY (GA)  
Doug Haymans, GA  
Bill Hyatt, CT  
Raymond Kane, MA  
Kathy Knowlton, GA

Dee Lupton, NC  
John Maniscalco, NY  
Chris McDonough, SC  
Conor McManus, RI  
Eric Reid, RI  
Malcolm Rhodes, SC  
Dan Ryan, DC  
Ritchie White, NH  
Renee Zobel, NH

### Staff

Bob Beal  
Laura Leach  
Toni Kerns  
Pat Campfield

Tina Berger  
Geoff White

### Guests

Karen Abrams, NMFS  
Max Appelman, NOAA  
Pat Augustine, Coram, NY  
Alan Bianchi, NC DENR  
Jeff Brust, NJ DEP  
Diane Bynum  
Lyndie Hice-Dunton, ROSA

Sheila Eyler, USFWS  
Cynthia Ferrio, NOAA  
James Fletcher  
Marty Gary, PRFC  
Amelia Herrington, Univ ME  
Heidi Henninger, Offshore Lobster  
Helen Takade-Heumacher, US FWS

Jesse Hornstein, NYS DEC  
Brian Kelly  
Ben Levitan, Earth Justice  
Tom Lilly  
Chip Lynch, NOAA  
Samantha MacQuesten, NJ DEP  
Meredith Mendelson, ME DMR  
Steve Meyers  
Chris Moore, CBF  
Brandon Muffley, MAFMC  
Allison Murphy, NOAA  
Trish Murphey, NC DENR  
Thomas Newman

Virginia Olsen, Lobster Local 207  
Will Poston, SGA  
Jill Ramsey, VMRC  
Jason Rock, NC DENR  
Mike Ruccio, NOAA  
Amy Schueller, NOAA  
Somers Smott, VMRC  
John Sweka, US FWS  
Meredith Whitten, NC DENR  
Angel Willey, MD DNR  
Chris Wright, NOAA  
Faith Zerbe, DE Riverkeeper  
Jordan Zimmerman, DE DFW

## **CALL TO ORDER**

The Executive Committee (EC) of the Atlantic States Marine Fisheries Commission convened August 3, 2022 in the Jefferson Ballroom at The Westin Crystal City. The meeting was called to order at 8:02 a.m. by Chair Spud Woodward.

## **APPROVAL OF AGENDA**

The agenda was approved, with the addition of a report from the Awards Committee.

## **APPROVAL OF PROCEEDINGS**

The summary minutes from the May 4, 2022 meeting were approved as presented.

## **PUBLIC COMMENT**

There was no public comment.

## **CARES ACT UPDATE**

Mr. Beal presented an update on the CARES Act. The first round of CARES funding is almost fully disbursed, except for \$1,000,000 which will be spent by the end of 2022. There remains about \$20,000,000 in CAA which is on track to be fully spent by June 2023. If there are funds that will not be able to be disbursed, the Executive Committee will consider reallocating these funds to states who have remaining needs. The EC agreed to discuss potential reallocation options at the Annual Meeting in November

## **DE MINIMIS WORK GROUP**

Ms. Kerns presented a report of the *De Minimis* Work Group (WG). The WG developed a white paper which outlines recommendations for setting *de minimis* standards within Commission FMPs. The recommendations propose to allow species Boards to deviate from the standards to address unique characteristics of a fishery. It is noted, Federal FMPs do not recognize *de minimis* standards; therefore, any *de minimis* measure implemented in a Commission FMP for jointly

managed species could result in inconsistent measures between state and federal waters. After a thorough discussion, the EC approved the white paper for review and action by the Policy Board.

## **INVESTMENT POLICY**

Mr. Beal presented the Commission's updated Investment Policy, which has two tiers, an Operating account and a Reserve Fund, instead of three tiers in the original Policy. Upon a motion by Ms. Patterson and a second by Mr. Keliher, the motion to approve the revised Investment Policy was unanimously approved.

## **RESILIENT COASTS AND ESTUARIES ACT**

A summary of the Resilient Coasts and Estuaries Act (H.R. 7801) was presented to the EC. The EC recommended the ISFMP Policy Board agree to support this pending legislation and send a letter to the leadership of the House Natural Resources Committee conveying the Commissions support. The Policy Board agree with the EC recommendation.

## **RESPONSIBLE OFFSHORE SCIENCE ALLIANCE**

Ms. Hice-Dunton provided an overview of the Responsible Offshore Science Alliance (ROSA), and requested the states consider providing financial support to the efforts of ROSA. The States will continue to independently discuss potential financial support for ROSA.

## **APPEALS PROCESS**

Mr. Beal presented the further draft revisions to the appeals process. The updated process better defined the range of options available for corrective action, provides the opportunity for the Policy Board to request additional technical information, and recognizes the potential interactions with the Councils on jointly managed plans. The updated

appeals process was recommended to the Policy Board for consideration and approval. Mr. Clark moved acceptance of the proposed changes to be forwarded to the Policy Board for action. Ms. Patterson seconded the motion and it passed unanimously.

#### **OTHER BUSINESS**

Mr. Gilmore brought forward a recommendation from the Awards Committee. The Committee received a nomination for a state employee who had done an amazing job managing the CARES and CAA funding. Upon discussing this nomination, the Committee realized there were staff in each state who had also done an amazing job and recommended that one person from each state be recognized at the upcoming Commission Annual Meeting. This recommendation was approved by the EC and remanded back to the Awards Committee for action.

#### **ADJOURN**

The Executive Committee adjourned at 10:00 a.m.