

Atlantic States Marine Fisheries Commission

Executive Committee

*February 1, 2017
8:00 – 9:30 a.m.
Alexandria, Virginia*

Draft Agenda

1. Welcome/Call to Order (*D. Grout*)
2. Committee Consent
 - Approval of Agenda
 - Approval of Meeting Summary from October 2016
3. Public Comment
4. Review and Consider Approval of FY16 Audit (*L. Leach*) **Action**
5. Finalize Standard Meeting Practices (*R. Beal*) **Action**
6. ACCSP Update
7. Discuss Use of Management Boards and Sections for Species Management
8. Other Business/Adjourn

Please Note: Breakfast will be served at 7:45 a.m.

The meeting will be held at the Westin Alexandria; 400 Courthouse Square; Alexandria, VA; 703.253.8600

Vision: Sustainably Managing Atlantic Coastal Fisheries

Atlantic States Marine Fisheries Commission

Use of Management Boards and Sections

January 23, 2017

Background

The Commission utilizes 16 management boards and two sections to manage 27 species through the interstate process. This white paper details the use and establishment of boards and sections. The Commission's Executive Committee will be discussing the use of boards and sections at its meeting on February 1, 2017.

Sections

Amendment 1 (1950) to the Atlantic States Marine Fisheries Commission Compact provided for the establishment of sections to allow two or more states to jointly regulate specific fisheries. The states currently use sections to manage Atlantic herring and northern shrimp. The Northern Shrimp Section was formed in 1974 followed by the Atlantic Herring Section in 1993.

The language from the ASMFC Charter is:

"AMENDMENT NUMBER ONE The States consenting to this amendment agree that any two or more of them may designate the Atlantic States Marine Fisheries Commission as a joint regulatory agency with such powers as they may jointly confer from time to time for the regulation of the fishing operations of the citizens and vessels of such designating States with respect to specific fisheries in which such States have a common interest. The representatives of such States on the Atlantic States Marine Fisheries Commission shall constitute a separate section of such Commission for the exercise of the additional powers so granted provided that the States so acting shall appropriate additional funds for this purpose. The creation of such section as a joint regulatory agency shall not deprive the States participating therein of any of their privileges or powers or responsibilities in the Atlantic States Marine Fisheries Commission under the general compact. (Consented to by P.L. 721, 81st Congress, 2nd Session, approved August 19, 1950.)"

Boards

The Interstate Fisheries Management Program Charter provides for the establishment of species management Boards to implement the provisions of the Atlantic Coastal Fisheries Cooperative Management Act. The Commission currently maintains 16 species management boards.

The guiding language from the Charter is:

(a) Fishery Management Board. Upon determining that a need exists in a fishery for the development of an FMP or amendment, the ISFMP Policy Board shall establish a management board for that fishery. A management board may be disbanded by the Policy Board upon a determination that it is no longer

needed for the preparation, review, or ongoing monitoring of the implementation of an FMP or amendment.

(b) Management Board Membership. The voting membership of each management board shall be comprised as follows:

(1) Each state with an interest in the fishery covered by the management board shall be a voting member, and shall be represented by all of its Commissioners (or duly appointed proxies) in attendance. The position of a state on any matter before the management board shall be determined by caucus of its Commissioners in attendance;

(2) A representative from the Potomac River Fisheries Commission and the District of Columbia may each elect to serve as a voting member on any management board in which they have an interest or which may result in the imposition of regulatory requirements on their jurisdictions;

(3) NOAA Fisheries and the U.S. Fish and Wildlife Service may each elect to serve as a voting member of any management board; and

(4) Any one of the Executive Directors/Chairs of the Regional Fishery Management Councils may be invited to be a voting member of an ISFMP species management board when the management board determines that such membership would advance the interjurisdictional management of the specific species. When the management area includes more than one Council, the applicable Councils will need to identify one Executive Director/Chair to receive the invitation to participate on that board as a voting member. If a Council has been invited as a voting member of a Board/Section that manages multiple species, the Board/Section will designate which species can be discussed and voted on by the Council representative. A council staff member or member of the council may be appointed as a proxy for the Executive Director or Council Chair.

ISFMP Charter language relative to species sections:

(f) Sections under Amendment One. Under Amendment One to the Compact creating the Commission, one or more states may agree to designate the Commission as a joint regulatory agency; Commissioners of these states shall constitute a separate section for these purposes. In any such instance the following procedures apply:

(1) Agreements among states under Amendment One shall be in writing, and open to participation by all states with an interest in any fishery to which the agreement applies;

(2) All Commissioners from states forming a section under Amendment One shall be members of the section; and

(3) Regulatory authority exercised by the Commission under Amendment One shall be carried out pursuant to an FMP prepared according to this Charter. For these purposes, including determinations of non-compliance under Section Seven, a section shall have the same authority and responsibility as set forth in this Charter for a management board.