

Atlantic States Marine Fisheries Commission

Business Session

*May 5, 2022
11:00 – 11:15 a.m.
Hybrid Meeting*

Draft Agenda

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

1. Welcome/Call to Order (*S. Woodward*)
2. Board Consent
 - Approval of Agenda
 - Approval of Proceedings from January 2022
3. Public Comment
4. Consider Approval of Amendment 7 to the Interstate Fishery Management Plan for Atlantic Striped Bass (*M. Gary*) **Final Action**
5. Consider Noncompliance Recommendations (if necessary)
6. Other Business/Adjourn

The meeting will be held at The Westin Crystal City (1800 Richmond Highway, Arlington, VA; 703.486.1111) and via webinar; click [here](#) for details

Draft Proceedings of the Business Session Webinar
January 2022

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

**Webinar
January 27, 2022**

These minutes are draft and subject to approval.
The Business Session will review the minutes during its next meeting.

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1. **Approval of agenda** by Consent (Page 1).
2. **Approval of Proceedings from October 20, 2021** by Consent (Page 1).
3. **On behalf of the Summer Flounder, Scup, and Black Sea Bass Management Board, move to approve Amendment 22 to the Summer Flounder, Scup, and Black Sea Bass Fishery Management Plan: Commercial/Recreational Allocation. The effective date of the Amendment will be consistent with the effective date published in the final rule in the Federal Register** (Page 2). Motion by Justin Davis. Motion carried (Page 3).
4. **Move to adjourn** by Consent (Page 3).

ATTENDANCE

Board Members

Pat Keliher, ME (AA)	Loren Lustig, PA (GA)
Cheri Patterson, NH (AA)	Warren Elliott, PA (LA)
Dennis Abbott, NH, proxy for Sen. Watters (LA)	John Clark, DE (AA)
Dan McKiernan, MA (AA)	Roy Miller, DE (GA)
Raymond Kane, MA (GA)	Craig Pugh, DE, proxy for Rep. Carson (LA)
Jason McNamee, RI (AA)	Russell Dize, MD (GA)
David Borden, RI (GA)	Shanna Madsen, VA, proxy for Sen. Mason (LA)
Eric Reid, RI, proxy for Sen. Sosnowski (LA)	Chris Batsavage, NC, proxy for K. Rawls (AA)
Justin Davis, CT (AA)	Jerry Mannen, NC (GA)
Bill Hyatt, CT (GA)	Bill Gorham, NC, proxy for Sen. Steinberg (LA)
Jim Gilmore, NY (AA)	Mel Bell, SC (AA)
Emerson Hasbrouck, NY (GA)	Doug Haymans, GA (AA)
Joe Cimino, NJ (AA)	Spud Woodward, GA (GA)
Tom Fote, NJ (GA)	Erika Burgess, FL, proxy for J. McCawley (AA)
Kris Kuhn, PA, proxy for T. Schaeffer (AA)	

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

Staff

Robert Beal	Pat Campfield	Adam Lee
Toni Kerns	Maya Drzewicki	Kirby Rootes-Murdy
Laura Leach	Emilie Franke	Sarah Murray
Lisa Carty	Lisa Havel	Caitlin Starks
Kristen Anstead	Chris Jacobs	Deke Tompkins
Tina Berger	Jeff Kipp	
James Boyle	Dustin Colson Leaning	

Guests

Karen Abrams, NOAA	Saverio Governale, NYS DEC	Allison Murphy, NOAA
Max Appelman, NOAA	Hannah Hart, FL FWC	Brian Neilan, NJ DEP
Mike Armstrong, MA DMF	Kristina Harvey, CBF	Adam Nowalsky, Pt. Republic, NJ
Pat Augustine, Coram, NY	Jay Hermsen, NOAA	Willow Patten, NC DENR
Alan Bianchi, NC DENR	Emily Keiley, NOAA	Nicholas Popoff, US FWS
Heather Corbett, NJ DEP	Wilson Laney	Kathy Rawls, NC (AA)
Jessica Daher, NJ DEP	Nils Larson	Lenny Rudow
Laura Deighan, NOAA	Kyle Lewis	Tara Scott, NOAA
Lynn Fegley, MD DNR	Tom Lilly	David Stormer, DE DFW
Peter Fallon, Maine Stripers	Brooke Lowman, VMRC	Nat Thompson, Maine
Cynthia Ferrio, NOAA	Mike Luisi, MD DNR	Mike Waine, ASA
Anthony Friedrich, SGA	Chip Lynch, NOAA	Lowell Whitney, US FWS
Alexa Galvan, VMRC	Steve Meyers	Chris Wright, NOAA
Marty Gary, PRFC	Mike Millard, US FWS	
Matt Gates, CT DEEP	Wendy Morrison, NOAA	

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The Business Session of the Atlantic States Marine Fisheries Commission convened via webinar; Thursday, January 27, 2022, and was called to order at 3:00 p.m. by Chair A.G. "Spud" Woodward.

CALL TO ORDER

CHAIR A.G. "SPUD" WOODWARD: I will call to order the Business Session.

APPROVAL OF AGENDA

CHAIR WOODWARD: We have an agenda for the Business Session, any requested modifications to the agenda? If so, signify by raising your hand.

MS. TONI KERNS: No hands raised.

CHAIR WOODWARD: The agenda is accepted.

APPROVAL OF PROCEEDINGS

CHAIR WOODWARD: We also have in the briefing materials the Proceedings from the October 2021 meeting of the Business Session. Are there any suggested edits, or modifications to those proceedings? If so, raise your hand.

MS. KERNS: No hands raised.

CHAIR WOODWARD: All right, we'll consider those accepted by unanimous consent.

PUBLIC COMMENT

CHAIR WOODWARD: We also have public comment opportunity here. I'll open it up for anyone who would like to make public comment.

MS. KERNS: No hands raised.

CHAIR WOODWARD: All right, our next and really only agenda item is consider approval of Amendment 22 to the Interstate Fishery Management Plan for Summer Flounder, Scup, and Black Sea Bass: Commercial/Recreational Allocation. For that I am going to call on Dustin,

I think he's got some background slides, and then Board Chair Justin Davis will take over after him. Dustin, go ahead.

CONSIDER APPROVAL OF AMENDMENT 22 TO THE INTERSTATE FISHERY MANAGEMENT PLAN FOR SUMMER FLOUNDER, SCUP, AND BLACK SEA BASS: COMMERCIAL/RECREATIONAL ALLOCATION

MR. DUSTIN COLSON LEANING: Yes, thank you, Mr. Chair. I have a very short presentation here today, just really going over the overview of the Amendment. As the Chair said, I'll be covering the Summer Flounder, Scup, and Black Sea Bass Commercial/Recreational Allocation Amendment.

Back in December of 2021, the Summer Flounder, Scup and Black Sea Bass Board and the Mid-Atlantic Fishery Management Council jointly approved preferred alternatives for the Commercial/Recreational Allocation Amendment. If approved by the Commission here today and NOAA Fisheries, this Amendment will be implemented for management for 2023. The effective date would be published in the Federal Register, and so the FMP modifications, or the new Amendment would be consistent with that effective date. We're on track and expect a 2023 implementation. That's just a quick overview of the Amendment. It revises the commercial and recreational allocations for all three species.

It provides the option for future changes to commercial or recreational allocations for all three species, and it provides the option for future changes to commercial or recreational allocations, and annual quota transfers to be made through addenda, or in the Council's instance through frameworks.

This table here up on the screen provides the current allocations on the left, and the revised allocations on the right. For summer flounder, we are going to be moving to a 55 percent allocation to the commercial sector, and a 45 percent allocation to the recreational. For scup it would be a 65

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percent share for the commercial sector, and a 35 percent share for the recreational sector.

Then for black sea bass it would be a 45 percent commercial share and a 55 percent recreational share. You'll notice that all these revised sector allocations are catch-based for all three species. Both summer flounder and black sea bass were previously landings-based, and as a reminder, catch equals harvest plus dead discards.

This will allow each sector to be analyzed a little bit more independently when the catch accounting occurs at the end of the year. That is really all I had today. I'll take any questions on the Amendment, and I'm happy to go into greater detail if there are any questions to that effect.

CHAIR WOODWARD: Any questions for Dustin?

MS. KERNS: I have no hands, Mr. Chair.

CHAIR WOODWARD: Justin Davis, I'll call on you.

MR. COLSON LEANING: Maya, if we could bring your screen up now, I think we can put that draft motion on the board.

DR. JUSTIN DAVIS: I would like to take one last opportunity to thank all the people who worked on this Amendment. It was a long multi-year effort so to all the Commission staff, members of the public, Council staff, Agency staff, everybody who contributed to getting this done. Again, one more time thank you, it's good to see this finally coming to completion.

With that said, I'll move on behalf of the Summer Flounder, Scup, and Black Sea Bass Management Board approval of Amendment 22 to the Summer Flounder, Scup, and Black Sea Bass Fishery Management Plan Commercial/Recreational Allocation. The effective date of the Amendment will be consistent with the effective date published in the Final Rule in the Federal Register.

CHAIR WOODWARD: All right, thank you, Justin. I assume this needs a second, even though it is a Board motion? Is that correct?

MS. KERNS: It does not, Spud.

CHAIR WOODWARD: All right, very good, so we do not need a second, because it is a motion made on behalf of the Board. Is there any discussion on the motion?

MS. KERNS: I have Joe Cimino.

CHAIR WOODWARD: All right, go ahead, Joe.

MR. JOE CIMINO: I can't let this go without saying, you know like so many of the allocation discussions we've had, it's always a tough slog. This was certainly one of those. I have no intention of standing in the way of this motion, but I do know that there were a lot of folks that had concerns with how this shook out. I appreciate that, but I think that we all worked very hard to come to the best compromise we could. Thank you.

CHAIR WOODWARD: Thank you, Joe, I appreciate that. Any other discussion, comments on the motion?

MS. KERNS: I have no hands.

CHAIR WOODWARD: Any opposition to the motion?

MS. KERNS: I see no hands.

CHAIR WOODWARD: Any abstentions or nulls out there?

MS. KERNS: No hands. Well, Mr. Chair, Emily Keiley has her hand up, but I just want to make sure, Emily, you know that NOAA doesn't vote on this.

MS. EMILY KEILEY: Sorry, yes putting it down.

MS. KERNS: Okay, just checking. All right, we're good, Mr. Chair.

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CHAIR WOODWARD: The motion passes unanimously. Thanks everyone. As Joe said, these allocation actions are always contentious, they have the potential to be very divisive. It is my hope that despite the fact that they are challenging and have a tendency to be polarizing, that we'll continue to do the best we can to address them with civility and collegial perspectives.

You know it takes some time, if everybody is somewhat dissatisfied it's probably the best we could do. We got times ahead of us, but I'm hopeful that we will continue to address them as best we can. Any other business to come before the Business Session?

MS. KERNS: I see no hands.

ADJOURNMENT

CHAIR WOODWARD: All right, then, no other business then we will stand adjourned, and this will conclude our winter meeting of the Commission, thanks everybody. We will continue to be optimistic and hopeful that our May meeting will be in-person. We're certainly going to do everything we can, so everybody go ahead and catch Omicron, get it out of the way. We'll get past this, and hopefully we'll get back to some sort of pre-pandemic normalcy in the future. With that, we'll stand adjourned.

(Whereupon the meeting adjourned at 3:10
p.m. on January 27, 2022.)