

Atlantic States Marine Fisheries Commission

Executive Committee

*May 15, 2014
8:00 – 9:30 a.m.
Alexandria, Virginia*

Draft Agenda

1. Welcome/Call to Order, *L. Daniel*
2. Committee Consent
 - Approval of Agenda
 - Approval of Meeting Summary from February 2014
3. Public Comment
4. Report of the Administrative Oversight Committee, *D. Grout*
 - Presentation of the FY15 Budget **Action***
5. Review Updated Conflict of Interest Policy, *R. Beal*
 - Review Recommendation of Legislators/Governor's Appointees, *D. Abbott*
6. Discussion of American Eel Enforcement Efforts
7. Consider Resolution to Appoint Bob Beal as Trustee on Commission's Retirement Plan
8. Future Annual Meetings Update, *L. Leach*
 - October 27-30, 2014 - Mystic, Connecticut
 - 2015 – Florida
 - 2016 – Maine
 - 2017 – Virginia
 - 2018 – New York
9. Other Business/Adjourn

*** *The FY15 Budget will be emailed prior to the Spring Meeting***

The meeting will be held at the Crowne Plaza Hotel
901 North Fairfax Street, Alexandria, Virginia
Tel: (703) 683-6000

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

**Crowne Plaza Hotel
Alexandria, Virginia
February 5, 2014**

INDEX OF MOTIONS

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- 2. Approval of Meeting Summary from October 30, 2013 by Consent (Page 2)**
- 3. Adjournment by Consent (Page 2)**

ATTENDANCE

Committee Members

Pat Keliher, ME (AA)	Leroy Young, PA (AA proxy)
Doug Grout, NH (AA)	David Saveikis, DE (AA)
Dennis Abbott, NH (LA proxy)	Tom O'Connell, MD (AA)
Ritchie White, NH (GA proxy)	Rob O'Reilly, VA (AA proxy)
Paul Diodati, MA (AA)	Louis Daniel, NC (AA)
Bob Ballou, RI (AA)	Robert Boyles, SC (AA)
David Simpson, CT (AA)	Malcolm Rhodes, SC (GA) via phone
Jim Gilmore, NY (AA)	Spud Woodward, GA (AA)
Brandon Muffley, NJ (AA proxy)	Jim Estes, FL (AA proxy)

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

Staff

Bob Beal
Laura Leach

Others

Kelly Denit, NOAA Fisheries	Steve Meyers, NOAA Fisheries
Michelle Duval, NC DMF	David Ommanney, American Eel Farm
Wilson Laney, USFWS	Derek Orner, NOAA Fisheries
Charles Lynch, NOAA Fisheries	Terry Stockwell, ME DMR

Draft Summary of the Executive Committee Meeting February 2014

CALL TO ORDER

The Executive Committee of the Atlantic States Marine Fisheries Commission convened in the Roosevelt East Room of the Crowne Plaza Hotel in Alexandria, Virginia on February 5, 2014. It was called to order at 8:02 a.m. by Chairman Louis Daniel.

APPROVAL OF AGENDA

The agenda was approved with the change of moving the Conflict of Interest Policy discussion to the closed session of the meeting.

APPROVAL OF PROCEEDINGS

The summary minutes from the October 30, 2013 meeting were approved with two corrections.

PUBLIC COMMENT

There was no public comment.

MAGNUSON/STEVENS REAUTHORIZATION

Executive Director Beal led a discussion on the development of a unified Commission and States position on the reauthorization of the Magnuson-Stevens Act (MSA). He noted that there are many issues that we can achieve consensus on but others we will not be able to. He also noted that the Senate & House positions are far apart right now.

Currently there are two papers circulating that are good "straw-man" documents for the Commission to use, one by Dr. Rothschild and the other by Representative Hastings. Bob Beal will circulate a document that helps clarify the changes proposed by the Hastings's draft.

It was decided to convene a workshop at the Spring meeting for a thorough discussion of reauthorization of the MSA. A committee chaired by Doug Grout and comprised of Robert Boyles, Paul Diodati and Pat Keliher will develop the agenda for this workshop. The other two

Commissions and the East Coast Regional Fishery Management Councils should be considered for inclusion in the workshop, as well as folks from the Hill (Dave Whaley and Jeff Lewis), and other organizations like Association of Fish & Wildlife Agencies.

Bob Ballou recommended that the issues to be discussed at the workshop should be framed well in advance so that the State Directors have the opportunity to discuss the "top ten" issues within their state prior to convening the workshop.

Also, during this discussion it was noted that a state director's meeting is being planned for this fall and dates will be selected soon.

MULTISPECIES MANAGEMENT BOARD

Executive Director Beal led a discussion on the multispecies management boards, precipitated by the fact that Black Sea bass are being caught in New Hampshire and the Gulf of Maine so the New Hampshire delegation is interested in participating on the management of black sea bass but not summer flounder and scup. The NH delegation wanted to know how this works on similar boards, like the South Atlantic Board and the Spiny Dogfish/Coastal Sharks Board.

Concerns were raised about the burden of filing annual compliance reports on species states do not have a declared interest in. It was noted that states can vote on all species' issues if they are on the board, however states often do not vote on species with no declared interest. Several Board members noted that all Boards are operating under the authority of ACFCMA, and there is value in other's involvement; i.e. those without a declared interest can provide unbiased insight.

There may need to be a policy developed with regard to this issue whereby a state can participate on one but not all species on a

Draft Summary of the Executive Committee Meeting February 2014

multispecies board. It was decided that this issue needs to be brought to the Policy Board for discussion. The Executive Committee recommendation is to leave the South Atlantic Board as it is; allow New Hampshire to participate on the Summer Flounder, Scup and Black Sea Bass Board and participate only in black sea bass deliberations and to split Coastal Sharks & Spiny Dogfish into two boards.

The Executive Committee also agreed that staff would circulate the species declared interest table for the states to review and verify current interests.

STATE ADMINISTRATION OF MRIP

Executive Director Beal wanted to determine the extent to which the State Directors were engaged in the decision process with regard to the state administration of the intercept portion of the MRIP Survey. The discussion focused on ensuring the technical representatives were effectively communicating with the state directors. It appears that in general the information has been limited, and the State Directors need to be briefed as a whole on the details of this proposed plan. It was decided that there will be a workshop at the Spring Meeting. The Executive Director will work with the Chair to develop an agenda and secure speakers who can explain the “whys and whats” of this proposal.

REPORT ON COMMISSIONER CONFLICT OF INTEREST

Executive Director Beal presented the revised draft Conflict of Interest document, seeking the Committee’s input on if the policy was proceeding in the right direction. The vote on this policy will occur in May. Several questions were asked/issues were raised, among them:

1) Is there a definition of immediate relative? 2) Should definitions be included in this policy? 3) With regarding to updating the “Proxy Appointment Form”, is updating the form every two years sufficient?

4) Is there a date certain for submitting the disclosure forms? 5) Regarding criminal/civil violations -- is reporting any activities for the past 3 years adequate? Should this timeframe be longer? 6) It should be state or federal laws violated – not just federal 7) On the financial conflict definition the dealer should be specifically mentioned. 8) If a Commissioner or proxy has a state or federal violation, then what happens? Is that a trigger for the Commission to notify the state that they should be disqualified? We should notify the appointing person that this person has a criminal record that may impact ability to serve as a Commissioner. Or should this issue be addressed in some other way - eligibility? 9) Who determines if they meet the 10% threshold? 10) The forms should be notarized.

The Executive Director will update the policy and disclosure form based on the points raised at this meeting and circulate it to the Committee prior to the Spring Meeting.

CLOSED SESSION

The Executive Committee went into a closed session to discuss a potential conflict of interest issue.

ADJOURN

CHAIRMAN LOUIS DANIEL: There being no other business to come before the Executive Committee the meeting was adjourned at 10:15 a.m.