

# Atlantic States Marine Fisheries Commission

## Executive Committee

*August 4, 2015  
8:00 – 10:00 a.m.  
Alexandria, Virginia*

## 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 (*L. Daniel*) 8:00 a.m.
2. Board Consent 8:05 a.m.
  - Approval of Agenda
  - Approval of Meeting Summary from May 2015
3. Public Comment 8:10 a.m.
4. Executive Director Annual Review **CLOSED SESSION** 8:15 a.m.
5. Administrative Oversight Committee Report 8:45 a.m.
  - Review White Paper on Changes to Commission Guidance Documents
6. Future Annual Meetings Update (*L. Leach*) 9:35 a.m.
  - November 2-5, 2015 – St. Augustine, Florida
  - 2016 – Maine
  - 2017 – Virginia
  - 2018 – New York
7. Other Business/Adjourn 9:55 a.m.

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

The meeting will be held at The Westin Alexandria, 400 Courthouse Square, Alexandria, Virginia 703.253.8600

*Vision: Sustainably Managing Atlantic Coastal Fisheries*

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

**The Westin Alexandria  
Alexandria, Virginia  
May 6, 2015**

**INDEX OF MOTIONS**

- 1. Approval of Agenda by Consent (Page 1)**
- 2. Approval of Meeting Summary from February 4, 2015 by Consent (Page 1)**
- 3. Adjournment by Consent (Page 2)**

## ATTENDANCE

### Committee Members

Terry Stockwell, ME (AA proxy)  
 Doug Grout, NH (AA)  
 Dennis Abbott, NH (LA Chair)  
 David Pierce, MA (AA)  
 Bob Ballou, RI (AA)  
 David Simpson, CT (AA)  
 Jim Gilmore, NY (AA)  
 Brandon Muffley, NJ (AA proxy)  
 Leroy Young, PA (AA proxy)

John Clark, DE (AA proxy)  
 Roy Miller, DE (GA Chair)  
 Tom O'Connell, MD (AA)  
 John Bull, VA (AA)  
 Louis Daniel, NC (AA)  
 Robert Boyles, SC (AA)  
 Spud Woodward, GA (AA)  
 Jim Estes, FL (AA proxy)

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

### Other Commissioners

David Borden, RI (GA)

Eric Reid, RI (LA proxy)

### Staff

Bob Beal

Laura Leach

### Others

John Bullard  
 Wilson Laney  
 Arnold Leo  
 Charles Lynch

Steve Meyers  
 Mike Millard  
 Derek Orner

**CALL TO ORDER**

The Executive Committee of the Atlantic States Marine Fisheries Commission convened in the Bell Room of The Westin Alexandria in Alexandria, Virginia on May 6, 2015. It was called to order at 8:00 a.m. by Chairman Louis Daniel.

**APPROVAL OF AGENDA**

The agenda was approved with two additions;  
1) AP Chair's role in board meetings and,  
2) Conservation equivalency policy.

**APPROVAL OF PROCEEDINGS**

The summary minutes from the February 4, 2015 meeting were approved as presented.

**PUBLIC COMMENT**

There was no public comment.

**CLOSED SESSION**

The Executive Committee went into a closed session and discussed human resource issues. The Executive Committee discussed the results of the staff survey conducted in April, and was overall very pleased with the feedback. The Executive Director was encouraged to continue to respond to the survey findings, including reviewing salaries and make adjustments as appropriate.

**REPORT OF THE ADMINISTRATIVE OVERSIGHT COMMITTEE (AOC)**

The AOC met via conference call to review the proposed FY16 budget. Mr. Abbott, on behalf of the AOC, moved approval of the budget as presented. It was approved without objection.

Mr. Grout reported that the AOC had approved a revision to the Annual Awards of Excellence categories. Instead of Scientific, Technical & Advisory, it will now be Scientific & Technical and

then a new category was established: Outreach & Advocacy.

Mr. Grout also reported that the AOC decided not to apply the 5% increase to the state assessment this year.

**APPEALS CRITERIA LANGUAGE**

There was lengthy discussion about the Commission's appeals process, which was originally developed in 2004. It was most recently used by Delaware and Maryland on Striped Bass Amendment 4. John Clark drafted a paper summarizing his thoughts on the appeals process, noting that it asks more questions than provides answers. It was suggested that the way our process works almost negates the need for an appeals process, but Mr. Boyles noted that it is a "process", which provides an opportunity to ensure that our rules and procedures have been applied fairly. It is to our advantage to have an appeals process so that people are comfortable knowing that we are following our own rules.

One suggestion made was that the AOC should act as the Appeals Board. It was decided staff would review and update the appeals process for AOC review. Once drafted it should be reviewed by the Commission's attorney for review.

The following should be taken into consideration when drafting the appeals process document:

1. There should be an independent unbiased hearing.
2. Appeal should be based on:  
Was due process followed?  
Was the decision arbitrary or capricious?
3. Make sure a quorum is required in the rules.

## COMMISSION GUIDANCE DOCUMENTS

It was noted that there are many areas of our guidance documents that can be cleared up and tightened up. The AOC will oversee the revision of our guidance documents. Commissioners are encouraged to bring their recommended changes to an AOC member.

## FUTURE ANNUAL MEETINGS

The Commission will meet November 2-5, 2015 at the Renaissance World Golf Village Resort in St. Augustine, Florida, jointly with the Gulf States Marine Fisheries Commission. Our 75<sup>th</sup> annual meeting will be held in October 2016 in Maine; in 2017 we'll meet in Virginia; and in 2018 we'll meet in New York.

## OTHER BUSINESS

Mr. Abbott noted that he felt the Chair of the AP at two board meetings overstepped their bounds; participating in discussions when they should not have been. The Board Chairs should be handling this, by not calling on the AP Chair during discussions. Three options were proposed on dealing with this issue:

1. Have the Advisory Panel, Technical Committee and Law Enforcement Committee Chairs sit at the head of the table only if they have a presentation; then they go back to the audience (Executive Director Beal suggested that the Technical Committee Chair not be included in this policy;)
2. Follow the policy of the NEFMC, which encourages the TC Chair to be part of the discussion;
3. Status Quo.

The AOC will review these options and come up with a recommendation for the August meeting.

Mr. Grout noted that the Striped Bass Board was allowing a tremendous amount of conservation

equivalency, which was originally meant to be used in special circumstances originally. He believes we're letting it go too far, and recommends revisiting the Conservation Equivalency Policy.

## ADJOURN

CHAIRMAN LOUIS DANIEL adjourned the Executive Committee meeting at 10:25 a.m.