

SOUTH ATLANTIC FISHERY MANAGEMENT COUNCIL

EXECUTIVE FINANCE COMMITTEE

**Sawgrass Marriott
Ponte Vedra Beach, FL**

June 15, 2017

SUMMARY MINUTES

Executive Finance Committee Members:

Dr. Michelle Duval-Chair
Chris Conklin
Doug Haymans

Charlie Phillips-Vice Chair
Ben Hartig
Jessica McCawley

Council Members:

Anna Beckwith
Zack Bowen
Mark Brown
Tim Griner

Mel Bell
Chester Brewer
Dr. Roy Crabtree

Council Staff:

Gregg Waugh
Dr. Brian Chevront
Kimberly Cole
Mike Collins
John Hadley
Dr. Kari MacLauchlin
Cameron Rhodes

John Carmichael
Myra Brouwer
Dr. Chip Collier
Dr. Mike Errigo
Kim Iverson
Roger Pugliese

Observers/Participants:

Dr. Jack McGovern
Monica Smit-Brunello
Dewey Hemilright
Rick DeVictor

Dr. Bonnie Ponwith
Erika Burgess
Dale Diaz
Jeff Radonski

Other Observers/Participants attached.

The Executive Finance Committee of the South Atlantic Fishery Management Council convened at the Sawgrass Marriott, Ponte Vedra Beach, Florida, Thursday afternoon, June 15, 2017, and was called to order by Chairman Michelle Duval.

DR. DUVAL: We will call the Executive Finance Committee to order. Just to review, the members of the committee are myself, Charlie Phillips, Chris Conklin, Ben Hartig, Doug Haymans, and Jessica McCawley, and so the first item on our agenda is Approval of the Agenda. Are there any modifications to the agenda? Seeing none, the agenda stands approved. The next item of business is Approval of our March 2017 Committee Minutes. Are there any modification to those minutes? Seeing none, the minutes stand approved.

The next item is a Report from the Council Coordinating Committee, and this was part of your late materials, and it's a pretty bulky file. It's Tab 14 A1B Report from CCC Meeting, and I'm going to -- It was a pretty big meeting, and so I'm going to turn things over to Gregg to kick this off.

MR. WAUGH: Thanks, Michelle. That's folder in there, and, if you open that folder, it's got a bunch of attachments in there, and, within that, the one at the very top, Attachment A1b, is the report itself. Michelle, Charlie, and myself attended that, along with Andy Strelcheck as the regional rep, and Brian attended, because they had a deputy senior leadership meeting, and Mike was there to present the administrative officers report.

I am going to go through the high points of this and where we need to make any decisions or get any guidance. I discussed with Michelle the large quantity of information that we have to comment on in the draft bills, and we're going to schedule a webinar Executive Finance Committee meeting in late July, and we're looking at that last week in July, and so I'll send out a doodle poll to everybody so that we can get those comments together.

Sam opened and gave an update on leadership. Each council gave a round-robin presentation, and the presentation that Michelle gave is included in here in the materials on the CCC website, and there are links to that. If anybody wants to see that and has difficulty, let me know. The administrative officers report, Mike reviewed those reports, and he's got just a couple of items to touch on.

MR. COLLINS: Really, the only item that I need to update you on is I had mentioned in the March meeting that the GSA suggested that the GSA and the Department of Commerce issue a letter to the councils so that they can use that to obtain tax-exempt status when making purchases. That has been stuck in GC-land, and, when I presented, Sam Rauch said to send it to him, and he was going to take it for action and kind of push it through, and so I haven't seen anything come out of there yet, but at least we have their attention on that issue.

MR. WAUGH: We had a presentation on cost allocation for electronic monitoring and reporting, and I pulled out one of the slides from the presentation, and NOAA will not approve a program if provisions create an unfunded or unsustainable cost, and it goes into explaining the details of that. This should not be an issue for our for-hire reporting amendment. There is app that's being developed that could be used for that. In addition, there are a number of computer-based programs that people can use to report, and NMFS would be able to pull the data directly from ACCSP, as they currently do for other datasets, and so we don't feel that amendment creates an unfunded or unsustainable cost.

You all may want to take a look at this, and, again, we'll talk about this in more detail at the July meeting and then bring recommendations to the council in September, but this does talk about sharing costs and how industry will have to share those costs. We have to establish these provisions within two years. Implementation can occur not to exceed five years, and here is the timeline to complete this, and so we will finalize our comments on this issue on EM/ER cost allocation at our September meeting. If you have any questions during the rest of this meeting, let me know, or get in touch with me ahead of that meeting. If you all have questions, if you just stop as we're going along, that would probably be the most efficient way to do this.

Legislative update, Dave Whaley gave us an update on issues, and I distribute his monthly report that he prepares for us to all council members. One issue that Dave asked the councils about is that congressional staffers are asking him if the councils feel like they're being held hostage by the SSCs and ABC, that requirement, and so, if that is something that we feel is putting some undue burden on us, we can provide that information to them.

MR. HARTIG: Just a comment, Gregg. I mean, it's not really them that's holding us hostage. It's just MRIP is holding us hostage, in some cases.

DR. DUVAL: Get to the root of the problem.

MR. WAUGH: Okay. Focusing in on the issues important to us, we've got two bills, H.R. 200 and H.R. 2023. H.R. 2023 was developed primarily focusing on recreational issues. H.R. 200 has most of the language from a bill that was approved last year on the House side, and Dave's advice is that parts of H.R. 2023 will likely be merged into H.R. 200. We're going to want to develop comments on both of those bills to provide, should we be asked.

You have got Attachments B and D in this folder, and I want to thank Doug Gregory and Carrie Simmons and the Gulf Council staff. They did an analysis of how each of these bills would impact their operations, and we can apply a lot of that analysis to our work as we look at how those bills will impact our management, and so, Dale, please pass along our thanks to them. That was a big help, and we used that at the Legislative Committee level and the CCC level.

In Attachment E that's in there, Dave Whaley compared both bills to see how, on each major issue, each bill addressed that, and so that's Attachment E, and that's a good one to look at, to see how both of the bills affect us. Again, if you all have any comments or questions, get those to me, and, again, we'll be recommending recommendations at that July Executive Finance Committee meeting.

The Legislative Workgroup report, this is the draft working paper. Items 1 through 10 have been approved by the CCC, and this document is very handy. It lays out the regional perspectives on a number of important issues to each of the councils. Then we try to get a consensus statement that all the councils can agree on, and that's the CCC consensus statement.

Each council is responsible for their individual regional perspective, and so if you all see anything in those regional perspectives for any of these items for the South Atlantic, we can modify those as we see fit. Anything to change the consensus position, we would have to take that back to the CCC to get that changed.

They did approve adding five new items, and those are 11 through 15. It's Recreational Data, Commercial Data, Proposed Changes to Exempted Fishing Permit Authority, Data to be Used in Stock Assessments, and the Deeming and Transmittal Process. The Legislative Workgroup will be developing recommendations on wording, and each council will be developing their regional perspectives on these issues, and so, again, if you have any suggestions, please provide them to me, and the Executive Finance Committee will be developing their recommendations in July, and our Full Council will look at that in September.

This is our opportunity to provide input, once we're requested to, on changes that we would like to see in Magnuson, and so this is a really good opportunity to address some of the issues that we feel need to be changed.

There was a lot of discussion about national monuments and sanctuaries, and this really impacts the Western Pacific Council, and Kitty Simonds, their Executive Director, brought several letters, and we've got those included, so that you can see those.

Adam Issenberg gave a NOAA GC review of legal issues, and I pulled out some of the more interesting ones to highlight there. One that we need to have a little bit of comment on at this meeting, at some point, is on this conflict of interest policy guidance. You have got two documents in here, Attachments L and M. One is the policy directive, and the other is the procedures for financial disclosure and recusal determinations.

The policy directive basically this lays out the requirements for indicating a council member's ownership in any fishing-related activities, and one of the things for you to be aware of is, if you are part owner in a corporation, all of that corporation's ownings or shares are attributed to you to meet this trigger. If you exceed 10 percent ownership in a fishery, that can be an issue that would trigger a requirement for you to be recused from discussion and decisions.

The policy directive lays out the requirements for the Regional Office, the NOAA GC, and the Executive Director of each council, and the Executive Directors are responsible for distributing and collecting the information and making sure it's posted, which we do now. If you go on the website, under each council member, you can see the financial disclosure, but it also requires that, prior to each council meeting, the ED has to review the current financial disclosure forms to determine any potential conflict of interest in an upcoming meeting.

Then I have to get with Monica, and we go through and determine how that's going to be handled, and so this is going to require a bit more work, and the Region is developing their procedures for dealing with this, but, again, we have to comment on this fairly quickly, and so, if you all can get any comments to me by June 23, I will put that together, and then we can circulate a draft letter, because we have to get our comments back to Adam by July 14.

DR. DUVAL: Are there any questions for Gregg right now on the conflict of interest policy?

MR. WAUGH: Okay. Dr. Cisco Werner is -- He was Acting Chief Scientist, and he is now in that position permanently. He has worked in our region before. Roger worked with him years ago in developing our FEP and modeling activities, and so this gives us a really good in. I have talked with him and invited him to attend a future meeting, and he is trying to attend our December

council meeting, which will work out good. That's when we're scheduled to roll out final approval of the FEP II document and materials.

He covered the Stock Assessment Improvement Plan, which that was addressed in the SEDAR Committee, and best scientific information available. The revisions should be out in a couple of months, and we'll review that at our September meeting. The next National SSC Meeting will be held January 17th through 19th, 2018, in San Diego, and the Pacific Council is hosting that, and John and Mike E. will be attending from our staff, as well as several SSC members.

In terms of remember that we raised three issues, alternative ACL tracking methodologies, alternative methods to estimate recreational catch, and the weight conversion issue, and we held a session at the CCC meeting, and Cisco has indicated that MRIP will work us on alternative ACL tracking methodologies, and this was discussed some in SEDAR. They're going to attend the workshop that we will be hosting. He also indicated that MRIP staff works with partners to look at alternative recreational estimation methods. They're doing this in the Gulf, in several instances, and they are happy to work with us, and they laid out some of the concerns that they feel need to be addressed.

Andy Strelcheck laid out the issues with differences in weight, and, come to find out, there are differences in numbers of fish as well, and there always will be. The issue is that MRIP presents information in terms of numbers of fish and weight based on their limited samples that they collect based on the boundaries for where they collect data now, and so that would be, in our instance, the Florida east coast, going down to the Miami-Dade/Monroe County line, whereas, in the Region, they track by our management boundaries.

For stocks that have a different boundary, that gives you different numbers. In addition, in the Southeast, the Center, Bonnie's folks and the Region, they expand the number of weight samples from all different sources and not just MRIP, and so that results in a better estimate of average weight, but it results in a different estimate, and so you're always going to have this issue if someone goes to MRIP to look at a set of landings for numbers.

They're going to get a different number, in many instances, for numbers of fish and weight, and so it was pointed out that one way to resolve this is those will exist, and to perhaps have, once a final set of numbers for a year are available, have that available from the ACCSP database and then educate the public that that's the place to go to your final numbers, and so that's in discussion and in the works.

Council habitat issues and initiatives, we have a Habitat Sub-Group that continues to work on issues here, and we had a couple of enforcement presentations and some more guidance on how our workgroups work together and are organized, and the CCC Communications Workgroup, and this is under Number 14, has been tasked with developing a one or two-page document highlighting the importance of the councils. We talked some about National Standard 1 Guidelines, and Appendix O includes a response to the questions that the South Atlantic Council raised, and so that's interesting to read as you have time.

Towards the end of the meeting, to give them as much time as possible to get some guidance, we received the Management and Budget Update, and Brian Pawlak reviewed that. The President's

2018 budget is usually available by now, but they expect to get it sometime soon, and nothing on 2019 yet. 2017 saw a slight increase.

The Fisheries Science and Management line was up \$7.6 million, of which \$3 million was for aquaculture, and they have given us portions of our budget based on the continuing resolutions, and now they estimate it will be sixty days for the councils to get the balance of their remaining funds for 2017. They indicated that if we're under a continuing resolution in the future that their intent would be to do as they did this year, to get a portion out each time that there is a continuing resolution. They would like to get it all out, but that is difficult to do.

For Fiscal Year 2017, the increase in the Fishery Councils and Commission line will be shared according to the wording that was included in the Senate report language, and that has that money being shared in equal proportion between the councils and interstate commissions, and the councils considered a formula for sharing this for the future, but they agreed to use this same proportion of how the funds were received in 2016 for 2017.

During the Q&A that followed, a couple of points were made amongst the councils when they discussed this and looking ahead at potential impacts in the 2018 budget. We get a portion of funds from the line item, and then we also get a portion of some additional items from NMFS for things like ACL management and regulatory streamlining, and all the councils pointed out that they can't exist on just the line item alone. It was pointed out that, ultimately, the councils should be at a level of \$30 million to do our jobs effectively. NMFS felt that the council could expect to get about the same level of add-on funds for Fiscal Year 2017 as received in 2016, and, if that happens, we'll be in good shape.

Another item that we raised at the meeting was fishery-independent data funding outlook, and Brian Pawlak presented this, and this is something that we have talked about a fair amount here, and I just wanted to show one slide. The issue that's been raised for a while is the management and administrative costs, and so, for SEAMAP, the amount of money that is available for SEAMAP is about \$5.125 million, and there are charges at the Headquarters level and at the Regional level, and they have made the decision that, starting in Fiscal Year 2018, this Regional M&A charge of about \$470,000 will not be taken anymore.

That is good news for SEAMAP, because it makes more money available to SEAMAP. The bad news is that money has to be made up somewhere else in the Southeast Fisheries Science Center budget, and so that's certainly not good news, but, as far as SEAMAP, that will provide some additional funding for SEAMAP.

International negotiations and appointments, this is more an issue for the west coast councils. They sit on a couple of commissions related to HMS species. Regulatory review, this is Executive Order 13777, where the two-for-one regulatory -- It's getting rid of two regulations for each new significant regulatory action, and the questions they posed to the council are what are your thoughts on the best way to respond to this and how can we set up or adapt a NMFS and council process to review existing regulations for what is outdated and ineffective and how can we make sure there's an opportunity for public comment.

What we started doing to address Item C, the public input, is we added, for our public comment session on Wednesday, an item requesting the public to make suggestions for regulations that they

think are unnecessary or outdated or ineffective, but we'll talk about this in September and develop some recommendations. There was a report from the senior staff meeting, and, Brian, are you going to hit the highlights on that?

DR. CHEUVRONT: I will be very brief about that. The senior staff seven of the eight councils met for a day during the CCC meeting, and a lot of what we talked about was managing our staff within our own council, but also working between agencies and things, and there was a lot of really good suggestions, because what happened is the different councils talked about what they did and how they worked.

I think everybody came away with a few good ideas of what we could do to improve our own operations, and one of the things that we were just starting, which it turns out there were several other councils that were starting to do the same thing, was reviewing the documents that council members receive as part of their meeting materials and trying to find ways to improve those documents.

Also, one of the things that we talked about that is relevant to all of you is what we were calling document creep, when like our FMPs seem to keep getting bigger and bigger and bigger, and we talked about ways that we might be able to streamline some of that, and so it really truly was operational kinds of stuff, but it was very helpful. It was the first time that the senior staff from the different councils had met like this, and we had talked about, if not annually, probably at least every couple of years, getting back together and having a day-long meeting like this again. That's it, Gregg.

One other thing is there is document 1c is the summary of the meeting that day. I didn't want to go through the specific things we talked about, but it's a very short document, if you're interested in looking at it.

MR. WAUGH: Thanks, Brian. The remaining couple of items, there were two items that we talked about, the Fisheries Leadership and Sustainability Forum, and the councils have been asked to contribute some funding support, along with NMFS, to keep that service going, and we'll be talking about that in July. External organization participation at CCC meetings, we talked about that, and we'll be talking about that, as it relates to our council meetings, in July.

Then, finally, in terms of meeting wrap-up, the North Pacific Fishery Management Council will host the next May CCC meeting, May 21 through 25, in Sitka, Alaska, and just to point out that our turn to host is in 2019, and we have blocked out the weeks of May 13 through 17 of 2019, and we are looking at the -- We have signed a contract with the Francis Marion for that, and that's where we hosted it last time, and so that's where it will be for 2019.

DR. DUVAL: So, a lot went on at the CCC. Are there questions for Gregg?

MR. HAYMANS: I have two. Back to the regulatory review real quick, and I don't mean this flippantly, but what constitutes a rule, because we see a rule published, and it has multiple items in it. Is it the individual items or is it a whole rule package?

MR. WAUGH: Any individual regulation. It's not the whole rule package. It's individual regulations, and that can apply at -- It applies at the agency level, and so regulations that we would

eliminate, along with the Gulf, would count towards that total, and the two-for-one, the new regulations have to be significant, and that significant, according to another Executive Order and those guidelines, and we have very few, if any, that are significant, because the impact has to be over \$100 million, but we still have to look at reducing the level of regulations.

MR. HAYMANS: Might we get asked by other entities to upper up rules to give up for their new rule?

MR. WAUGH: You mean might we be asked? I missed the first part.

MR. HAYMANS: Yes.

MR. WAUGH: Yes, and that's the reason that we are including that in the public comments, and so anybody can suggest regulations that we want to offer up.

MR. HAYMANS: Madam Chair, I have a motion. Since we're in CCC, I have a motion regarding law enforcement and reporting, if now is an appropriate time.

DR. DUVAL: A motion regarding law enforcement?

MR. HAYMANS: Regarding the report that we got during the Law Enforcement AP meeting and the penalty schedule. I was informed that during this committee, and particularly during the CCC report, would be the best time to bring this motion up.

DR. DUVAL: Okay. Go ahead.

MR. HAYMANS: Thank you. This regards the penalty schedule. **I would like to make a motion to have the South Atlantic Fishery Management Council work through the CCC to request NOAA GC or other body, as appropriate, to address an increase in severity of penalties for non-reporting by those entities required to report, both nationally and in the Southeast.** Perhaps some of that can be word-smithed, if needed.

DR. DUVAL: Motion by Doug. Is there a second? Second by Jessica. Is there discussion?

MR. HAYMANS: We discussed this some, or I discussed it some, during the LE AP, but a bit of rationale. The South Atlantic Fishery Management Councils requires reporting in many fisheries, to soon include the for-hire charter fleet, and the South Atlantic Council also is considering limited entry in the for-hire, principally as a means of enforcement reporting and compliance.

If the council feels that reporting is important enough to deny or suspend a permit for non-reporting, then the severity of the penalty schedule should be addressed, including the elevation up the penalty matrix. Furthermore, by increasing the severity of penalty, and this is important to enforcing it, by upping the severity, this should be sufficient enough to enforce compliance with reporting without limiting new entrants into the for-hire fishery.

DR. DUVAL: Okay. Is there further discussion?

MR. CONKLIN: Would this affect if we made the recreational reporting mandatory? Would we be enforcing heavy penalties on recreational anglers for not reporting in the future, if and when we did develop a way to do that?

MR. HAYMANS: If we make mandatory reporting in the recreational fisheries, absolutely, but my intent there, if you think about running the penalty schedule up, that would either be a financial penalty or denial of renewal of the permit until that reporting is complete.

MR. PHILLIPS: Doug, I don't have a problem with the motion. What I would like to know or see is an effort to email or contact people, and I think Mel has talked about how they talk to people in South Carolina when they are late. They send them an email or do something, so they understand that they have missed it or that it didn't go through when they thought they logged it or whatever, and I think just letting people know that they need to do stuff will get a lot of compliance, and then this be the stick behind some other things.

MR. HAYMANS: That's fine. I just don't think that currently the stick is big enough.

MR. BELL: You can have the biggest stick in the world, but part of the process is having -- I can tell you this again, from our experience, is you have to have a process in place where when you hand off to law enforcement that you want to apply that stick that it has to be very clear that that is indeed a cut-and-dried violation, and the burden of proof is on us to demonstrate -- Again, from our experience, we have to go before a judge or magistrate, and we have to basically show them an awful lot of evidence and proof to make it to the point where that stick can be applied.

I would argue that the current structure that I saw, related to summary settlements and all, is that's a pretty big stick, in terms of our stick is maybe a hundred-and-ten-dollar stick or something, and we use that sometimes, but, depending on if it's considered intentional or negligent or whatever. It can be a pretty severe penalty, and so I appreciate the desire to really make sure we have an adequate ability to ensure compliance there, but I think -- Well, again, and there is other things in place other than just the new for-hire piece, which is not there yet.

I mean, we don't know what sort of compliance we're going to get, but I kind of feel like what we have is adequate to get started here, and I know the desire when we talked about permit revocation, and that is not -- It's not that simple to get to that point, but you already have, in the summary settlement schedule, some pretty hefty fines, potentially, and so I would just point that out, but part of this process, again, is the folks that are going to determine that indeed this individual did commit a violation because they didn't report.

When you hand that over to enforcement and tell them to go apply that stick, that -- We really need to focus on that process and that handoff, so, when you give law enforcement something to act on, it has got to be squeaky clean, in terms of being able to prove it, and that's what I think we need to focus on, but you're kind of wanting to build a bigger stick, and I get that.

MS. MCCAWLEY: I have some concerns as well, but I'm okay to support this motion. One thing that I would like to see, that we probably can't control either, is I wish that, if there are fines, penalties that are fines, I wish that money could come back to the region, because, right now, it's just going back into a general fund, and it's not coming back to the region, and so I think it would be helpful if there was a way to do that, but I'm not sure if that's possible.

DR. DUVAL: Is there other discussion? Okay. **Is there any opposition to the motion? Seeing none, the motion stands approved.**

I guess, in terms of the webinar meeting that we would like to hold in July to talk about some of these outstanding CCC items and review, that's going to be the different Magnuson bills and the different pieces of the legislative workgroup overview document, and I just want to make sure that folks have a sense of sort of what all is going to be on that.

MR. WAUGH: The Fisheries Leadership and Fisheries Forum participation by external organizations.

DR. DUVAL: Okay. Great. Any other questions on CCC stuff? Then the next item on our agenda is the Council Year 2017 Budget with Mike and Gregg.

MR. WAUGH: Mike is going to run through the budget initially, and, again, this is based on the two activity schedules, the SEDAR one and the general funding one.

MR. COLLINS: There's not too many changes from the March version that you saw. We've got a few new hires in here, but then we also retired a higher-paid member of the staff. One thing that we did capture some savings on was on health insurance. We went to Starmark, and so we avoided an 18 percent increase in our health insurance costs this year by doing that, and everything else is basically the same. We tweaked it a little bit, but I don't see any big issues in here, as far as percentages spent or expended thus far in the year. I anticipate we'll finish the year with a small surplus, which will help us in the final year, given the uncertainty of the next couple of years of budgets that come out of Congress.

DR. DUVAL: You also have Attachments 2b and 2c, which are the general activity schedule and the SEDAR activity schedule, along with the usual cost estimates for those, and we've only had a few meetings, really, that have come through, and so the actual costs, there's not that many of those. We would be looking for a motion, I guess, to approve the 2017 budget.

MR. WAUGH: Yes, and just to point out that each year we look to see how we can minimize our expenditures and cost increases, and I want to thank Mike for all of his work on looking around for health insurance. This, I think, is something that we're going to end up having to do every year, is look at this. Hopefully we don't shift companies every year, but this avoided a \$40,000 increase in our health insurance coverage, and so I just want to reassure the council that we appreciate the benefits that you all provide to us, and we're looking at ways, constantly, to have those costs be maintained and not go up.

DR. DUVAL: We appreciate all that you guys do to keep expenses down. Now I would be looking for a motion to approve the 2017 budget.

MR. HARTIG: **I will make that motion, Madam Chairman.**

DR. DUVAL: Motion by Ben, and is there a second? Second by Jessica. **The motion reads to approve the FY2017 budget.** Is there any discussion? **Is there any opposition? Seeing none, that motion stands approved.**

The next item on the agenda is the Council Follow-Up and Priorities, and this is Attachments 3a and 3b, and Brian is going to come up here and walk us through that.

DR. CHEUVRONT: We're not going to pull up 3a and go through that whole thing. You have seen this document. It's in the briefing book every meeting, and, basically, think of this as your go-to document that tells you where the status of everything, all the amendments that we're working on and upcoming meetings, or, if you need to find a date when something occurred, it's all in that document, and so I just urge you to use that as a reference document, and, when you can't find something that you need to know, give us a call, and staff or I will help you find that information that you need, but I just wanted to remind you that that's what that document is about.

I am going to show you first the council priorities. These are the priorities that you left us with after the March meeting, and what -- Let me just sort of go over a few things. You can see now, for example, that you have recommended some additional things, at this meeting, occur, and so what I always try to do during the meeting is, as these things come up, I see if I can fit it somehow into the schedule by rearranging things and then report back to you all, so you can decide how you want to really deal with things.

Before I get into that version of the spreadsheet that I have been working on now, I just wanted to point out a couple of things. Some of our bottlenecks that we've got right now is because we're probably not going out to public hearing with the two visioning amendments. That means we're going to look at maybe not being able to get those out to public hearing until January of 2018, which will extend both of the visioning amendments that Myra is working on into the first two quarters of 2018.

Well, we're looking at Snapper Grouper Amendment 42, which is red grouper, and we're probably getting stuff in black sea bass, and Gregg and I talked about this very briefly. Some of those things might be able to get folded into those visioning amendments, and so we've got to figure that stuff out, and then the wreckfish ITQ review actually really isn't starting until now this third quarter of 2017, and I think the rest of these are okay for right now.

Actually, Snapper Grouper Amendment 38, which is blueline tilefish, that probably -- You're not going to get the assessment until December of this year, probably, which would mean that that amendment is really not going to start until January of 2018, and the FEP is going to be finished up in December.

So, all of that said, I have been working on some priorities and changes, and what I have right now is Kari is finishing up spiny lobster, and you all voted to do a cobia transfer, to start working on that, and so I've got her starting on that, along with the for-hire limited entry amendment, and I don't know how long that limited entry amendment is going to go. I don't know what all you're going to be doing with that, and so we may have to adjust that some later, but then I didn't know about what your feelings were about the priorities for that spiny lobster amendment.

Now the Gulf Council is the administrative lead on it, and Kari will be involved, and a few other staff people might be involved a bit on this, but I think this was something that could be added in there. I really wasn't quite sure, coming over here to what Myra is doing, is with the two visioning amendments.

I did extend those into the first two quarters of 2018, but we still have red grouper and black sea bass, and, like what Gregg and I had talked about, we might be able to fold some of those actions into those two amendments. I am not sure exactly yet how that would work, but we probably can, and the vermilion snapper will probably have to really start in the first quarter of 2019, and I think that's based on when we're expecting to get the SEDAR stock assessment.

The wreckfish ITQ, I briefly mentioned to you yesterday that we were thinking that we're starting this now, and we were hoping to have this finished at the September 2018 meeting, and so I extended that through there. The MRIP revisions, we can fit that in. That is very similar to an amendment that we did before that I had worked on, and I think that was Snapper Grouper 18, but where we had looked at some changes to some of the numbers, and so we've got the template for doing that, and it's just a matter of redoing that again, but we also will need to consider the allocation policy.

There are a couple of other things that we haven't really figured out what we're going to do with them, and one of the things is -- One of the things that was mentioned, that you all had talked about, was looking at sargassum again, and I don't know high of a priority that is for you all to do that. The spiny lobster is the spiny lobster amendment that I had mentioned before, talking about the bully-nets and the Florida process and procedures changes that need to occur.

The other thing that we don't have in there at all is golden tilefish and how we're going to fit that in there too, and I think, if I was paying attention closely enough, that during Mackerel that you did not move forward on anything for the cobia bag limit change, or did I just miss that? There was something about that was a potential amendment to change the bag limit.

DR. DUVAL: No, not to change the bag limit, but that's already Framework 4. It would be -- I think you might be thinking about the --

DR. CHEUVRONT: The transfer?

DR. DUVAL: Yes.

DR. CHEUVRONT: Let me just make sure that I didn't put that down here somewhere else. I don't think I did. Okay. You're right. Since some of this just happened just before lunch, Gregg and I really haven't had a chance to make some suggestions, but I just wanted to point out to folks that you've got a lot of stuff on your plate now again, suddenly, and we need to decide how you want to handle all of these things. Do you have recommendations? What do you want to tell us on how to do this stuff?

DR. DUVAL: I would just remind folks that we're -- We will pick this back up this afternoon, after we go into Full Council session. We will finish a few of those remaining Snapper Grouper items, which would be coming back to the discussion on Amendment 43 and red snapper and finish up the red grouper discussion and then golden tilefish, and golden tilefish is undergoing overfishing. We received that letter, and so we are under some time certain to take action, and we'll review a document in our briefing book to deal with that.

Recall that we have requested that simply applying the revised likelihood, the red grouper likelihood procedure, to the existing golden tilefish amendment is one thing we have requested that might provide us additional information, and so I'm just throwing a few things out there that the committee may want to consider.

At the last meeting, we identified four priorities that we wanted to come back, in terms of amendments that we would see at the following meeting, at the following council meeting, and so I am guessing that that's a similar approach that you all would like us to take for this meeting as well?

DR. CHEUVRONT: We will do whatever you want us to do.

MR. CONKLIN: I thought it was our intention to get 27 finished at this meeting and then have public hearings, a webinar, and can we get that done at Full Council?

DR. DUVAL: We still have to -- I haven't had a whole lot of spare time this meeting, and so we still have to work on those additional alternatives that we discussed with regard to snowy and blueline, sort of alternatives to split seasons, and get that in there. My sense of the committee was that folks wanted to see that document again prior to sending it out for public hearings, and I am seeing some heads nod around the table, and it would have to go out for public hearings, and so that would be moving it to January, which is generally when we do our next round. Okay.

Are there other thoughts on priorities? So we've got the two visioning amendments, and we've got Amendment 43, and we've got the spiny lobster procedures, and we've got golden tilefish. There is red grouper, potentially. We might be a little bit more informed once we -- The cobia transfer, and so thoughts on where you all see your priorities?

MS. BECKWITH: I don't know if it's going to be Amendment 43, but whatever amendment we end up discussing to create an ACL for red snapper seems like it should be one of our top priorities.

MR. PHILLIPS: Anna took the words right out of my mouth.

DR. DUVAL: It seems to me like it would still be Amendment 43, but just restructured and pared down to modify and set an ACL. That is one priority. In other words, the documents that we would see come back to us, and someone remind me, in terms of spiny lobster -- Because the Gulf is the administrative lead, it would start with them?

MS. MCCAWLEY: Yes, it starts with them, and I believe that Kari said that we might not see it until December. I guess there's a possibility that -- They have an August meeting, and so there's a possibility for seeing it in September, but I think it will be a bit before it comes back to us.

MR. PHILLIPS: Just for clarification, I guess, and because golden tile are overfishing, we have got to do something with that, and so that's going to take a priority over say something like splitting the seasons on snowy and red porgy and something. I am guessing that has to be done before -- I am trying to figure out exactly what's got to be done and what we've got wiggle room on, but I'm thinking we've got to do golden tile.

MR. WAUGH: I think part of that, and, again, we'll get into that this afternoon, but part of it is do you feel that you have the numbers to move forward with golden tile now or do we need to wait to get the revised stock assessment with the new fitting methodology?

DR. DUVAL: I would think that folks would want to receive that information in September, prior to having anything in an amendment to modify the ABC and ACL.

MR. PHILLIPS: I agree, but I thought we were trying to figure out where we were putting stuff in the slot, and we were going to have to have a slot there, whether we put the slot there now or we put the slot there in September.

DR. DUVAL: Perhaps I should clarify. I was thinking of what are the -- Staff has indicated previously that they could deal with four major documents to bring back to us at each meeting, and so, yes, we do need to address golden tilefish, but that might not be one of the major documents that we see at September.

MS. SMIT-BRUNELLO: A quick question, and I'm sure you have already said this, and so my apologies, but did you have a date upon which you think you're going to receive that golden tilefish new information? Is that by the September meeting?

DR. DUVAL: That was the indication, yes.

MS. SMIT-BRUNELLO: Okay. Thank you.

DR. DUVAL: So many choices for what we would see, what would come back to us, in September, in terms of major documents. I don't consider the wreckfish ITQ like a major document at this point.

MR. HAYMANS: I was just going to throw out the opposite of the spectrum. I think sargassum, which Brian mentioned, can wait until Roger is finished with FEP II and until 2018.

DR. DUVAL: Agreed, and I am seeing agreement around the table on that one. I will throw it out again. The options are visioning recreational, visioning Commercial, for-hire limited entry, and - - We already mentioned red snapper. We have red grouper and the cobia transfer.

MR. WAUGH: If I might, dealing with red grouper, we have to adjust the ACLs, which is not that difficult. We could do that in an abbreviated framework. Once Amendment 36 gets implemented, that has an action that was targeting red grouper. If you were to make some adjustments to the management measures for red grouper in your recreational and commercial visioning, that would resolve red grouper, and so we wouldn't need to do a whole separate document. It seems like you want to see the commercial visioning, the recreational visioning, Snapper Grouper Amendment 43, and then the next one that you might want to consider, to meet the timing, is the cobia amendment.

MR. BELL: Yes, I agree. I would make that Number 4, or add that. That would be a high priority for me.

DR. DUVAL: Okay. Then, in terms of other information that we would be receiving in September, we're going to get a revised golden tilefish assessment. Brian would bring back some additional information with regard to the wreckfish ITQ review, and we will talk about that just briefly in Snapper Grouper, whether we do it tomorrow during the committee report in Full Council, and then, as I mentioned yesterday, I have also suggested that we postpone the discussion of the ABC control rule revisions until September. We just need to make sure that we provide our input on that at the September meeting, because the SSC then needs to do their job. We're not actually going to have like a major amendment document in September for the ABC control rule.

MR. PHILLIPS: I don't know where we would put it, but there is still the yellowtail issue in the Keys and their closures, and so do we want to talk to the Gulf and see if they are willing to have a common ACL with them, so we know exactly where we might or might not go?

DR. DUVAL: It was my understanding that I think the topic of a combined ACL did come up at the previous Gulf Council meeting.

MS. MCCAWLEY: This was an item that I had under Other Business in Snapper Grouper, and so the commercial guys in the South Atlantic met their quota this year early. It was in the summer and not in the winter, which was what they preferred, and I'm not sure what the best way to address this is. A combined ACL is one thing, but that was part of the discussion, and we postponed the amendment because of the MRIP recalibration and the stock assessment coming out in 2018.

I noted at the last meeting -- I said, okay, let's wait and see if they meet their quota this year, to try to figure out what we're going to do. I believe that, at the Snapper Grouper AP, that Manny suggested some trip limits for different types of boats, which I don't have an issue with that. It seems a little challenging, and I think there was a request for VMS for one type of boat, and so I'm just not quite sure how to start this discussion anew, because it seems like these options would be pulling that amendment back to the forefront, which I was the one that voted to keep moving on that amendment at the last meeting and everybody else voted to slow that amendment down, because of MRIP calibration and because of the stock assessment, and so I am not quite sure how to address this. Maybe it needs a discussion among the committee members again.

DR. DUVAL: Has the FWC provided any additional input or have you -- Were you all able to convey just the concerns that the council had with regard to the MRIP revisions and the upcoming stock assessment? I don't know if that was something you all have discussed at a subsequent meeting.

MS. MCCAWLEY: The last commission meeting that we had, prior to the special Gulf red snapper meeting, the last commission meeting that we had when we explained that, the commission did express concern, and so that was before the quota was met. The commission expressed concerns, and our commissioner that is in the Keys is very concerned about this. He is concerned about both yellowtail and dolphin, and he wanted that amendment to move forward.

I had to explain to him why it's not moving forward. Of course, when the quota was met, the stakeholders contacted him, and he contacted me, and he said, well, what can we do and why can't we get this fixed and why are we waiting, because it looks like we're going to be waiting until what appears to be 2020, because the stock assessment is 2019. By the time that's completed and by the time an amendment is started, we're looking at 2020.

I see pros and cons here. I see pros to moving forward, but cons as well, because, if we try to combine the ACL, we still could have an issue with the fact that maybe recreational is taking three or four times more than what has been indicated in the past, and so maybe they're a lot closer to their quota. I am up to try all kinds of things, but I think it's also up to the council to figure out how they're willing to address this issue.

DR. DUVAL: I am just thinking about how we would be completing things in September and then available slots to move things forward.

MS. MCCAWLEY: I agree that there's a timing issue. There is also a workload issue. There was also a data issue that we talked about with the ACL amendment, and it seemed like that the South Atlantic -- Around that time, there was the coding problem, and so it seemed like maybe the South Atlantic side was shorted some landings, and it wasn't a huge amount, but it does appear that there might have some mis-allocation between the Gulf and the South Atlantic. The Gulf is not hitting the quota, and the South Atlantic side is, and I think that there are people on the Gulf Council that would like to work on this and get this fixed up and then others saying, well, but it's exceeded in the South Atlantic and maybe you guys need to work on it.

I think that whatever we do here is going to take some significant time, whether we're going to talk about trip limits for different types of boats, one of which the Snapper Grouper Committee said required VMS, if we're going to go down that route, or if we're going to combine the ACL. This would require a joint amendment with the Gulf Council, and that's a big lift as well.

I am certainly willing to explore these things, but we could have another issue as we move down the road on whatever option is chosen, other than maybe just the trip limits. Once the MRIP recalibration is completed, and if the stock assessment doesn't show that things are wonderful, then you could have a problem if you have grabbed some of the recreational quota and reallocated it over to the commercial, but maybe the recreational was -- Maybe the landings were a lot higher.

I just think that this is a -- It's not an easy issue. It's not an easy discussion. I think it's fairly big workload, and it's a joint amendment with the Gulf Council, and so I don't know how folks want to handle it. I brought these concerns up at the last meeting, before there was the overage, and folks wanted to postpone it, and so I think there would have to be a willingness by folks other than me to bring it back and want to dig into how we could fix this sooner rather than later.

DR. DUVAL: One thing that comes to mind as you were talking is, like you said, probably the simplest fix might be a trip limit. I know that was brought forward, and we had a motion, and then we had some recommendation, based on public comment, and then that was removed, due to some concerns.

There could be an action in Regulatory Amendment 27 to just implement like a trip limit trigger or alternative trip limits or set up something that might be similar to the dolphin trip limit trigger that we just put in place, and so that might be the simplest thing, and, if folks feel like all of these other issues -- That might give us time to get the results of the stock assessment and see how these MRIP recalibrations come out and then we could tackle the bigger issue of a combined ACL and ABC later.

MS. MCCAWLEY: I could live with the trip limit discussion. I would have liked to have combine the ACL. I mean, we've been talking about that since the South Florida Committee was meeting. That was on the table then. However, in the workshops that the council had back in January, there were folks that came over from the Gulf to comment, and they talked about yellowtail, and they didn't like the idea of combining the ACL, and part of the reason they didn't like it is because they think the recreational effort is a lot higher in the Gulf than what's being reported right now.

I would have said that just combining the ACL would have been the easiest fix, but I don't think it's going to be an easy pass through the Gulf Council like I thought it would have been, and so I think we could try a trip limit, and we could put it inside the commercial visioning amendment. I am fine with doing that and trying that, since that document needs more work first, and then, second of all, it needs to go back out to public hearing again.

MR. CONKLIN: In the meantime, once we constrain the catch, then maybe the yellowtail guys can get together and come back and give us some ideas on how they want their fishery to look, and then we can go from there.

DR. CRABTREE: I think there is a lot of wisdom to combining the ACLs. I am not so sure that we should look at this as such a bad thing that they caught their ACL towards the end. If we put a trip limit in, what would we be trying to do? Would it be trying to prevent them from catching their ACL? That leaves fish on the table, and they're going to make -- Financially, they're going to make less money if we do that.

Actually, even though they closed this year, they made more money, or at least they caught more pounds, than they did the year before when they didn't close, and so I think we ought to be careful about assuming just because a fishery closes at the end of the year, and this was designed to close in the summer, because prices are low. In many ways, they are maximizing their economic gains if the fishery does close, because, if it doesn't close, it means they didn't catch all of it.

DR. DUVAL: Well said. I don't disagree. Jessica has reminded us that this was how this was planned, that, if there would be a closure, it would be in the summertime, and so, Chris, did you have your hand up?

MR. CONKLIN: But if we did add the action into 27 to constrain the catch, we would get feedback from the fishermen and they could tell us if that's what they wanted or not, but I certainly like meeting ACLs. That's what we're tasked to do.

MS. MCCAWLEY: Just to try to think outside the box here, we've got this joint lobster amendment coming. I mean, I don't know if you want to talk about combining the ACL and we could talk about it in an amendment that has both lobster and yellowtail and we try to throw that in there. I am just trying to think outside of the box of a different vehicle that's on a different timeframe that would be a way to look at this another way.

DR. DUVAL: I like thinking outside of the box. I think that that would be something that I would just ask staff to go talk to the Gulf Council staff about and see the feasibility of that. I am not sure they will bite, but I guess it's worth a try.

MS. MCCAWLEY: Yes, and I mean they're both south Florida issues. I know we're talking about two different committees. We're talking about the Snapper Grouper Committee and we're talking about the Spiny Lobster Committee, but, if we were going to go take that out, if it had to be workshopped or what have you, it's all a south Florida issue, and it's just a thought.

MR. PHILLIPS: To Roy's point, it's good that they caught their ACL. The problem is, when they're closed, then they're targeting something else that starts affecting the markets up in South Carolina and North Carolina, like jacks.

DR. CRABTREE: Is that actually happening?

MR. PHILLIPS: Yes, they are targeting jacks, and the market is dropping.

DR. DUVAL: Okay. Let's pull this conversation to a close, because we still have other items to go through. What I am hearing, in terms of the major documents coming back to us in September, would be the vision blueprint amendments, Amendment 43, and the cobia transfer document.

MR. BOWEN: I was trying to wait until that conversation about yellowtail and everything concluded, but one thing I would like to keep in mind is, as far as this limited entry amendment, we do have a -- As everybody is aware of, I am sure, but we do have a control date now that's a year old, and I do not, if at all possible, want to go back and have to revisit a control date issue, and so I would like to squeeze that in somewhere. When this came up, Gregg had mentioned that we could work it in, and so, if we could have some discussion or something on that, maybe, that would be great.

DR. DUVAL: I think we -- It's a matter of staff capacity and our capacity. I mean, you have seen how this meeting went off the rails this week, and we're still not done with stuff, and we're having to jettison things. The four items that I just named were like the major documents that would come back to us, but that doesn't mean that we're forgetting about everything else that is out there, as clearly this yellowtail discussion has entailed. I don't know what -- I think Brian has outlined, in the slots here for Kari, working on limited entry for-hire, and that just doesn't mean that we would be seeing a document at the next meeting.

MR. BOWEN: Thank you.

DR. DUVAL: All right. Do you all have enough direction on priorities for the next meeting?

DR. CHEUVRONT: I think so.

DR. DUVAL: Okay. The next item is Standards and Procedures, and this is something that we have delayed a couple of times here, and so we're going to run -- There is an Attachment 4 in your briefing materials.

MR. WAUGH: This is our standards and procedures. The first item is webinar meetings. We have touched on this just a little bit. Right now, we don't have any specific wording on how we handle these. We did talk a little bit at the March meeting, and the council wants to pursue use of webinar meetings. Preliminary NOAA GC guidance is that council members can participate in a meeting via webinar, but they cannot vote if not present, and that is in person at a meeting.

However, if the entire council meeting is conducted via webinar, then council members can vote via webinar.

The input you all provided us at the March meeting was you wanted to -- You indicated that you prefer in-person meetings with the ability to freely discuss and exchange information. However, budget and time constraints may require the use of webinar meetings. You support the continued use of webinar meetings for council meetings and committee meetings, if needed, and we've talked about the Executive Finance Committee meeting in July. These would be primarily to address specific issues that are time sensitive.

You support a limited exemption for council members to participate and vote during an in-person meeting if they are participating via webinar, and we need a little bit of guidance as to who is going to approve that, and so the Council Chair, or Chair and Vice Chair, or the Executive Committee. Who approves those exemptions, so we have some guidance there?

You support the continued use of webinar meetings for the SSC, and you support the use of webinar meetings for APs, for short meetings or specific issues that are time sensitive, and you wanted to explore allowing SSC and AP members to participate and vote during an in-person meeting if they are participating via webinar.

In terms of issues to be resolved, voting at meetings, and I don't know if Monica has had time to follow up on this. We gave her a lot of stuff to look at for this meeting. Can AP members vote during an in-person meeting if they are participating via webinar? Then the same for the SSC and the SEP. Again, the idea is to get some guidance here. The SOPPs Committee will meet in September, and they will look at more wording, and our intent is to put this in our handbook.

MS. SMIT-BRUNELLO: Monica has not had an opportunity to look at it, but she will, and I was curious, because this is really kind of a national issue, and did this come up at all at the CCC or in the hallways or anything like that?

MR. WAUGH: No, it did not.

MS. SMIT-BRUNELLO: Okay. I will put it on Adam's radar screen and Caroline. Thank you.

DR. DUVAL: In terms of guidance, let's tackle the first thing, which was a limited exemption for council members to participate and vote during an in-person meeting if they are participating by webinar, and so if you've had a major health issue, and I think Madam Chair Bosarge, at the last meeting, gave the example of when she was quite pregnant and unable to actually be at a meeting in-person.

If the council is interested in pursuing this, would you want the Chair and Vice Chair to approve a limited exemption, or would you want that to be the Executive Committee? It seems to me like those two are the most obvious choices.

MR. HAYMANS: My personal preference is Chair and Vice Chair. I mean, it's simpler, and that's a high enough level of authority.

MR. BOWEN: That being said, and I'm not necessarily disagreeing, but what if the Chair or Vice Chair -- What if they disagree? That should come up with a thought.

DR. DUVAL: I am on the way out, and so it doesn't really matter.

MR. BOWEN: I just think that it needs to be addressed, because it's an even vote.

DR. DUVAL: Right, and it's a very good point, that there could be disagreement between the Chair and Vice Chair, and so perhaps it's the Chair, Vice Chair, and Executive Director?

MR. BOWEN: Great idea.

DR. DUVAL: Okay. Great. So there's that. Then the other two issues to be resolved are AP members voting during an in-person meeting if they are participating via webinar and SSC and SEP members as well. How do folks feel about that? Would there be limited exemptions there?

MR. HAYMANS: For the AP, I don't see any exemptions. If they can't make the meeting, they can't make the meeting. I think the council is a level of importance higher -- That may be worded wrong, but I don't see that for APs.

MR. CONKLIN: You asked about the SSC as well, and I would like to see them looking at each other face-to-face. That's the most important thing. They're a tier up from us, or on the same level at least, and so --

MR. HARTIG: The SSC operates by consensus anyway, and so it's not that big of a deal.

MR. BOWEN: That's exactly what I was going to say.

DR. DUVAL: We have had a couple of SSC members, at the last meeting, that were simply unable to make it, and they did ask a couple of questions via the webinar, but that was it. All right. So no AP voting via webinar. If they can't make it, they can't make it, and, for the SSC members, it's kind of moot, because there is no voting. All right.

MR. WAUGH: The SEP as well as the SSC.

DR. DUVAL: The SEP as well as the SSC, yes. Okay. Moving on.

MR. WAUGH: Next is exempted fishing permits, and we are receiving more requests. Everybody knows the issues related to the last request, and you all directed staff to prepare options. No action, we don't have any guidelines right now.

Option 2 would require a complete proposal before review begins, and so the council wouldn't entertain a EFP until the Southeast Regional Office certifies that the document is complete and includes all the necessary materials for the council to review. At that stage, NMFS hasn't made a decision, and they haven't taken public comments on the document. That is, for the most part, how we have received many of the EFPs thus far.

Option 3 would require a completed proposal and completion of the NMFS public comment process, and my understanding is the Gulf takes this approach, for the most part, and so, when they review an EFP, they have the public comments that have been provided to NMFS as well, and that gives a little more complete package and a little more background for you when you review it.

The fourth one, I put that in here, and I pulled this wording directly from H.R. 2023, and I recognize that there is concern about how much of an impact this would have on the EFP process. We have to develop comments on H.R. 2023, and I thought this was a logical place to put this to get your comments.

It is pretty stringent. The new procedures include the requirement for a joint peer review of the proposed EFP by the appropriate regional fisheries science center, the appropriate state management fisheries commission, and a requirement that the Secretary certify that the regional fishery management council or federal agency with jurisdiction has looked at it and determined that the activity conducted is consistent with any conservation and management objectives, social and economic impacts, both in terms of dollars and loss of fishing opportunity, has been looked at, and the information collected would have a positive and direct impact on the conservation, assessment, or management of the fishery. The governors of each of the states of which any part of the state is within a hundred nautical miles of the proposed activity under the proposed EFP has been consulted.

This section would require that any EFP expire at the end of a twelve-month period, beginning on the date that the permit was issued, and that any EFP that is renewed be consistent with the new requirements.

This is a note from some of the materials that have been put together looking at the wording, indicating that it's not clear if this would just apply to new EFPs or existing EFPs, that they will also expire in twelve months and need to meet all the new requirements, and, to me, it seems that that is pretty clear here. Also, it's not clear whether marine fisheries includes all state management agencies, whether they have a commission or not. Of course, any other option, you all are free to consider.

MR. CONKLIN: Circling back to the SSC voting, our SSC doesn't vote, and so should we even be addressing that, or should we put an action in there that we want to see them vote? Then who came up with this wording for all the EFP stuff?

DR. DUVAL: Who came up with what wording?

MR. CONKLIN: It's a bill? Okay. Thank you. It's from H.R. 2023? Is that right?

DR. DUVAL: Yes, and that's why it's in here, to draw your attention to it, so that you can be prepared to make comments on it.

MR. BREWER: H.R. 2023, there did need to be some revisions in the way that EFPs were handled, but I think -- God, should I say this on the record? I think this pendulum swings a little too far, and I think we ought to do -- I am not on your committee, by the way, and thank you for recognizing me. I think what the Gulf has, that it has to be a complete EFP and that there is public comment that could be reviewed by the council.

The council, and we have to remember this, the council doesn't issue EFPs. The council can comment on an EFP, but NOAA or NMFS can follow that advice or not, and so I do think that, if we're going to spend the time to review one of these things and make comment, that we need a complete package, and so I would go -- At least I would suggest going with Option Number 3. I think it's Option 3.

DR. DUVAL: To that point, Roy?

DR. CRABTREE: I don't believe that is what the Gulf does. They wanted to see a complete package, but, to my knowledge, we have never gone out for the public comment period before we went to the Gulf Council, and we just had an EFP on the agenda last week that was withdrawn, but we usually try to make sure we have the complete package and everything put together and ready to go, but I don't think it's been procedure to actually go out for public comment on it before the council does it, because a lot of these we might decide not even to out for public comment on an EFP if the council recommends against it.

DR. DUVAL: Maybe there was just a little bit of confusion. Maybe the Gulf Council makes sure that they have like public comment at a council meeting before they --

DR. CRABTREE: They do take public comment on it at the council meeting, but I think what we've done now is we go through the EFP and it's presented to the council before we have public comment, and then they come in after public comment and make a motion in terms of recommendation or not.

DR. DUVAL: Maybe that's where the confusion was.

MR. BELL: I was happy with Option 3, the way it was worded. I think it gives you a level of technical vetting from NMFS and then -- Well, I guess there's not public comment, and maybe you don't have that, necessarily, but I preferred 3 over 4, for sure. I thought 3 was pretty reasonable. Then my take on this is basically it comes to us and it's sort of for concurrence or non-concurrence. I mean, we're not issuing the permit. Technically they are, but I like 3, and maybe we need to adjust it, if there isn't any -- If we want public comment prior to it, I guess maybe we would need to adjust that.

MR. HAYMANS: I was going to suggest Option 2, in that I would prefer to see the package completed, and, regardless of what our comments may be about Option 4, if 4 were to go through as H.R. 2023 has it now, the council has got to see it anyway, right? I mean, it says that the councils have to review it, but hopefully we'll make some comments or suggestions and we won't see that, but I like Option 2. I thought as long as the package was complete. Typically, we take up experimental fishing permits on the final day during Full Council, after we've heard public comment on them, and I don't know that we need to specify -- Maybe we do, but I like 2.

MR. PHILLIPS: Actually, I think 2 is pretty much status quo, because I don't think Roy's office is going to send anything to this council or the Gulf Council unless it is completed. I can live with Option 2, or I could live with no action. I like flexibility. We are not getting that many EFPs, and so I am almost inclined to -- Let's just do it. I would like to make a motion that we do Option 1.

DR. DUVAL: I have a point of order. I would like to get Jessica prior to any motion. Thank you.

MS. MCCAWLEY: I am good with 2, and I guess my question was that you said that we're going to be commenting on H.R. 2023, and is that going to be at that special meeting? Okay. I am good with Number 2, and what I was raising my hand to say earlier was what Roy said, that that's not what the Gulf Council does. They don't necessarily go out and publish a notice in advance, and I'm good with Option 2.

DR. DUVAL: It sounds like what the Gulf Council does, as Roy noted, is they have a presentation on the EFP, and then they have their normal public comment session that they would have. Then, after that public comment session, in case they get any comments on it, that's when they would make a motion, is after that. Is that correct, Roy?

DR. CRABTREE: Yes, and they -- Generally, the Gulf Council goes into Full Council. Then we go over the EFPs, and then we have the public comment session during Full Council. We sort of do public comment before we even go into Full Council.

MR. WAUGH: If the council is interested in pursuing that type of approach, one thing we could do is have the EFP presented to the Executive Finance Committee, because that would always -- Well, no, it doesn't always take place before public comment. If you want public comment on it and you think it's important to have the presentation given first, we can arrange it on the agenda that any EFPs are at least presented prior to the public comment session, if you feel that's something that is needed.

MS. MCCAWLEY: I changed my mind. The option that I would rather choose would be none of these options. It would be more like what the Gulf does. I would rather some type of presentation in some committee be given, and I don't think it needs to be at Full Council, but be given before the public comment of that particular week, and I would also like for it to be a complete proposal before it comes, and so it's kind of a like an Option 2 hybrid.

DR. DUVAL: Okay. Let's just make sure that we capture this. Charlie had said that he wanted to make a motion, and so it sounds like require a complete proposal before the council considers -
-

MS. MCCAWLEY: **I move that we require a complete proposal before the council considers an EFP and schedule a presentation to a committee prior to the public comment period at a council meeting.**

DR. DUVAL: It's seconded by Charlie. Is there discussion? It seems like everybody is okay with that approach.

MR. BELL: Then we would not deal with it until after the public comment. Okay.

DR. DUVAL: Then the council would provide any recommendation, one way or another, after the public comment, during Full Council. Okay. **Is there any opposition to this motion? Seeing none, that motion is approved.** I think the next thing in here is just document timing, in terms of the briefing book, and this is really --

MR. WAUGH: This is how we have been operating. We had an issue in prepping for our last meeting, and this material shows up in our follow-up, but we don't have it in our handbook, and so, in talking with Monica, we agreed that it would be best to refine this wording and to include it in the handbook, and so what we've got here, starting after briefing book materials, is all materials are in the Monday three weeks prior to each council meeting.

Then we've got some exceptions that get into -- Not all materials are on the same deadline for the council's completed materials. If material is being developed especially for a council meeting, then it needs to be completed by the briefing book deadline. If material is being developed outside of the council meeting process and action will occur, and thinking of some of the PR items that have surfaced, prior to the next meeting that impacts fisheries or the council or the comment period ends prior to the next meeting and the material is completed between the briefing book deadline and the council meeting start, then the material will be posted to the council's website to allow public access and review and can be discussed at the meeting with approval of the Council Chair.

If material is developed outside of the council process and action won't occur prior to the next meeting, then it will be bumped to the next meeting, and that's just clarifying, again, that the Council Chair reviews any late materials and determines whether to approve their distribution after the briefing book deadline or whether the information will be rescheduled to the following meeting. I would think, at this time, if you all have any suggested revisions to this wording, and then it would go to the SOPPs Committee.

DR. DUVAL: Again, this is just kind of putting in writing what we do.

MR. BELL: I am sorry, and this is just a techo troglodyte question, and so I was under the impression that if you kind of kept downloading the file that you would catch new stuff, but I was going in through the meeting and going in that way and downloading the briefing book, but that didn't necessarily work. There is another way to go in and you get the updated, and I know that's a technical issue, because I kept going into the original source and downloading the file, but it apparently never changed. The new stuff was in another -- You had to go in another way.

DR. DUVAL: So that was in the late materials folder.

MR. BELL: Yes, the late materials or anything else added, but you had to go get that a different route. Do you see what I am saying?

MR. WAUGH: We will look into that. I think what Mel is getting at is there was a way to download the complete briefing book, and what you're saying is if you did that, for whatever reason, it wasn't pulling up the new materials that were added.

MR. BELL: No, not when you go in through -- If you click on "Meetings" and then go down and then it says the June meeting, and it says "download briefing book", and, if you did that, it would never update, but, if you went in by like the way Mark showed me, clicking like on the picture and it would take you straight to the meetings -- If you clicked on that, then you got the late material file, but, if you go in through the original way to get there, it doesn't do that.

MR. WAUGH: Okay. Cameron will get with you afterwards and make sure that we fix that.

MR. BELL: That's why I say it's a techno troglodyte question. Sorry.

MR. HAYMANS: Just along those lines, as is obvious, I always download the document and print it. I like the late documents file, because that should be everything that came in after that. In this meeting, there were some items that kind of made their way into some folders, and, if we could avoid making their way back into some of those folders and keeping it in the late folder, I would appreciate it.

DR. DUVAL: I think that's a good idea. That makes it easier for everyone.

MR. HARTIG: I don't know if Doug just said that, but, for me, being technologically challenged, it would be nice, when the council meeting starts, if there are late materials that are received before the council meeting, to incorporate those into the committees as they are. Do you understand what I am saying? Late materials coming in, if they can be incorporated into the latest briefing book -- Just update the briefing book is what I'm trying to say, which is what Doug just said.

DR. DUVAL: No, it's the opposite of what Doug just said. Doug was saying that, so as to not get confused or have to like hunt and peck around within each committee folder for the late materials, that you can just go straight to the late materials folder and pick up those items.

MR. HARTIG: Okay. I will just deal with it that way.

DR. DUVAL: Maybe what might help is I think there were a couple of documents that didn't have the tab, which tab they were associated with within them, and that might help, which tab. Tab 10 is Snapper Grouper, and Tab 11 was Mackerel, and being sure to have that tab ID next to the document.

MR. PHILLIPS: We could have both. You could have a late material folder, so Doug goes through all of his homework and then said this stuff came in late, and I don't have to go through everything, and the briefing book is updated, and I think you can do both easily.

MR. WAUGH: You all tell us what works best for you all and we will do it like that.

MR. HAYMANS: Ben, the reason that I download everything is connectivity is not always the best in here, or in any meeting room, and so, having downloaded the entire briefing book, if I need to go grab something in a hurry, I know I've got it.

MS. MCCAWLEY: I do think it's helpful to have a folder that has the late stuff, because my assistant, who copies and prints and makes sure that I have all of those documents, it's very difficult for her to figure out which things have changed and what's been updated, and so, if there was just one folder where she could go to find these items, I think that would be helpful for me as well.

DR. DUVAL: Okay. So it sounds like maintain the late documents folder, as we have it, and that allows for everybody to find it, and then just be sure to note what the tab is in the title, so that it can be -- For folks who are downloading and printing things out, it can be placed in the correct tab.

MS. MCCAWLEY: Maybe the date that it was uploaded or edited or some type of date on there, in those late materials, might help the situation as well, if you're going to be adding them back into the main briefing book.

DR. DUVAL: Okay. We are a challenging bunch to work for, Gregg. I am really sorry about this.

MR. PHILLIPS: Are you saying that Gregg earns his money?

MR. WAUGH: Gregg doesn't do this, and so let me just clarify what Jessica just said, to be sure. So we're just putting them in the late materials folder?

MS. MCCAWLEY: It seems like some people were wanting them in the main thing, and I was suggesting a both, that there was a late materials area as well as you could add them to the main thing, so someone that might have downloaded late could, in some way, download everything, and then I was suggesting a date by which the late materials would have a date in the title, so that you would know that they were updated materials, because sometimes you are not just adding something that is brand new. Sometimes you're taking, whether it's a presentation or some document, and updating that, and it's difficult, without opening every file sometimes, to figure out if this is the new one or if it's the old one or what changed, and that's confusing to me.

MS. RHODES: Just to complicate matters a little bit more, would it be easier to have a late folder in every single committee, so that you know exactly where those late documents belong, so that every briefing book committee folder has its own late documents folder? That way, you don't have cross-posting of documents on the website, which could cause some issues on the backend.

MS. MCCAWLEY: I could live with that.

MR. HARTIG: Me too.

DR. DUVAL: All right. I am seeing thumbs-up. That way, you can go to the committee folder and check the late documents.

MS. BECKWITH: Not to that, but just when you bring up a briefing book, it used to be that, like when you clicked on something, a new window would open, and that works better for me personally, because sometimes I like to have multiple windows open. The way it is now, the same window takes you to the document, and so you have to hit the back button and then find it, and then the folders close, and so I would like the hyperlinks to things, if you are looking through the website, to open to a new window, so you can go through -- We often have seven documents open, and so I find myself having to click back.

DR. DUVAL: I am looking back to our gurus in the back of the room there and if we can -- If when you click on a link to a document if it can go ahead and open in a new window instead of opening in the same window, so that you don't have to go back and forth. We're going to need to wrap up this conversation soon, by the way, folks.

MS. RHODES: Do you guys remember if that happened for the last briefing book in March? We think that, on the backend, something has happened with the website, where they're no longer allowing that, but I will talk to our web developer and see if we can fix that.

MR. CONKLIN: Can we get the briefing book put up on the front page of the website, for the public's sake too, so they don't have to navigate all the way through?

MR. HARTIG: That would be awesome.

DR. DUVAL: Briefing book on the front page of the website.

MR. BOWEN: And at the top, so we don't have to continue to scroll down every time.

MS. RHODES: Sorry, but can you clarify that? What do you mean? At the top of which page?

MR. BOWEN: The home page.

MS. RHODES: I will find out. Again, that might cause some issues on the backend about where the briefing book needs to be directed to, just having it in multiple spots, but I will talk to our web developer and see if that's something that is possible. We will make it happen.

DR. DUVAL: Okay. Have we beat this -- I bet you didn't expect this kind of input on briefing book materials.

MR. WAUGH: It's always welcome. We want to make it as easy as possible for you all to find the materials and the public.

DR. DUVAL: Okay. If we can move on to public comments at advisory panel meetings. That is the next item in this document.

MR. WAUGH: The issue has come up, and cobia, again, raised a number of unique opportunities, and this was one of them. We don't have any policy right now. It's up to the AP Chair, and they can allow public comments if they choose to and if they feel it's necessary. We just wanted to get you all's guidance. Do you feel that we should establish a formal opportunity for public comments at AP meetings? We could do it similar to the process that is used in the SSC. We could allow public comments at the start of an AP meeting and prior to recessing each day, if a meeting runs more than one day. There are certainly other ways to do this as well.

DR. DUVAL: I think we definitely need to do this. We've gotten positive feedback on the opportunity for comment, public comment, at the SSC meetings, at the beginning and the end, and after different agenda items. Zack.

MR. BOWEN: I'm not on the committee, and I do appreciate the time and you allowing me to speak, but I do think we need public comment at the AP meetings. However, I am not in favor of, at the AP meetings, having public comment after every agenda item.

DR. DUVAL: No, and I think just an opportunity at the beginning of the day and the end of the day for however many days the AP meeting meets is sufficient.

MR. BOWEN: I totally agree.

MS. SMIT-BRUNELLO: Not only do I think it's a good idea, but the Magnuson Act requires it, and so I think, if you could build that into the structure, so all the APs would know, because the Magnuson Act allows for these kinds of meetings, including AP meetings. Interested persons shall be permitted to present oral or written statements regarding the matters on the agenda at the meeting. There's a little bit more to that, but, if you gave all your APs the same direction of whatever it is you decide, I think that would be a great idea.

DR. DUVAL: All right. So done. The next is the SSC liaison and the role of council members at SSC meetings.

MR. WAUGH: The issue is, again, we don't have any written guidance on how this operates. We did create the SSC liaison, and the intent there was that individual would be the one that interacts with the SSC. If we have multiple council members attending, do we want them to sort of route any questions they might have through the SSC liaison or do we want to allow other council members to freely ask questions during the SSC meeting as well?

DR. DUVAL: I am the one who brought this up, because I was the SSC liaison under Ben, and I think this is a little bit different than advisory panels. Our AP Chairs have been -- They are usually very generous, and it's pretty casual, and we have council members there that are coming up to the table and speaking or asking for some input from AP members.

The SSC has established this new public comment period at the beginning of the meeting and at the end of the meeting and, when Marcel can remember to do it, after every agenda item. With Ben as the liaison, I have been very conscious of making sure that when I provide public comment, or if I have a comment to make, that I am doing that during the public comment session, and I bring this up because I am very cognizant of sort of the separation between science and management that Magnuson creates, and I am concerned about, if we just have council members who are present going up to the table at any time and wanting to participate in the SSC's discussion, that that could be perceived as managers trying to interfere with the scientific process. That is the only reason that I bring this up. Ben is our SSC liaison right now, and he does a great job, and so I had asked Gregg to include this item on our agenda.

MR. PHILLIPS: I talked to Gregg about it a couple of weeks ago, and I was looking at the options, and you're right that Ben does a great job, and, if another council member is there, sometimes they have expertise that Ben may not have that the SSC might -- It may be a question that the SSC needs to hear.

My suggestion would be allow council members to ask questions, but, if it's going to interfere with the meeting and/or slow down their meeting, the SSC Chair should say, okay, I am only going to take questions from the liaison and we don't have time to do this and let the Chair run his meeting accordingly and have some flexibility. I think, if the council members understand that there is a potential problem, I think they would be very cognizant of if or when they were to ask a question.

DR. DUVAL: So a couple of things. I think obviously the Chair always has the flexibility to run the meeting the way he sees fit, and that's why I felt that the public comment after every agenda item, before and after every agenda item, is also a useful way, and that's how I ask some of my questions.

MR. BOWEN: This has happened to me in the past, as I try to attend SSC meetings, and it was brought to my attention that I probably shouldn't do that, and, after thinking about -- I did. I thought long and hard about it. It was like, damn, did I mess up, but I like Michelle's idea, even though I was guilty of interjecting my comments or opinion at the SSC meeting. The next time that that situation arose, I went to Ben and asked Ben the question, and he went to the table, and so I tend to agree with Michelle, even though I was guilty of doing that one time before.

DR. DUVAL: Zack, you were not guilty. I think a lot of folks are not necessarily aware of the SSC liaison and the role, and so don't beat yourself up about it. I see Carmichael at the table.

MR. CARMICHAEL: Thank you, Madam Chair. I think Charlie laid out a good idea in theory, but I think our SSC Chair will be disappointed with me if I don't point out that he is very cognizant of the fact that the SSC serves at the pleasure of the council, and he sees the council as being the folks who give the guidance to the SSC and make the requests of the SSC, and so I think he would be very uncomfortable trying to tell a council member, in particular, that I think we're getting behind and we've heard enough comments and you should go through the liaison. I don't think he would want to be in the position of having to tell council members, in particular, that he doesn't want to let you come to the table if you feel like you have something to say.

MS. BECKWITH: I mean, I think comments should go through the liaison, and, if the liaison says, okay, it's an appropriate question, go ahead and go up to the table, but I think our communication with the SSC should probably be run through the liaison, and I think that would be cleanest, and, if you happen to be the liaison and I have a question, and you say, go ahead, Anna, go ask them the question, fundamentally it should be the liaison's call to ask the question on our behalf, say the question is not appropriate, or to allow the individual person to express themselves, if that's appropriate.

MR. HARTIG: I am going to be brutally honest. It takes all my brainpower to stay with the SSC at what they're discussing at any one time and to make my comments from the council at the appropriate times. Now, you are much more -- You have been much more judicious about when you make comments to the SSC than I have.

When I was Chair, I would get up more frequently than you did about different things, and, observing that, I have tried to be a little but judicious about when I get up and talk about different things. I bite my tongue, in certain instances, but it's difficult for me when multiple council members come to me with questions and then I have to try and understand exactly what they want, while the SSC is in a discussion that I need to be listening to.

I am just being brutally honest that it's very, very hard for me to do what you all are wanting me to do. Maybe I am not the right person to be the liaison, because it's very tough for me to stay in tune with the SSC and then also council members are asking me this, and sometimes the question comes from a council member and we can answer it between ourselves, which is great. I mean,

we can get the answer without going to the table with the SSC, but I don't know. I am willing to try, to my best ability, to do what you all want, and we'll leave it at that.

MR. PHILLIPS: John, to your point, I get it, but I wouldn't see the Chair saying, okay, Zack, I don't want to hear from you. I don't see naming somebody, but I would just say -- I would envision them saying, okay, we're running tight, and so I am not going to -- Nobody, and just Ben, and I think that might work, along with just the conversation we've had here. That is going to make everybody very cognizant of what's going on. I still would be inclined, especially after listening to Ben, to see how it goes and then come back and change it, if necessary.

MR. BELL: I think the discussion is good. I think we're all sensitized to this. I think John is correct in how he explained the -- That would put the Chair in an awkward position. Perhaps Michelle's approach of when they have public comment, and you weigh in at that point. If there is something that doesn't fit or they don't have enough public comment, then you bother Ben or something, but I totally understand you, Ben. I have enough trouble just staying on focus, and so I wouldn't want to distract you.

MR. BOWEN: Ben, I wanted to correct you. You are the best person for the job.

DR. DUVAL: Don't underestimate yourself, Ben. You do a great job. I am not quite sure where that leaves us. I hear Charlie saying he would like to allow for council members to come up to the table and ask questions in the middle of the discussion. I understand that, but I also want to make sure that the SSC is able to get their business done, but, regardless, as Mel said, everybody is kind of sensitized, now that we've brought the topic up. There is multiple public comment periods.

I am wondering -- I mean, I hear, John, what you're saying, and would it -- We seem to be sort of all over the place here, and I'm wondering if it might not be worth it for you to have a -- You and Mike to have a conversation with the SSC leadership and just get their thoughts on that.

MR. CARMICHAEL: Yes, I think so. I think how Charlie put it, if it's sort of a thing where he says, look, we're tight on time and there's a lot of council members here, and, if there's a lot of points to be made, could you maybe get together with Ben, and maybe he gives a short break or something and asks if you can get together and come up with sort of a list.

I would also point out that staff -- I am there as well, and certainly I think I am usually near Ben, and certainly come talk to the two of us. If Ben is really engrossed, maybe I can talk to you and get a sense of, okay, can we -- Is there a break coming up and when do we think we can do this, and we can help manage it. I think, between all of that, it would work. We'll tell Marcel that it's okay, maybe, to tell people -- Don't six people come to the table, or, maybe if he sees six council members raise their hands, he will ask that you all pow-wow and figure out with Ben what the points are. We can work with that on something. Luiz, on the other hand, I don't think this would have been a problem at all. You know how he is, but you know Marcel has got a little different personality, and he is very cognizant of the council member situation.

DR. DUVAL: Okay. It sounds like we will get a little input from our SSC leadership and come back to this. It's been suggested that the System Management Plan Advisory Panel that we can address that in September, and so the last item on our list, and we do need to have a little bit about

this, is the MRIP Five-Year Strategic Plan. I think comments are due on this on July 15 or something.

MR. WAUGH: June 30. We've got the strategic plan in there, and we will draft some comments based on anything you all give us here at this meeting, and we also recently commented on MRIP. We have got the materials that we worked up for our three questions with respect to recreational fisheries, the alternative ACL tracking methodologies, alternative methodologies to estimate recreational catch, and the weight conversion issues.

We have got material that we can draft a letter and circulate, but we wanted to give you all an opportunity, if you had any comments, to give those to us, and, if you can get those to me by June 23, then we can incorporate them. John, I don't know if you wanted to mention anything about the strategic plan specifically.

MR. CARMICHAEL: One thing I will mention is that it's far shorter than the stock assessment improvement program document, and so don't feel as if you maybe have an hour that it's not worth digging into, because it certainly is. It's much simpler, and it's much shorter. It addresses a lot of just what they see as their role in the future in communication and outreach and what they're intending to do.

We have a list of comments that we have been working on, just encouraging their continued improvements and communication, the team approaches, regional approaches, and stuff that they have been working to implement, and recognizing the customers and meeting the needs of the customers are all really good concepts, I think, to see in their strategic plan, and so anything that you -- Just read over those. It's a pretty straightforward bulleted list of goals and objectives and tasks that they intend to achieve, and, whatever strikes your fancy or strikes a chord with you, let us know, and we'll work it into the comments.

DR. DUVAL: Thanks, John. I know I only made it halfway through the plan, and so I appreciate that latitude. One thing that we were going to discuss under Other Business, but I think that we will deal with in September, is structure of decision documents, and so Brian had mentioned that this was one of the things that the senior leadership had talked about at the CCC, and so we can take care of that in September. Is there any other business to come before Executive Finance right now?

DR. CHEUVRONT: Just very quickly about the decision document. At the beginning of the meeting, I asked folks, if they had comments, to go ahead and send them to me now, but we will have the discussion in December, but I am working on the decision documents and other documents at this point, and so I would like to have some improvements for September, and so, if you've got stuff now, go ahead and send it to me, and we'll see what we can do about incorporating it, and we'll be able to discuss it more fully in September.

DR. DUVAL: Thanks, Brian. Let's go ahead and take a ten-minute break and get set up for Full Council.

(Whereupon, the meeting adjourned on June 15, 2017.)

Certified By: Mark Callipari for Dr. McHenry Duval Date: 7/26/17

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