

# **SOUTH ATLANTIC FISHERY MANAGEMENT COUNCIL**

## **EXECUTIVE FINANCE COMMITTEE**

**Charleston Marriott Hotel  
Charleston, South Carolina**

**September 15, 2014**

### **SUMMARY MINUTES**

#### **Executive Finance Committee:**

Ben Hartig, Chair  
Charlie Phillips

Dr. Michelle Duval, Vice-Chair  
Jessica McCawley

#### **Council Members:**

Jack Cox  
Mark Brown  
Doug Haymans  
Chris Conklin  
Zack Bowen

Mel Bell  
Lt. Morgan Fowler  
Anna Beckwith  
Dr. Wilson Laney  
Chester Brewer

#### **Council Staff:**

Bob Mahood  
Mike Collins  
Dr. Kari MacLauchlin  
Kim Iverson  
Julie O'Dell  
Myra Brouwer  
Chip Collier

Gregg Waugh  
John Carmichael  
Amber Von Harten  
Dr. Mike Errigo  
Roger Pugliese  
Dr. Brian Chevront  
Julia Byrd

#### **Observers/Participants:**

Monica Smit-Brunello  
Dr. Bonnie Ponwith  
Pres Pate

Kevin Anson  
Phil Steele  
Scott Sandorf

Additional Observers Attached

The Executive Finance Committee of the South Atlantic Fishery Management Council convened in the Topaz Room of the Charleston Marriott Hotel, September 15, 2014, and was called to order at 4:00 o'clock p.m. by Chairman Ben Hartig.

MR. HARTIG: We will bring the Executive Finance Committee to order. The first item on the agenda is approval of the agenda. Are there any additions to the agenda or changes? Seeing none; the agenda is approved. The next order of business is approval of the June 2014 minutes. Are there any changes or deletions to the minutes? Seeing none; those minutes are approved. That brings us to the status of the 2014 budget expenditures; and that is under Attachment 1.

MR. MAHOOD: Okay, it is a one-pager under Attachment 1. If you look at that, I hope everybody has studied it in detail. I'm not going to go over every piece of it except to tell you that we are at the end of our five-year grant. We will be starting a new grant this next year. At the December meeting we will be bringing you the numbers for the next five years that we anticipate that we'll need.

One thing that has happened this past five years; the first year we had a pretty good surplus. We've been able to carry money forward every year; but the surplus carried forward has gotten smaller and smaller and smaller. We've pretty much been level-funded. The councils have been level-funded for the last five or six years.

It will be interesting to see what happens as we move into the new five-year grant period and see if we'll have the funding we'll need to continue; funding we'll need to get the state of Georgia a major boost in their liaison grant. That's all, Mr. Chairman, unless somebody has some specific questions.

MR. HARTIG: Any specific questions about the budget? Seeing none; we'll move on. The next item is address council follow-up and priorities; and that's behind Attachment 2.

MR. WAUGH: This was mailed out. You've got the regular follow-up. I'm not going to go through this and just point out that the Table of Contents you can find whatever amendment you're looking for. PDF Page 98 has a draft December agenda if you want to look and see what is coming up for December. We always try and keep at least one meeting ahead.

I would call your attention to PDF Page 104. That has got your 2014 priorities and timing. That shows what you said you wanted us to work on. We've accomplished much of those. What I did was I worked from that list and removed items that we had done. PDF Page 115 has the overall timing, too, at the very end of the document.

If there are any questions, I'll be glad to answer them, but here is what we wanted to get to. At this meeting – this is Attachment 2B; it is a spreadsheet that was sent out to you. As I said, what I've done is just removed all the amendments we have done. These are your priorities that you set at the December 2013 meeting; so those are our priorities for 2014.

At the December meeting we'll be setting our priorities for 2015. What we'd like to get from you at this meeting is just an indication of any additional items that you feel should be on this

list. I'll walk through this list in a minute; but I wanted to call your attention to this line here. What we're suggesting is we have looked at our workload, the region's workload, and we're trying to give you some indication on what is achievable and what is not achievable.

We have had all our of staffs overloaded this year with the large number of amendments and you are feeling some of that now. You've got like five or six of them for final approval at this meeting alone. That type of workload clearly is not sustainable. This is our first cut; and the suggestion is that if there is something below that line that you want above the line, then in December what we'll have to do is move something down. That's the idea.

MR. HAYMANS: Gregg, thanks for the table; and I was just going to speak in support of this. I know you do a good job every time somebody mentions something new of discussing workload; but if you could stop us from mentioning something new until we clear about at least nine of these amendments on there, it would be really nice to come to a meeting where you've got three or four things to approach and not nine – a moratorium on amendments; there you go.

DR. DUVAL: Well, Mr. Haymans, I have promised some of the staff in the regional office and council staff that I would not allow any new Snapper Grouper Committee Amendments; and as long as you all stop coming up with ideas of things that you, oh, we could just throw it in this existing amendment, that might help the situation.

But I totally agree; no new amendments and especially from snapper grouper for the rest of the year. We don't need it. I think a lot of things are going to come up during visioning; and that is our – and I say that because I think that is going to be a vehicle through which we should look for making some wholesale change and not doing little bits and pieces of things here and there where we can't keep track of how many we have and what is all in this one versus what is all in the one. I'll certainly do my best to not let you guys do anything rash and foolish for the next day and a half.

MR. HARTIG: I'd certainly follow up this is one of the first times that I've heard the public in Florida say that you guys are doing too much; I can't keep up. Obviously, if the public is reacting in that way, obviously we're doing too much. I think that's probably a good idea. I think Michelle's viewpoint about visioning; yes, I've got a couple things I'd like to get done; but if we can go through our visioning October meeting and prioritize as we go through that; so I think that's a good idea.

MR. WAUGH: If I could, let me just run through this briefly and tell you what we've got up here. There is one place we need your guidance already. A carryover is Amendment 36 that is dealing with the spawning SMZs and then the system management plan that looks at what needs to be done to properly enforce, manage and evaluate our existing MPAs. That is more just a plan; that carries no regulatory component to it.

We had originally intended in Amendment 21 to deal with the outcomes of visioning. Amendment 21 has hung around for a long time; and that are some bad associations with that amendment, shall we say; and so our suggestion is let's retire Amendment 21 and we don't get tangled up with Agenda 21 from the UN; catch share that were in this before; and so if we just

put that one to rest, then we can start with a new Amendment 37 that will deal with short-term items from visioning.

We have got the hogfish assessment coming up; jacks, we know you want to make some changes to that; and then we were expecting gray triggerfish, which now looks like that won't happen; but those actions would go into Amendment 37. Thirty-eight is also tied to visioning. Remember you said you were going to look at allocations based on the input from visioning; so if allocations is something that comes out of visioning, it would go in 38.

We've got Amendment 16 dealing the black sea bass pot removal. Then we've got our Joint Charterboat Amendment, which we'll talk about in data tomorrow. The Fishery Ecosystem Plan update that is a mandate that we do that; Snapper Grouper Amendment 22, which is a carryover dealing with the recreational tags to track harvest; and then we've got to mackerel amendments that one deals with allocations and one with permits and sale.

There may be the opportunity to combine these and deal with results coming out of the new mackerel stock assessment for king mackerel. There is some potential there to combine these two issues. Obviously, both would joint so we need to work the Gulf Council on those. One that we're working on this year that was added after the December meeting was Amendment 35 to remove four minor species from the Snapper Grouper Fishery Management Unit.

You will be approving that for public hearings in December. That is pretty straightforward and we feel you'll be ready final approval at the June meeting for that. Then potential new items for 2015 was going to be Amendment 39 dealing with red snapper; so it appears that may not happen; a joint amendment for South Florida issues, and we'll be talking about that in a few minutes.

Then the other items below the line would a Golden Crab Amendment. We suggested that CE-BA 3 dealing with bycatch be something that we pick up in earnest in 2016. Part of the rationale was – and we'll get a presentation tomorrow from Jason from the Mid-Atlantic Council on this; but in the northeast they have submitted an amendment that outlines the detailed methodology for bycatch data collection.

We'd like to see that make its way through the review process and then survive any potential lawsuits once it is approved. That will give us at least a methodology that is approvable and survives legal challenge. Now, what modifications we might want to make to that to apply it here, we can deal with that after we get those results.

There is also an amendment they're working on on cost-sharing that needs to be more developed; and I think it would be prudent for us to wait and see how that plays out in the northeast where their fishermen actually have some money to help support some of these programs before we jump in.

Now, we are scheduled to go out to scoping to get ideas on how we deal with bycatch early next year; and we can certainly do that; but we were recommending that the bulk of the work be done in 2016. And then a Joint Generic Logbook Amendment; that is on hold pending the pilot

project being completed. I doubt there will be anything for us to do in 2016 on that. And any shrimp closure work, which is almost on automatic pilot now; and the Calico Scallop FMP, if one is needed. Again, what we wanted to get at this meeting is any additional items so that then we know how to prepare a list for you to look at in December. It is encouraging to hear the comments around the table recognizing that we can't sustain this current workload; we as staff nor you as council members.

MR. HARTIG: Gregg, there is something that has come up in the king mackerel fishery. When we prohibited bag limit sales, we have a bag limit provision for the drift gillnet fishery where they're allowed to keep a two-fish bag limit per person.

I have talked to Monica about this; and we're not sure whether it is going to go away or not. We were going to investigate that and see if we needed to do anything in that regard. I think that is something possibly we could stick in the framework we have currently, possibly. I'm not sure I talked to Kari about that or not.

MR. WAUGH: And certainly if there is something that we need to do on king mackerel, we could fit it into one of these or if this combines into two; because I think the framework we're working on now, we're talking about final approval at this meeting this week. It could go into one of these; or if these meld into one, then we can deal with it there. I'm done.

MR. HARTIG: Okay, next is update on Joint Florida Committee; Attachments 3A and 3B.

MR. MAHOOD: Attachment 3A gives you a summary of the Joint Council Committee on South Florida Management Issues and the Ad Hoc Goliath Grouper Joint South Florida Steering Committee we had in July in Key Largo. To make life simpler, we are now going by the name of the Joint South Florida Committee; so we don't have to have such long headings on our papers here.

The Joint South Florida Committee met on July 22<sup>nd</sup> and 23<sup>rd</sup> and then on July 24<sup>th</sup> the Goliath Grouper Group met. I'm not going to go through it. We've started establishing a number of actions that we'll be looking at in January of next year. The next meeting is scheduled for the week of January 12<sup>th</sup> in Key West, Florida. I don't know if we have a venue yet there, Mike, or not in Key West.

MR. COLLINS: Not yet.

MR. MAHOOD: Not yet; but we're working on it. Unless somebody has somebody has some specific questions or Jessica has some specific information, I'm not going to go through it piece by piece.

MS. McCAWLEY: Just one thing to note is that the Ad Hoc Goliath Grouper Committee was dissolved and decided that the Goliath Grouper would now be taken up as part of the South Florida Committee; so that ad hoc committee will now be going away.

MR. MAHOOD: Also, Mr. Chairman, Attachment 3B is a piece on Angler Perceptions and Willingness to Pay relative to the harvest of Goliath Grouper. There is still a lot of conjecture between the Gulf and the South Atlantic on what we want to do with Goliath; and we hope to zero in on that.

MS. McCAWLEY: And one more thing to note is that FWC will be conducting a stock assessment on Goliath Grouper that we expect to be completed in the spring of 2015. That was another thing that happened at the meeting.

MR. HARTIG: Any other questions about the South Florida Workgroup? Seeing none; the next agenda item is update on Magnuson-Stevens Fishery Conservation and Management Act Bill; Attachments 4A and 4B.

MR. MAHOOD: Attachment 4A I believe is the House Bill and Attachment 4B is the Senate Bill. Our Vice-Chairlady Michelle found a more recent version of the Senate Bill than what I had sent you in the briefing book. Mike distributed that just this past week, I believe. Not much has changed in the House version. They haven't done a whole lot of work on it.

I think they did make some major changes in the Senate version to make it more acceptable I think than originally what it was. The word I'm still getting is it is not looking like we're going to have anything new this year and that it will probably carry over into 2015, '16, '17, '18; I don't know. It seems to go on and on. I know, Michelle, you had a chance to look at the new version of the Senate Bill; and I believe you're more satisfied with it than the old version?

DR. DUVAL: I think that is correct. I know in the previous Senate version there was a pretty significant piece on fishery ecosystem plans and ecosystem-based management. It was not a requirement for councils to develop fishery ecosystem plans; but the language that was in the original Senate Bill was very prescriptive in that if you do develop a fishery ecosystem plan, there were lots of thou shalt after that.

It was really kind of an disincentive for any council to want to do something like that. My concern was that we were in the middle of updating our fishery ecosystem plan; what does this mean for that process? I believe that very prescriptive language has been taken out. I haven't had a chance to go through it in huge detail, but that was the one thing that sort of stood out for me was, well, shoot, what does this mean if you are trying to be proactive in your fishery ecosystem plans and what those prescriptive conditions would have meant.

MR. MAHOOD: We'll be staying on top of that and watching any developments and commenting as appropriate. We might even have to send somebody back to testify again; you never know.

MR. HARTIG: Well, the last one went by with a blink of the eye; and then this one has been so exhaustive it wore me out. Hopefully, after the election we'll be able to move forward; and I think that's what they're waiting for. I may be wrong, but we'll see. All right, anything else on Magnuson? As it was mentioned earlier, there is a possible rearrangement of the way we accomplish our public hearing. Bob.

MR. MAHOOD: As you recall, we've set up a public hearing protocol, I guess you might want to call it, where we've been trying to go out pretty much in January and August, carrying forward both scoping for NEPA and for the Magnuson Act and also our more formal public hearings. I think most of you that have attended those; we have it set up where we have separate rooms based on the issue or the fishery. The council staff goes over the basics of what is being proposed for the public.

The public is then encouraged to go give their public official testimony before the council member or members who are in another room. We get pretty high ratings around the country where people can't believe we go to such lengths to get the information out. Many councils, if you want to make public comment or comment on what the council is going to do; you've got to go to the council meeting.

They don't out and do public hearings like we do. It is just something that has developed over the years. Now, this last set of public hearings we conducted, as you heard me say earlier, the cost per comment was pretty high. One of the things we want to do is reexamine this protocol. We still believe that if you have a very controversial subject – I think Amendment 36 may qualify – that you do want to take it out to the public and sit down with them face to face and go over it.

Some of the other things we do such as scoping and some of the lesser controversial public hearings, we feel that the system we've set up with webinars and the staff online and allowing the public to either participate in the webinar or putting the presentations on the website so that you can go to our website and learn all about what is proposed; and then you can also comment electronically. That is just kind of what we want to talk about. I know some of you have been to the last round of public hearings and saw we didn't have a whole lot of participation. We're interested, Mr. Chairman, in what the council wants us to do.

MR. PHILLIPS: I totally understand the dollar per comment; but what you can't put a price on, per se, is the networking and the conversations that we have. A lot of people come and have conversations with council members and staff that do not make comments.

Even though we would like for them to put something on the record, they feel like once they've talked to us that they're comfortable enough and that's as much as they want to do. I really like face to face; and I'm afraid there are a lot of people that we would never see if we go strictly webinar. I'm not torn one or the other on how to skin this cat; but I want to keep our efforts up as much as possible – as much as practically possible.

DR. DUVAL: In January we had a great turnout in North Carolina and I was really excited about the change of venue. We moved from New Bern, which is 45 minutes to an hour inland, to Atlantic Beach. We got great responses from folks who were there. They liked that much better. We had quite a few folks who were there.

It was probably some of our biggest turnout that we had had in a while. In August it was exactly the opposite. We had I think three members of the public there. Now, August is a difficult month for a lot of people. It is peak charterboat fishing season, headboat fishing season. We've

had periods of ugly, ugly weather that lasts for three to four days; and we had just finished a period of that ugly weather and so everybody was out fishing; so only three people attended the public comment period in North Carolina.

That was really disappointing given everything that was on the agenda; and that we had the public hearing in Morehead City, which was just a bridge away from Atlantic Beach. It is no different, relatively speaking. I just wonder if other folks have had the same experience with regard to the January versus August set of hearings that we've had that in general there may be less attendance at the August hearings because of fishing seasons.

I know that is a comment that we've heard previously. We heard at the South Florida Committee Meeting that a lot of folks were getting ready for lobster season, so that's why people were not coming out to share their thoughts on management measures. I agree with Charlie that I like the face-to-face time.

A lot of people feel much more engaged after they've had the opportunity to talk to council members and to talk to staff. Sometimes that is enough for them, but I'm struggling with sending people out on the road and the cost both in terms of time and money when we're not getting as much input. I don't know scheduling at a different time of year would make a difference. January tends to be a slower time of year, I think, for most folks; not everybody but a lot of folks.

MR. MAHOOD: I want to make the point it is not that the council staff doesn't like to do that. As a matter of fact, they have a pretty good time when they go out on the road; but with the amount of workloads and the lack of participation most recently; that we do need to look at something. I appreciate the input. Like you say, maybe we need to go back and research numbers versus time that we hold these and see if we can see some correlation.

MS. BECKWITH: Technology being what it is, I like the idea that we can record these presentations and put them on the website and people can just click on and have a place to be able to give comments for those things that are not overly controversial. Then I think we've learned a lot from these port meetings and how accessible those were in terms of conversations.

I kind of envision an in between where we move away from these very formal public comment scenarios and invite a January/February time period where we do arounds of kind of annual non-specific port meetings where we really – you know, we've done a lot of communicating about these port meetings and they were well received.

We developed some contacts from each of those port meetings from all sectors, from all states and maybe we can build on that and have one or two port meetings in each state every January and go through everything we did the last year, everything that might be coming up this upcoming year and specific amendments; but do it more like we did the port meetings and keep the formalized public comment via webinars and e-mail. I think that is becoming the norm. We're commenting to HMS. As a council we're sending comments by e-mail; and I think that is kind of the expected scenario now.

MR. BELL: This is something I have been struggling with for a long time because I've gone to a whole bunch of public meetings in Charleston. I don't know what the stats are but I can remember we pretty much got skunked. Somebody was there but he was actually on an AP; so it was kind of cheating. I think part of it is timing.

We changed venues this last go-round to take it up the coast a little bit, thinking we'd be in a little different area and closer to some of the fishermen that were particularly impacted by the amendments; but it was August; and like Michelle said, they were probably all fishing because the weather was nice.

I think Charlie is right; if you can achieve face-to-face contact with people; that is outstanding. The trick is just getting them in there; so timing may be an issue. I would definitely encourage us to keep up what we're doing related to loading things on line like that; because as I said this morning, that was great. I went on there and got all that stuff. I felt really, really prepared to discuss anything. Of course, there wasn't anybody to discuss it with but having that on there is good. The presentations, loading those on, that is great; I would keep that up.

Webinar is another avenue but the trick is I think the timing of the meetings. The best-attended public meeting we had was when we kind of cheated and did it jointly when the Snapper Grouper AP was meeting; so we sort of cheated and had them trapped; so we had a lot of people there at that one.

It was VMS we were talking, I remember; so it depends on the topic sometimes as well. We might want to just try to explore particular times of the year when we know folks are likely or most likely not to be fishing. That's the only thing I could think there, but I would definitely keep up we're doing related to providing things online, because I think that's great.

MR. HARTIG: Amber, did you want to chime in here?

MS. VON HARTEN: Like I mentioned earlier this morning, we've talked to other council staff just to learn what they do. There is this other idea of setting up some kind of listening station in maybe some communities that we haven't typically reached and we can't necessarily always go to physically; where we partner with, say, Michelle and DMF and they have a classroom set up that has webinar capabilities with the video and the staff is here in Charleston.

We could give the same presentations and we can take public comment even over the video webinar. That's what the Mid-Atlantic Council does. There are different options. Then we've talked about at a staff level we could add more webinars, the Q&A webinars that we're going with staff.

We could do maybe a couple during the day for those that maybe want to catch it during the day and not in the evening. I think we're all pretty open to trying something different and trying to figure out a way to be more strategic about where we go physically. We go to the same places; and I think that is what worked so well with the port meetings is we went to different places; and they were hosted by community members. I think that was also key.

Like Anna said, if there is some kind of balance of in between of what we could do and identify specific amendments that warrant being in a specific location – for instance, we had a discussion afterwards we probably should have been up in Wanchese and Manteo for blueline tilefish in person. You know, trying to figure out in advance, because I know it also takes planning on administration's behalf to plan to get a physical location for public hearing type meetings and figuring out a way to do that as well.

MR. HAYMANS: Mr. Chairman, I'm not on your committee, but I do appreciate the opportunity to comment; and thank you, Anna, for stealing my thunder. I was just going to mention as I sat here and waited, a couple of our best-attended meetings was during the port ones that fishing clubs hosted.

Granted, they're not a civic center with multiple rooms, but the Sapelo Sport Fishing Club has got a nice venue. It is one big open room, but they're dying to have a public meeting there. They are welcoming to outside people coming in because that draws in potential members for them. I know that 20 of their offshore fishermen would show up to any council meeting that we have at their facility; but they're not going to drive 45 minutes. Even though it is only 45 minutes; they're not going to come out and come around to Richmond Hill to go to a meeting.

Like Amber was saying, some of those venues that are outside of the box or outside of the hotels or the convention centers and let some of the clubs participate. The Savannah Sport Fishing Club, they'd love to host a council meeting. They would open up with both barrels, but that's what we want, right. Anyway, some of those non-traditional sites.

MR. HARTIG: That's a great idea. I know the West Palm Beach Fishing Club would love to host one; and that's fairly neutral ground. It has had commercial members as well as recreational member for a number of years. That's something that we may be able to really help get some participation in the future.

MR. BELL: I was going to ask have we ever kind of reached out to representatives across the different fisheries and things and asked them what does it take to get folks to a meeting or what works for you or did that come out in the visioning? I'm just curious. It's something else you could do, I guess, is some type of survey, but just reach out to them and ask what would work. There are downsides to that, too, I might say. I've given a lot of talks to fishing clubs that had an open bar and that could be rather interesting sometimes.

MR. PHILLIPS: I think the gist of what Doug is saying is if we go to their house, they feel so much more comfortable. They will talk to us and they will show up. They're not necessarily going to come to our house or something that they see as sterile or maybe not comfortable. But, yes, I think that might be one of the tools where we could – and change our format around a little bit, but go into their house, invited, of course. I think that is key.

DR. DUVAL: As Anna said, we definitely heard that from some of our port meetings in North Carolina that people really liked that format; and if this is how we were going to business in the future, then they would be happy to participate. I think if we can find those places that don't require – that are no cost.

I mean, that was the great thing about the port meetings is that I don't think we had to pay for any venue where we held a meeting. I guess the only question in doing something like the listening stations, which I think is an awesome idea – for example, in North Carolina we often use the Dare County Government Complex when we go up to Manteo or Wanchese to have a public hearing.

They do have those kinds of video capabilities and we're able to get the room for free because they're local government and we're government. This would be an advisory body to the government; so I could see that working really well. It is just sort of what are the public notice requirements in terms of advance notice to the public for doing something like that.

I know that generally you are planning on the administrative side pretty far ahead so that you can secure a venue with enough rooms and things like that. If we did more of this port meeting style kind of thing but treat it as a listening post, then presumably it would not require as much advance planning on the administrative side of things if one of us like a state representative is able to secure something like that. I'm sort of looking at Amber for an answer; I don't know.

MS. VON HARTEN: Yes; I think that would work. Again, it is just being strategic about which amendments require an in-person connection. I don't want to put too much of a burden on stakeholders that were very nice and donated some of that meeting space because some of them actually did pay for the meeting space themselves through their club or whatever. As long as we can work out an agreement with them that they would be comfortable with, I think that would be great. I think it is definitely a strategy worth trying.

MR. PHILLIPS: And just one other thought, we split our port meetings up between recreational and commercial; but if we put everybody in the same room – and I know at Shellman I had people asking me stuff of commercial questions that they had a different understanding of what we did. When you put everybody in the same room and you can let them talk, then they start building mutual trust and understanding on who is doing what. I think that will help make our management work a lot easier.

MR. BREWER: Ben, I just want to echo what you said. I'm a board member for West Palm Beach Fishing Club. I guarantee you the club would love to have something like this. It would be very low cost. We've got a beautiful clubhouse that would be available. I think even an outreach program – something that might go before this would be an outreach program to identify the different fishing clubs up and down the coast.

That may have already been done; again, I'm a newbie, but to establish a contact person for those fishing clubs and what kind of facilities do they have. If they're meeting at somebody's house, well, this might not be feasible; but if they've got their own clubhouse, I think it would work beautifully.

MS. McCAWLEY: I was just going to say – and this goes to what Michelle was saying earlier – we do a lot of workshops and we try to take venues that we can go to for free. We have a long list of where those places are where we've gone in the past; and we can certainly share that. I

also wanted to note that in looking at these dates for the public workshops for January and February of 2015, the February 4<sup>th</sup> date conflicts directly with our FWC Commission meeting.

MR. BELL: Just looking at venues and groups, I can see where you could certainly get good participation from a particular sector maybe in a particular venue and the other sector might not be as comfortable in that setting. Like Charlie was saying, it is good if you can get everybody in one room and talking and everything, but sometimes they kind of tend to naturally segregate I guess into their communities or their sectors, if you will.

But if you could access a couple of venues for free in terms of the facility, maybe you could still afford to do – like with South Carolina we do one. Well, maybe we could do one kind recreational oriented and one commercial oriented or something. That is just something to think about.

Even though that is the ideal situation, I don't know that they always necessarily feel real comfortable all in the same room all the time. Again, it depends on the specific venue. But that might be an idea; you could do perhaps a few more meetings, but you wouldn't have to pay the venue maybe. You might be able to afford that, I don't know, but it certainly logistically it would be more complicated.

MR. HARTIG: Well, staff has got to be home some time. Mark.

MR. BROWN: I think for us, when we held the port meeting here, we were going to start off in one location that was kind of more directed to one specific area. After thinking about it a little bit, we approached it as trying to centralize a little bit better. We also got the participation and the help of a local tackle shop that had enough room in the tackle shop to have the meeting. I thought it went really well. There were quite a few people that showed up and it was a win-win, too, for the tackle shop owner because you got people coming in there and they might spend some money.

DR. LANEY: Sorry to jump in at the last minute, Mr. Chairman, and I'm not on your committee either; but there is another tool. Maybe Michelle can help me remember the name of it; but Rua Mordecai at the South Atlantic LCC uses this a lot for a lot of the online things that we do; and it goes beyond the traditional webinar approach, because there is a feature of it that allows instantaneous input.

What he does is he puts up a question or an issue and then everybody on the call can click on the screen and type in your input immediately. It seems to me that would be kind of an ideal kind of tool for soliciting public input electronically at the same time your staff is online and available to answer questions.

I'll find out the name of it unless Dr. Duval can help me remember it right now. I think she and I both have participated in a number Rua's where we used that thing; and it's a really fantastic tool. Everybody can see everybody's input as it comes in right on the screen in front of you and it captures it all electronically.

It reduces your staff time as well because you don't have to take notes or sit there and type it all in because all the participants on the call are typing it in for you. It's a really great tool and I will definitely find out what it is called and get that information to staff. Maybe Kim and Amber already know about it; I don't know.

MR. MAHOOD: I like the idea of having sponsors and that worked very well at the port meetings. I'm just wondering if there is a problem – and maybe this is a Monica question – since we're taking actions out to public hearings or in the case of scoping for scoping under NEPA, would we have to be careful that we're not giving the perception that we're choosing people to host these things that have a particular viewpoint? Is that a problem? I know it will work for getting the information out of what is included in the amendment or what we're looking at; but when it comes to the official part of it, is that a problem?

MS. SMIT-BRUNELLO: The Magnuson Act states that the council should conduct public hearings at appropriate times and in appropriate locations in the geographical area concerned so as to allow all interested persons an opportunity to be heard in the development of a fishery management plan and an amendment to an FMP. The Act is pretty broad on what you have to do for public hearings. You just have to give people the opportunity to be heard.

I guess it would depend on just how you're structuring the public hearings and if you're just focusing on certain kinds of fishing groups and that sort of thing; so, yes, I think it could create definitely a perception problem for the council and maybe a legal problem depending whether you're giving an opportunity for all interested persons to be heard. Yes, there is that to think about and balance.

DR. DUVAL: Thanks for that, Monica, that's very helpful. I think there are probably folks who would argue that they're not being given an opportunity to be heard as we have done things currently because we tend to go sort of back to the same areas and the same places and someone is going to say to me I don't want to drive three and a half hours down to Morehead City to provide my public comment and you always have your meetings there or in New Bern; and so I'm not being afforded an equal opportunity or as equal of an opportunity as other constituents who are closer to that meeting site. I think folks could probably make that argument with sort of how we've been doing things now.

MS. SMIT-BRUNELLO: I understand what you're saying, Michelle, and I don't disagree with that at all. However, I also interpret this pretty broadly. If you give people an opportunity – maybe they would have to drive a bit to get there, but you're still giving them the opportunity. When I'm advising you, I would read it broadly. However, I think you all should take into account whether you want to go to different areas and all that sort of thing, but I tried to read this as broadly as possible.

MR. MAHOOD: And one thing I would point out to everyone I guess is pretty obvious that back when that was written as part of the Magnuson Act, electronic communication was not there, basically. So when you say go out and allow everybody an opportunity; I think the fact they can comment electronically at any time during the period; that is certainly going out and giving everybody the opportunity.

MS. SMIT-BRUNELLO: And I would agree with that; I think that is absolutely true.

DR. LANEY: Well, another question for Monica; so with regard to that electronic tool that I just mentioned; would that possibly run afoul with any sort of federal regulations regarding surveys? If staff were asking specific questions of participants in what is a public venue and widely advertised and everybody has an opportunity to participate; I know there is some kind of regulations with regard to federal surveys. Would we run afoul of that if we used that kind of a tool?

MS. SMIT-BRUNELLO: I would have to look at that, Wilson. I know for the port meetings, I worked with council staff and actually staff found some really good guidance on the use of surveys and whether you needed to get Paperwork Reduction Act permission. There is a law, the PRA, the Paperwork Reduction Act, roughly it says that if you're going to ask information from I think nine or more people, you have to really ask permission from this one government office, OMB, I believe to be able to conduct your survey.

That came at a time when I think the government was asking people to do all kinds of things. I think it was during the Reagan Administration and they put this regulation and law into effect that said you can't just burden people with all these questions. You've got to show justification for why you want this. Anyway, that's the long story. The short story is we'd have to look at it and make sure that you didn't run afoul of that process; you're right.

MR. BROWN: I was just thinking about participation; and there was a comment that Monica made; and I was thinking I guess it really depends on the participation and how you advertise it and everything and just getting that mixture of people and then you'd get the combined ideas and everything and it should be a good outcome.

MR. HARTIG: Well, we can continue to discuss this, but we're going to be discussing it again in October. At our October meeting we have a specific agenda item to deal with this. This has been a productive conversation; and I just remind everybody to keep your thinking caps on and think about this for October as well.

There are some really good ideas thinking outside the box so far today; and I'm sure will come out in October. It is your pleasure if you want to continue discussing this. I see heads shaking no. Is there any other business to come before the Executive Finance Committee? Seeing none; the committee is adjourned, but thank you today for your productive and succinct conversations today.

(Whereupon, the meeting was adjourned at 4:55 o'clock p.m., September 15, 2014.)

Certified By: \_\_\_\_\_ Date: \_\_\_\_\_

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