

# **SOUTH ATLANTIC FISHERY MANAGEMENT COUNCIL**

## **EXECUTIVE FINANCE COMMITTEE**

**Marina Inn at Grande Dunes  
Myrtle Beach, SC**

**September 15, 2016**

### **SUMMARY MINUTES**

#### **Executive Finance Committee**

Dr. Michelle Duval, Chair  
Mel Bell  
Ben Hartig

Charlie Phillips, Vice-Chair  
Jessica McCawley

#### **Council Members:**

Anna Beckwith  
Chester Brewer  
Chris Conklin  
Dr. Roy Crabtree  
Dr. Wilson Laney

Zack Bowen  
Mark Brown  
Tim Griner  
Doug Haymans  
LTJG Amy Hockenberry

#### **Council Staff:**

Gregg Waugh  
Mike Collins  
Dr. Kari MacLauchlin  
Kim Iverson  
Julie O'Dell  
John Hadley  
Roger Pugliese

John Carmichael  
Dr. Brian Chevront  
Chip Collier  
Amber Von Harten  
Myra Brouwer  
Dr. Mike Errigo

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

Monica Smit-Brunello  
Leann Bosarge  
Nik Mehta  
Erika Burgess

Amy Dukes  
Dr. Jack McGovern  
Jocelyn D'Ambrosio  
Rick DeVictor

Additional Observers Attached

The Executive Finance Committee of the South Atlantic Fishery Management Council convened at the Mariana Inn at Grande Dunes, Myrtle Beach, South Carolina, Thursday afternoon, September 15, 2016, and was called to order by Chairman Michelle Duval.

DR. DUVAL: I will go ahead and call the Executive Finance Committee to order. The members of the committee are myself, Charlie Phillips, Mel Bell, Ben Hartig, and Jessica McCawley, and so the first item of business is Approval of the Agenda. Are there any modifications to the agenda?

MR. WAUGH: We had a couple of items under Other Business that we were going to address. One was how we respond to questions and critiques of MRIP data at hearings, and then the other is how to respond to the lack of factual information that we're encountering more and more at public hearings.

DR. DUVAL: Okay. Any other modifications?

MR. HARTIG: I had something about a letter that I think we should write. I was going to do it in Full Council, but it would be just as appropriate to do it here, if you don't mind.

MR. HAYMANS: I would briefly like to discuss the Mackerel Cobia AP that we talked about a couple of days ago.

DR. DUVAL: Anything else before we approve the agenda as modified? Is there any objection to approving the agenda as modified? Seeing none, the modified agenda is approved. Next is Approval of the June 2016 Committee Minutes. Any modifications to those minutes? Seeing none, the minutes are approved. The next item is the Status of Council Year 2016 Expenditures, and I will turn it over to Mike and Gregg to walk us through this. This is Attachment 1 in your briefing book.

MR. COLLINS: I think we're on schedule to stay on budget for the year. Sam talked about the continuing resolution. We have money through the end of the year. It's in the treasury bank, which is called ASAP. We're going to draw a big draw next week, which will get us through the closing of ASAP into October, and then we should be fine for the rest of the year. I don't really see any issues, and, if anybody has any questions, I would be glad to take them.

DR. DUVAL: Are there questions for Mike? Seeing none, we're moving on to the next agenda item, which is the Council Follow-Up and 2016 Priorities. This is Attachments 2a and 2b in your briefing book, and Brian is going to walk us through that.

DR. CHEUVRONT: The first thing I wanted to do, is before we get too much into the priorities, I wanted to talk about the follow-up. Remember that's the document that you all see that has basically the guidelines of everything that the council is doing, that the council staff is doing, and it shows you the history of everything that is going on.

The one thing that I just wanted to mention is that, after this meeting, that I plan to do a slight change to the document, and one of the things we've been doing before the last couple of council meetings is on the Wednesday after the briefing book is released, we've been having the council committee chairs run through, and so what I think what I want to try to do is to put some of those

dates into this follow-up and associate them with each of the council meetings, so that you will know when the briefing book is coming.

For those of you who are committee chairs, we'll know when we're going to try to have that conference call and have those dates in there. Since we know, for example, when we're meeting and where we're meeting in 2017, I should be able to put all those dates and everything in there too, so you will have a heads-up on all of those things and you can put them on your calendar and all of that, so that we won't have some of the hassle that we have had sometimes by setting it up just a week or so before it happens, and sometimes people aren't available. Hopefully, by getting it out early, we'll be able to deal with that.

However, there is one minor issue that typically happens with the December meeting. The Wednesday after the briefing book goes out is usually the day before Thanksgiving. I think that's probably a pretty lousy time to have that conference call, and so we'll have to work around that and figure out what we're going to do. I was thinking maybe the Monday after Thanksgiving, if that's okay for some folks, but I wanted to find out and just get a straw vote of are there some people who know that, on a regular basis, they're not around that Monday after Thanksgiving?

We're getting closer to the meeting now at that point, and doing it before then doesn't give folks enough time to get through the briefing book, and so it's a bit of a tradeoff, and so that's what I'm sort of thinking, and I just wanted to find out if anybody had any heartburn over that that they were aware of at this point. I can't expect that everybody is going to be at every one of those things anyway. That's a little unrealistic, but I just wanted to let you all know what I was thinking about that. If you have any other thoughts, you can let me know.

Let's move on to the priorities. You have the priorities. They were in the briefing book, and you have a lot of stuff going on. When we originally set up the priorities, if you look down the columns, and you can see the staff members' names and the things that they're responsible for at those times, but one of the things we started looking at is, if you start reading across, that's what you guys have to do, and you see the Quarter 1, 2, 3, 4, those are your quarterly meetings.

You can see basically the things that you're going to have to take up at each of your quarterly meetings, and so, if you look at Row 7 in the spreadsheet, which is 2016, Quarter 3, that's the stuff you're dealing with at this council meeting. You can see it's a lot of stuff.

Then you can look at the next row, and that will tell you what you're dealing with for the December meeting, and you can also get an idea of what your staff is doing. One of the things that I wanted to point out in this document is there is sort of a tan highlighting that is in there, and that is what staff has recommended for changes since you have seen this document in June. For example, like the CMP 30 under Kari, that would be that change of the start year for cobia, and so we already kind of have a number for it. We have a place for it. I put a question mark after it, because you all hadn't approved that, and so that will be something you will be dealing with in December. That CMP 30 got changed and added after the briefing book went out, but I think that was the only change.

If you look at Myra, you see now Snapper Grouper Amendment 38 and something that is starting in June of 2017, and that's the blueline tilefish. We are assuming that there's going to be an

amendment that's going to come out after the assessment is done, assuming that stays on schedule, and that would be something that Myra would be working on.

If you look over at Chip, Snapper Grouper Amendment 43, that's the red snapper. We decided that, knowing the way things are going here, we'll probably need another year of Chip working on that to get that thing worked out. When you get to me, you will notice that, in the middle of 2017, the wreckfish ITQ review, we have to begin that by the end of 2017, and so I show that as starting after the June meeting of next year, and so we'll be six months ahead on it, but that's something we can't -- That's a can we can't kick too far down the road. We have to deal with that one, and so we will deal with that.

There is one thing that we haven't talked about yet that's under me, and it may or may not be at this point, and it all depends on what you all decide that you want to do, but one of the things that we still need to talk about later under the large joint committee is the allocations policy or procedures directive that came from NMFS and the CCC. We have been given three years to put together a policy of how we're going to address allocations, and there are multiple ways that we could look at doing this. It could be done by species, species groupings or whatever, but what kind of criteria and triggers are we going to be looking for that would tell us that the council needs to address allocations?

I put that in there assuming that we would finish the for-hire limited entry amendment, if that's the way things are going, as a placeholder, just so you will know that this is coming up. I think this is one that we have a bit of wiggle room with, because that's still only one year when we would start it. It would actually be a little bit less than a year since that policy came out, and so we still have some room. That's a can we can kick down the road a little bit, but we will talk a little bit more about that when we get to this discussion, when we get back to the joint committee.

Then, for John, the for-hire amendment is going to go through the rest of this year, and then we're looking at the commercial e-logbooks for next year, and those are the recommended changes that we have for right now, and it would be great if you all would give your blessings or recommendations of what you think we ought to do, any changes that you would like to see us make, but you can see it's pretty full.

Now, we've had some discussions also. I know that one of the things that you all have been very concerned about is staff workload. Right now, by keeping us to this spreadsheet, like we've been doing, that maintains a pretty workable workload for staff. Doing all of these things, we're pretty close to capacity, but we can do this. There is nothing that is here that we just know we can't do it. The big issue is what do you all want to deal with and how much can you deal with, as you have discovered here at this meeting. You've had some problems being able to get through enough committees and all the things that you had assigned for the committees, because there is just so much work to do.

You all might want to have some discussion about how much work do you want to do? I think we've got our staff under control, in how much work the staff can do. You have not overloaded your staff at this point. We can do everything that's on there, but it's how much do you all want to do?

DR. DUVAL: I think certainly the allocations policy is something that we can look at if we need some wiggle room, just in terms of scheduling a number of committees. We are going to be adding a Citizen Science Committee, and so I think we're going to want to have that committee meet in December, and so it might be -- Just in terms of thinking about what we would want to tackle, and, also, I'm not really sure -- I think one of the things that I had mentioned to Brian was maybe, once we get to those discussions of tackling the allocation policies that have come out of the CCC and NMFS, how would we address it? Should it be committee-by-committee or fishery-by-fishery or what? Are there thoughts on priorities?

MR. PHILLIPS: I am worried about staff than I am us. If the staff can do it and we think we can do our part of it, considering the issues that come before us and the issues the fishermen are having to deal with, I think we should make every effort to try to keep up with staff, unless we just feel like we can't do a good job doing it. Then we need to back off, and so that would be my thoughts.

MR. BELL: I appreciate the can-do spirit, but, realistically, we can look at how meetings go, and we tend to get into things that crunch us up and then we can't necessarily give the amount of time needed for competing things. We just have to realize there is a maximum amount of things that we can deal with in the manner in which they should be dealt with, and so I'm not the kind of guy to say that's too much, but, in reality, we just have to kind of base it on how we see things flowing. If we find ourselves continually kind of up against time crunches and things, we might just have to -- Maybe they can outwork us.

DR. DUVAL: Yes, and I mean certainly this meeting is probably an illustration of whatever time you think is necessary for Mackerel, double it.

MR. BOWEN: I kind of have the same sentiments as Mel. I think staff does an excellent job, but, when we get at the table and we start jumping around and having to skip this and put what we have as a committee in Full Council and shortening lunch, and not that I don't need to skip a meal or two, but shortening lunch fifteen minutes and coming in thirty minutes early and staying forty-five minutes extra -- Again, I am not bitching or complaining, but I'm self-employed. I'm the owner, the operator, the secretary, the bookkeeper, and the bartender as well.

When I try to encompass all of this together, and I am not complaining, by any means. I am fully both feet in with the fisheries management, and I love what I do, but it's a lot. It's a lot for everybody here. Again, I'm not complaining at all. I think everybody does a wonderful job, but it gets to the point where, if we're moving things around and putting stuff where it didn't go and didn't fit in the agenda, then I feel like we probably should really take a closer look at our workload. Not the staff, and you all do an excellent job, but us as council members.

DR. DUVAL: I think it's difficult for staff sometimes to estimate how much time we're going to need to spend talking about something around the table, and so I think, given the amount of work that is on the agenda for this meeting, we have actually done pretty good. I have only docked you lunch fifteen minutes one day. We are scheduled to go until six o'clock today. The mackerel conversations were difficult, and they were involved, and, similarly, with the Dolphin Wahoo Committee, and we're going to have to pick up one of those agenda items during Full Council, but I think, overall, we've done an okay job this meeting, considering everything we had, but I do agree that for us to get through fewer things and have more time to focus on those materials might be helpful.

MR. BREWER: As I read through that allocation procedures manual or guideline or whatever the correct title of it is, there is a ton of work in that. Just setting the triggers that are required under that thing for when you trigger an allocation review is going to be a monumental piece of work. With that in mind, for both staff and for the council members, we need to sort of be cognizant of spending a whole lot of time on stuff that may not come to fruition and stuff that is relatively not as important or perhaps not needed, because I really do -- On that allocation thing, I see a ton of work.

DR. DUVAL: Anybody else? I think what Brian is asking for is blessing of this slightly modified schedule. I could foresee Snapper Grouper Amendment 38 slipping a little bit, just based on the schedule of the stock assessment, and it might be that potentially the allocation policy gets shifted down, depending on what else comes up, or that we take small bites of that.

DR. CHEUVRONT: For example, one of the things that we did have on there that you have had before is Dolphin Wahoo Amendment 11, and so we left that on there, but that might be something that you might want to push back a little bit, too. That was the laundry list of dolphin management measures that you all had considered for other things, including stuff like revising the overall purpose and need for the FMP. There has been some discussion about that and lots of other little things, actions, that we had when we brainstormed on those issues, but you might not think that those are really, really imperative.

I mean, we've got them in our back-pocket, and we can hold on to them for a while. We've done a lot of management actions in dolphin in the last couple of years, and that might be a place where you can move something later on, if you need to, and so there is some wiggle room here if you decide that you need to spend some more time on a couple of these amendments, and you're our bosses.

We are responsive to what you guys need to do. We're not driving the bus. We're just trying to keep you apprised of the speed bumps that are down the road, and so it's up to you guys to decide how things are going to go. If there's going to be an issue, whether it's regulatory or whatever, we will do our best to remind you of that, to keep you on track for those things, but you do have room to move around. I just want you to see that there is a lot of stuff on your plate, and I'm telling you right now that your staff can keep up with it. We don't have a problem with that. We'll make that work. If you start throwing a lot of new stuff at us, you might see a little bit of scared looks on our faces, but we'll do our best always to do what you ask us to do.

MR. PHILLIPS: Since we've got the red grouper assessment coming up, do we have a slot for having to deal with that somewhere, because, invariably, we have to put out fires, and so it would be wise for us to leave wiggle room for us to put out fires.

DR. DUVAL: Triage slots, yes.

MR. HARTIG: That was also my question.

DR. DUVAL: I can certainly see moving Dolphin Wahoo Amendment 11 down or out of the way, given the fact that we have had some significant actions. We haven't yet had time to see how those are going to be affecting the fishery and playing out, and allow for some response to the red

grouper assessment that we're going to be getting. We're going to review the SAFE report tomorrow, and I think maybe start putting some things out there that we would want to do.

DR. CHEUVRONT: One of the things we're trying to do is -- I forget when that assessment is due, and it needs to go to the SSC first.

DR. DUVAL: It goes to the SSC in April.

DR. CHEUVRONT: In April, right, and so we wouldn't be able to deal with it until at least June. It would be June, and so we'll figure out what we can do. We'll put that in there, and one of the things, remember, is that, when I was in the economist position, and John is doing the same thing now, is that position can also help out with snapper grouper things, and so we can have some flexibility there. If we need to put an amendment over on that side, we can do that.

DR. DUVAL: I agree with Charlie. I think having a little bit of wiggle room to respond to the red grouper assessment is going to be necessary. Maybe we leave it to you guys to figure out where that triage slot is. That would be my suggestion. You're better equipped to do that, instead of us sitting here trying to wordsmith the details.

DR. CHEUVRONT: Gregg and I were just trying to discuss this, and we thought, let's try not to do it under pressure here and in front of everybody at the table. Maybe what we can do is look at this and then send out a revised priorities list in time for Full Council tomorrow. That would give us a few minutes to look at some of these things and see what we can do.

DR. DUVAL: That sounds good. Any other comments on the priorities at this point? Okay. Are we done then with the overview? Was there anything else that you wanted to cover, Brian?

DR. CHEUVRONT: No, the overview is basically the same as it always is. It's just telling you what's up-to-date and what's going on. There is no other surprises in there, and so I just wanted to alert you to those new dates and things that you're going to be seeing in there, so you'll be able to start planning ahead, and I just wanted to point that out to you. The next version that come out after the council meeting, you will be able to see all that stuff, and so I'm good if you are.

DR. DUVAL: Great. Thank you. The next item is Standards and Procedures for Public Comments, and this is Attachment 3 in your briefing book.

MR. WAUGH: We tested this out at our last meeting, and it seemed to work pretty well, and we are using it again here, and it seems to be working extremely well. Thanks to the Gulf Council for laying out how to do this and Amber for working with them to get this up and running. What we're looking for now, at this meeting, is to adopt these public comment guidelines, and I've just got a few changes to the text from what you saw last time, and they are highlighted in yellow, and I will just walk you through that.

In terms of comments prior to and during council meetings, three weeks prior to the meeting, written comments received will be included in the briefing book, as appropriate, and we wanted to add "appropriate" in there, because we don't want to flood you all with each and every comment. Certainly if it's relevant and we feel you should see it and it's going to be actionable at that meeting, then we would include it.

Two weeks prior to the meeting, the briefing book is posted to the website, by that Friday, and we've got sample dates in here from this meeting. The comment form is then opened for use, and, up to that time -- Like at this meeting, now it's closed, as of today, and so that gives us a set of comments that go into the administrative record.

Written comments received after the Monday before the meeting, and just clarifying, through noon on Thursday of the council meeting week, individuals sending the comment must use the council meeting form. That makes it immediately available to you all and the public. Comments received prior to noon on Thursday will be part of the administrative record, and then it's just clarifying the comment form will be deactivated after noon on Thursday of each council meeting. That gives us, as I just said, a set cutoff for comments, public comments, received at this meeting, and that goes right into our administrative record.

Then all comments are put into the Google Docs, and the link is shown below. Then, just to clarify, for written comments with graphics, figures, or group signatures, those can't be submitted via the comment form, and so what we've got is a procedure where those go straight to Mike and a PDF version -- A copy of that PDF attachment is posted under the Other Comments Folder in the briefing book for that meeting. That's available for the public and council members, and it is included as a part of our administrative record. Then, in-person public comments at council meetings, we're just adding in there that you complete a registration card or sign in electronically, and the sign in electronically seems to be working fine. Nobody seems to have a problem with that, and so, again, that makes it real easy to do.

MR. BROWN: Sorry to interrupt you, Gregg, but the statement that says "generally beginning at 5:30", I was wondering if there's a way that we could come up with a policy to have it start a little bit earlier and talk about using the lights. Something has got to be done, and I don't know how, but I remember in the old days that it worked out pretty well, and I do know that in the Gulf that comments start around three o'clock or something. I know we don't have as many comments as the Gulf, but a little bit earlier would certainly be appreciated, and I understand it works into our work time, but, while there is a lot of very valuable things we get out of it, I just think we could come up with a way to agree to start a little earlier.

MR. WAUGH: I heard that from other members as well, and I mentioned this to Michelle, and we can certainly look at December and try and start it a little earlier. I think we want to balance it a little bit, because I think some people get off of work and then they want to come and give the comments, but maybe we can try starting it at four o'clock and see how that works, and we can see how that fits into the schedule for December.

DR. DUVAL: When I talked to Gregg about this, I mean I know that this was two evenings this week. The Q&A was sort of a special circumstance. We had Sam Rauch here, and we wanted to provide folks the opportunity to converse with Sam, and I do think it is balancing understanding that there are folks who would like to provide public comment and they may only be able to get off work a couple hours early, if they're coming from that type of eight-to-five job. Then, also, with whatever we might have on the agenda that needs to be addressed at that meeting and then the travel, in terms of when folks want to get here. If we want to try to have an earlier public comment session, and I know there's been instances where we've started public comment at like 2:30 or 3:00, I think, previously, when I first started on the council. That might mean you've got to come in on Sunday so that we can start Monday morning with our agenda. Do you want to



come in on Sunday or do you want to travel Monday morning and start Monday afternoon? I think those are all questions as well.

MR. CONKLIN: It seems like I was at maybe the SSC meeting or something, but the Chairman started a public comment early, earlier than I think what they were scheduled, and if anyone else came in at the scheduled time to make a comment that they were allowed to do that as well, and so maybe we could have a comment period, and if everybody is done with it, then get back to work. Then if somebody comes up, then have a cutoff time or something that they could comment to, but that seemed to work out pretty well.

DR. DUVAL: The SSC has a comment period at the beginning of their meeting, so before they start their deliberations, and then they have one at the end as well.

MR. CONKLIN: It could have been a SEDAR meeting as well. All these meetings tend to run together sometimes.

MS. MCCAWLEY: I was just going to say I'm okay if it's in the evening, if that's more convenient for fishermen, but I just would really appreciate using the lights, because I just felt like some people were starting to circle with their comments and it was droning on a little bit, and so I think that the lights maybe help the fishermen focus their comments a little bit more.

DR. DUVAL: I will certainly take responsibility for that. We had a couple of folks, just two folks, who sort of ran over. I kept timing with my phone, with the timer on my phone, and everybody else was -- Most of them were actually less than four minutes, and most of them less than five minutes. It was just those two individuals, and so it is a little bit of a balancing act, in terms of do you -- You don't want to disrespect someone who has come a certain way and has a certain amount of knowledge that they are trying to share.

I do agree that one particular gentleman certainly could have wrapped up his stuff earlier, and even I think folks -- When we used the lights in June, you saw that there were a couple of folks who simply disregarded that, and despite my best efforts -- I mean, at that point, you almost need a law enforcement staff person to please escort that person away, or we need the button on the Chairman's microphone that cuts off the microphone of the other person speaking, so that we can allow the next person to come up. If you guys want to go back to using the lights, I am fine with that. It's not generally something I like to do, and I will be honest with you, because I think it can sometimes send a message that we only -- You are only as valuable as three minutes of your time or four minutes of your time, and that's my concern about that.

MS. BECKWITH: Honestly, I'm going to support Michelle on this one. I don't have an issue with public comment running over. We do it once. I know this week that we had the two nights and it felt longer, but I think, if folks come -- We have a three-minute rule, in general, but I agree that five minutes per person is sort of my average that I think is appropriate. We had a few folks that ran seven or eight minutes, but these guys -- We do hear the same comments from individuals that come to every meeting, but I feel pretty strongly about the folks that are new and/or have traveled from a fair distance having an opportunity to yell at us, if they want to. That's kind of their right, and there is not a lot of chance for them to do that.

Having been to the Gulf meetings, I mean we've got nothing here, and so as long as I am comparing our public comment periods to what the Gulf has to endure, then I don't have an issue with it, and if we're stuck until eight o'clock because we need to listen to our constituents, then, quite frankly, I consider that part of our job, and absolutely consideration of the amount of time each person is allowed to speak, but I don't think five minutes is overkill for allowing them to speak their mind.

MR. HARTIG: I will stay here all night to listen to public people, as long as they're focused on what we're trying to do. That's the only thing that I have in this conversation, is the focus. The time matters nothing to me. I will stay here until midnight if I have to listen to the public. That's not a problem, as long as they're focused on what we're trying to get them to comment on. That's the only thing, and I am as guilty as anybody about letting people talk. I don't have to tell you all. You all have seen me run public hearings for years.

MR. PHILLIPS: Maybe just starting a little bit earlier will take care of it, and so we're not so frazzled, and I think that's a lot of it, really. It's just we're frazzled, and when they get long -- If we start early, then it's easier to do like Ben said and listen, and listen better and more attentively.

MR. BROWN: I feel like Ben. I have no problem being here however long it takes, but then there is certain people, and, when you see them come to the table, you know they're going to go off on a tangent. I guess it would be discriminatory if we just put the lights out for certain people, wouldn't it?

DR. DUVAL: Yes, I think so.

MR. BOWEN: I was just going to actually echo -- I was going to say what Charlie said. I think if we start at 4:30, that seems like a good medium, I guess, and let it roll. I didn't mean to come across a while ago like I was not wanting to hear my constituents. I do so, but let's keep in mind there is other ways that we can hear from them as well, and I know people travel, but, Anna, please keep in mind that there's people on here that are, like I said earlier, self-employed that are the bookkeepers and the janitors and the record -- They have to answer phone calls, and there is a lot of us that have -- All of us have a lot going on, and I think if we can just start at 4:30 that the problem would probably be resolved.

MR. CONKLIN: It's just not on our end. I think that our constituents would really appreciate us starting a little bit earlier, so they could get out of here earlier. Thank you.

MS. BOSARGE: We were doing ours in the evening until -- We always run late with our public comment. I mean, it's a lot. We have three hours, minimum, usually, and we had one night that I was about eight-months pregnant, and we were there until about eleven o'clock at night for public comment, and I think that's when we said, okay, we're going to have to bump it back a little bit, but we do still try and schedule it, and I was just trying to pull up our next agenda, where it overlaps, where, yes, we start it earlier, but we make sure it's going to run past five o'clock, at least what we bracket, and we usually run past what we bracket, but it's bracketed to go until at least 5:30 or 6:00, usually, so that those people that are trying to get off work and travel -- I do wish we could go more than three minutes.

Typically, the only reason we will do that is for a dignitary, somebody that's a congressman or something like that that may come, and we'll allot them more time, because people do travel a

long way. I drove about two hours to go testify for the Flower Gardens Sanctuary expansion, and it was a good reminder of how short that three minutes is after you just drove two hours to get there, and so it is nice that you have that option to let them speak a little longer.

DR. DUVAL: I guess I will suggest to Gregg that we maybe look at trying to schedule the public hearing starting at like four o'clock, and maybe just advertise it from four until seven. We do this for our public hearings that go around, and we will see how that goes. I think seven o'clock is something that we could all handle, or just maybe starting at four o'clock, and we'll see how that goes.

MR. CONKLIN: I know this is taking a lot of time, but I think it's important. Is there a way that constituents can preregister to speak, other than in our lobby, like they sign up for the webinar beforehand, where we could get a gauge on --

DR. DUVAL: I am going to interrupt you. They do. There is an electronic sign-up.

MR. CONKLIN: So they can sign up on the website a couple of days ahead of time?

DR. DUVAL: No, not like that.

MR. CONKLIN: That's what I was referring to.

MS. VON HARTEN: I could post it on the website, the form, just like I post the online comment form. That wouldn't be a problem, but we do have the iPad and the computer set up in the lobby area for people to sign up throughout the week if they want.

DR. DUVAL: Chris, you would like that to be posted on the website earlier?

MR. CONKLIN: If you guys think it's something that people would do, like preregister, like they do for the webinar. Mike sends out the emails to join the webinar and register, and we could invite people to come and speak. It might not be the best idea in the world, but it could work.

DR. DUVAL: Let me just tell you my experience. When I looked at the link yesterday that Amber sent me prior to -- It was probably about four o'clock, and we had less than ten people signed up. By five o'clock, we had about fifteen people signed up. By the time we started, we had thirty people signed up, and so I think it doesn't matter what time you put something out. The fact is that everybody is going to wait until the very last minute to sign up, and so I would rather just -- If we can keep it the way it is for one more meeting and check it out and let's just shift the time earlier in the day. How about that? Okay.

MR. WAUGH: Okay. We will try starting it at four for the December meeting. Then, in terms of the wording in the document, what I would do is strike "generally beginning at 5:30 P.M." and just indicate that we take that public comment on Wednesday afternoon of each meeting, and, that way, that gives us flexibility.

Where we left off was there were three additional items that we did not get to discuss, and we just need your input on whether you want to include this or not. These are items that would occur during council meetings. One, public comments will be allowed at the start of each committee

meeting for items not on the agenda. ASMFC does this. Obviously that could really impact our timing.

The second is public comments will be allowed on a motion after the committee has discussed. ASMFC and the Mid-Atlantic Council do this. Again, you can lose control of your agenda pretty quickly. Then the third gets into people submitting written comments or statements, and this really applies more to how we did things in the past. I don't feel we need this, given that we're accepting comments on the online form and posting them. In terms of a staff recommendation, if you will, I certainly wouldn't advise adding any of these, but we wanted to give you all the opportunity.

DR. DUVAL: I am not seeing a desire of anybody to add any of these to sort of how we generally handle public comment.

MR. WAUGH: Then that covers the council comments. The other policies that we are not proposing any change are the SSC public comment process, and, as we discussed, they have two opportunities for verbal comments. Written comments are distributed through the council office. Written comments should be provided no later than one week prior to an SSC meeting.

MR. CONKLIN: The SSC public comments, I do not agree with how they're carried out, at the beginning and the end of the meeting. Sitting in on the SSC meeting this past time, if there would have been room for a daily comment from individuals, I think it would have really helped the scientists with their deliberations, and listening to something at the very beginning and then being able to tell somebody how you thought they did at the end without a daily comment period really gave me a lot of heartburn, and I'm sorry for taking up time, but I'm very passionate about this.

DR. DUVAL: Chris, are you suggesting that there be time for public comment at the end of the day of each SSC meeting?

MR. CONKLIN: Absolutely, and I'm not on the committee, and I don't know if you need a motion from someone on the committee, but I would love to see a comment at the SSC meeting on a daily basis.

DR. DUVAL: I would advise at least bringing this before the SSC before we make any changes to their public comment procedure.

MR. HARTIG: I was just going to agree, because sometimes, after an item is discussed during that particular day, it's fresh in everybody's mind, and you can make better comments at the end of the day. I think we need to bring it back to the SSC and see if they're amenable to it. If they are, let's do it.

MR. CARMICHAEL: I think we should talk to them about it, but you guys do sort of set the policy, and so I think, if you felt like this were useful and you wanted to do that, that's something they would probably be strongly inclined to go along with, unless they had serious concerns. Of course, then I would ask, if you think that's good for the SSC, why don't you think that's good for the council, because I think the same reasoning of having good comments at the time you've talked about something applies during the council, and it seems like you have some concern about losing control of the agenda, and I think the same thing could happen at the SSC. I guess I'm just sort of thinking about it from the consistency standpoint and not that I think it's not a bad idea.

I think you could get good comment, but I also think, at the SSC, we've also made it clear if the SSC had questions of the public or felt like they wanted some interaction that the opportunity is always there. There's been plenty of SSC meetings where people have raised their hand and commented and been allowed to, and that's kind of been how we've operated. Unless we feel like people have been, for some reason, not willing to raise their hand or ask to be recognized or such, then maybe we don't need to change it, but, if we think some have, then it might be worth considering this, but we should consider the consistency standpoint from the council's actions, too.

DR. DUVAL: With that little nugget thrown out, how do you feel, Chris?

MR. CONKLIN: I feel like the attendance from the public and the people that would make comments at the SSC meetings are -- Although it could be infinite, it's generally a very small group of people that sit in all week, and I think the SSC should listen to what they have to say, and there may be no comments, and I don't think there will be a lot, but it's just the opportunity.

MS. SMIT-BRUNELLO: Two things. One is remember that the Magnuson Act requires the council to let interested persons be permitted to present oral or written statements regarding matters on the agenda at the meeting, and so you have a lot of flexibility about how you would like to do this. I don't think that helps you particularly, but Jocelyn sent me this idea that the EPA does.

At the EPA public comment sessions, they have a five-minute timeline, but they allow people to speak a second time if there was time left over at the end. If the comments were scheduled until 7:00 P.M., but everyone who wanted to speak finished by 6:00 P.M., they would circle back to folks who asked for additional time when cut-off at five minutes, and then they would divide the remaining time over the speakers requesting additional time. That's one other way to handle it too, and not to muddy the waters too much.

MR. HARTIG: If you're going to come to an SSC meeting and you can only give comment at the beginning or the end, it would be nice to know what the agenda was for each day, and, if you could not attend the entire meeting, you could be there on the day you needed to be there and make comments at that time. You wouldn't have to give three days up to be at an SSC meeting to give comment on the specific topic item that you wanted to speak on. I think that's one reason why, if we had it on each day, it would work out possibly better.

Now, we don't have a lot of comment at the SSC meeting, overall. We have a few people who come to them regularly and make comments, but rarely do we have much comment, but maybe this will be a better way to have people engage in the system.

MR. BREWER: As Monica was speaking, I had a thought. It might not be a good idea to put an end date or an end time on your notice, because, if you say 4:00 to 7:00, if you get through at 5:30, you've got sit here until 7:00, because somebody could show up at 6:30 and say, hey, I wanted to give comment and where are you guys?

DR. DUVAL: That's why I said just starting at four o'clock, after I amended that, and so, yes. Okay. What's your pleasure?

MR. CARMICHAEL: I think we should ask them and have some discussion with our Chair and Former Chair and the SSC members. I would even go so far as to consider would you like to just

have the SSC ask, at the end of each agenda topic, if there is discussion? My sort of thought is even holding it until the end of the day -- If the idea is that the comment is most valid while the iron is hot, I lean towards let's get the comment right then, as opposed to waiting until the end of the day.

The argument of not having to come and stay for three days, that applies to this meeting, certainly, in spades. I think we hear a lot of comments from people that we come and we make comments and you guys never do anything in response to our comments, because nobody is here today. Of all the people that spoke last night, nobody is here to hear the discussion of it. I think, at least in that case, somebody doesn't have to stick around all day. If their thing comes up at eight o'clock in the morning and the SSC is done with it, they could be done with it. Let's consider asking the SSC what they think about just taking comment after the agenda items, much like the ASMFC does at each of their boards about the topics on the agenda before them. This would be kind of following that.

DR. DUVAL: I think it's a good idea to go and talk to our SSC Chair and Vice Chair and Past Chair about this idea. I will say that, at ASMFC, at the beginning of the agenda, they accept comments on items that are not on the agenda, and so not under discussion. If there is something that the board is going to be deliberating that has already been out for public comment, they generally do not take additional comment. It is at the discretion of the Chair.

If it's a particularly controversial item, like menhaden specifications for 2017, then the Chair will allow comment from the board and then will go to the audience and generally, if there is a lot of people, restrict them to a certain time limit, and so there is many ways to skin this cat of trying to provide effective public comments.

DR. LANEY: Just one question, and that is, keeping in mind the way that we allowed for public comment today, based on a new alternative that was developed, is that something -- I don't know how detailed you want to make these, but is that something you want to plug in here?

DR. DUVAL: We have done that before, when we have had fishermen or Advisory Panel Chairs in the audience and there is a particular -- Particularly our AP Chairs, when there is an item that comes up, how did the AP respond to this? Can you refresh our memory on what the discussion was and answer specific questions on behalf of the AP, and we have done that and brought them up here. It's been quite rare that we have called a member of the public up to provide specific comment.

Good discussion. We will start public comment earlier for us, and we will ask that the SSC consider providing an opportunity for public comment at the end of the day or after different agenda items. I think John raises a good point, that if that's something that's going to be considered for the SSC, folks might want to give that some thought for this body.

MR. PHILLIPS: I am just kind of thinking if we start a little earlier for public comment and we run tight on getting our committees done, and so, at some point in time, I guess we're going to have to think, do we want to start at 8:30 on Mondays on a more regular basis? It's just something that we may have to do to get the wiggle room and get the time done to get all the work we need done. That's just kind of out there in the universe.

DR. DUVAL: We started at nine o'clock on Mondays for two years while we were doing visioning, and so it shouldn't be a stretch to do it at 8:30, and I think it was only the March meeting this year that we were able to start at 1:30. Okay. Any other discussion on this topic?

MR. WAUGH: The last item was public comment on specific amendments and issues, and so scoping meetings, public hearings, and Q&A. We're not proposing any changes to that procedure, and so we have a set deadline. Generally, it's one week after the last public hearing or meeting, and then all of those comments are compiled and provided to the council in the next briefing book, and staff presents a summary of comments received to the council during the meeting. We're not proposing any changes there. If we're good on that, then I think maybe a motion accepting the public comment guidelines, as modified, would be in order.

DR. DUVAL: If a member of the committee would like to make a motion --

MR. HARTIG: I just had a question about the -- I forgot the name of them, but the satellite locations that we did a year or two ago and we've gotten away from. Is that something we're going to be doing or not?

MR. WAUGH: Yes, we can certainly do those, and, again, that wouldn't affect the wording that we've got up here for how we conduct those public comment deadlines. We will do those as needed, and then still, once the last public hearing is held, then that one week later generally will be the deadline, but, yes, we still intend to use that.

DR. DUVAL: Okay. **Again, if I could get a motion from the committee to approve the standards and procedures for public comments, as modified.**

MS. MCCAWLEY: **So moved.**

DR. DUVAL: Is there a second? Seconded by Charlie. The motion reads to approve the standards and procedures for public comments. Any other discussion? **Is there any objection? Seeing none, that motion is approved.** Next is a similar document, standards and procedures for participating in council webinar meetings and council meetings via webinar, and that's Attachment 4 in your briefing book.

MR. WAUGH: On this one, my suggestion would be that we defer this. We haven't been able to give any additional attention to this. If you all have any suggestions now, I will certainly take them, but we do need to get through the regional operating agreement, which is Attachment 5a, and that's going to take a little bit of time, and so that would be my recommendation. The webinar meetings, we're operating okay when we use them now, and there's no big rush, and so we could pick this up in December.

DR. DUVAL: All right. Then, with the consent of the committee, we will go ahead and pick that up in December. Next is Review of the Regional Operations Agreement, and so that's Attachment 5a and 5b in the briefing book.

MR. WAUGH: I would like to thank the Region. Jack and Rick, in particular, worked quite a bit on this, and Monica worked on it from the NOAA GC side, and Bonnie from the Center. What

I'm going to do is walk through this, and, if you have questions, please stop me along the way and we can answer them as we're going through this.

The agreement outlines the roles and responsibilities of the council, National Marine Fisheries Service Southeast Regional Office, the Center, and General Counsel related to preparing documentation for dealing with the Magnuson Act. We got operational guidelines published available on September 30, 2015. That requires us to update our regional operating agreement, which you have in front of you, by the end of this month.

We then use our council follow-up, which is a short name for it, but it's the Council/NMFS Southeast Regional Operations Schedules and Deliverables. That outlines what we're each working on between meetings and throughout the year. That is revised after each council meeting, and so that's sort of the sequence that we go through.

Again, it's to establish the roles and responsibility and commitments of the parties for the coordination of the analytical and structural component requirements. The guidelines specify principles that guide all actions for this. The operational guidelines require each regional office and council to update its agreement. The overall goals are to promote and continually improve the quality of fishery management decisions and documentation and promote a timely, effective, and transparent public process for development and implementation of fishery management measures pursuant to the Magnuson Act.

Then key objectives for these goals are to simplify and speed the flow of work, make sure that relevant information and comment is provided early, increasing transparency, achieve appropriate standardization, and, for council-managed fisheries, the following principles guide all actions taken to develop, review, and implement fishery management plans, amendments, and regulations. It outlines that the council and NMFS are partners and looks at the roles and responsibilities that are outlined.

We do what's called frontloading, and this is to participate in the development of these actions to ensure that any concerns are raised early in the process, so that they can be addressed, and this applies at the regional level and at the headquarters level, and this is to make sure that we don't run into unnecessary delays on the backend.

As Monica reminds us, our decisions must be supported by the record, and Mike Collins coordinates our record, and this has made it very easy for us when we get sued to respond to that lawsuit, and just things like all the comments received at this meeting, we cut them off at twelve noon today, and so that's a PDF. That goes into our electronic files, and we make those available to the Region.

MR. PHILLIPS: Should that be "if" we get sued instead of "when"?

MR. WAUGH: Yes, of course. Then, in terms of coordination between the NMFS Regions and Headquarters, that's done at the earliest stage. Clear and concise information and analytical products, and Rick DeVictor headed up the team that put together our document guidelines, and so we have certain ways the documents are put together, and sometimes there's a difference between the Gulf and the Atlantic, and we try and work those out. We must promote meaningful public participation, and I think we do an extremely good job of this. We have our informal Q&A



and our video presentations are available via YouTube. We produce a summary of the detailed amendment, and we have an extensive public comment process.

The operational guidelines require the Regional Office and councils to delineate the operational agreement region-specific agency and council roles. The relationship between NMFS HQ and Regional Offices is addressed separately through a communications protocol, and that's an internal document and process that they use. The intended effect is to promote early planning, cooperation, and open communication. It's not intended to limit or prevent staff from agreeing upon alternative processes on a case-by-case basis.

What we have are several phases, and I'm not going to go through all of the details in each of these phases. I will call some of the parts to your attention and certainly highlight any place where we're proposing any change between what the Region and NOAA GC and us have said so far, and so, Rick, if you guys see something you want to comment on, make sure and let's hear it.

Fiscal year stock assessment scheduling and priorities will be defined by the SEDAR Steering Committee, and so that's handled separate from this process. As you all are aware, we set our council priorities at the December meeting for the following year, and then we review and revise them at each meeting, and so what you will see are a series of tables like this that outline the document, a brief description, who the lead drafters are, and who contributes and reviews. Here is where our council follow-up document and council priorities fit in.

Then, in the scoping process, at that stage, we form an IPT, or interdisciplinary planning teams, and these are teams between the council and NMFS. An IPT consists of council staff, Southeast Region, Center, NOAA GC, NEPA, Office of Law Enforcement, and so I just want to highlight that it does include the Office of Law Enforcement and Protected Resources representatives. I think, Jessica, did you want to at this point ask a question?

MS. MCCAWLEY: This is maybe a question for Monica. When we were working on those South Florida amendments, we were told that state agency staff were not allowed to be on IPTs.

MS. SMIT-BRUNELLO: Okay.

MS. MCCAWLEY: Is that true and why?

MS. SMIT-BRUNELLO: My recollection is that, in that particular instance, it was a potential FACA problem, and so the council is exempt from the Federal Advisory Committee Act, FACA, if it operates under the guise of the council, and I believe that covers council advisory panels and it covers council committees and all that sort of thing, and I think it was difficult in that instance, as I remember, to fit all the players under the guise of the council umbrella.

I may be wrong, but I think the main problem was that the state employees were participating as state employees. They weren't participating in their role as council members. It was as representing the state in that kind of process, and so I would be glad to look into it further, but that's my recollection as to why we ran into that roadblock.

MR. WAUGH: Then the second phase is document development, and, here, one of the items that was listed as being optional was a data plan, and this is where you outline the data, analytical

needs, years of data to be analyzed, deliverables, and review schedule. We would like this not to be optional. What we would like is to get to the point, and we've discussed this with the Region, and Rick and I have had discussions about this, and certainly our staff, and what we would like to do is, at the start of an amendment, get agreement on a dataset that's going to be used for that amendment and actually create that dataset, and it might be a couple of datasets.

I know, at times, some of this is going to be probably a little more detailed than you all are interested in hearing about, but it's part of this process, and the data side is important, because then we would have one dataset or two that is fixed at the start, and then we use that throughout the development of the amendment, and this will save our staff and the Center and regional staff from having to go back and redo analyses when you get a new dataset that the landings have changed by some minor amount. Our recommendation is that that not be optional and that that be done for each amendment, and I just wanted to see if anybody had any concerns about making that something we do for each amendment. Okay.

That data and analytical request, for the portion that goes to the Center, there is a tasking protocol between the Center and the Region. Again, as I said, that should result in actual datasets to be used in drafting the amendment.

MS. BECKWITH: I guess my only question with the previous, the data and analysis, is can that - - Is that sort of going to be in two directions, because we often think about stuff after we start that we need analyzed in different ways, or certainly Nick Farmer can be a champ and give us information that we haven't thought about in a certain way, and so I'm just wondering, if we agree to this, are they also going to hold us to this standard and not do additional analysis that might clarify our needs?

MR. WAUGH: Remember, this whole document is not meant to tie our hands or prevent us from doing stuff. As we get into an amendment, yes, you may need to analyze certain measures a certain way. What we are more dealing with here is the base data, the trends in landings value. Once we know what actions are in a document and create a dataset for those analyses, that that's fixed at that stage, and so I don't think it prevents us from analyzing new actions and alternatives as we get into a process. That's not the intent.

We've just got some specifics in here that the Region will work with the Center to link the permits data to logbook data, and we would suggest here that we add the CLM data in there as well, and, again, clarifying that from NOAA GC what we're looking for is input on the years to be included for data analyses, and this is something that Monica and the other attorneys do on a routine basis. Then the IPT has identified the data and analytical needs in the data plan.

Then, again, when we get into the products, the actual documents, this is just clarifying text in here for you all. It's not a part of this document, but, in terms of putting together this combined document, we have varying levels of responsibility, and the parts that the council staff and council have sort of retained primary lead on and responsibility for is the summary in Chapter 5. The appendices are very technical, and those are written by whoever the analyst is that's doing the analyses, but, within the summary in Chapter 5, the directive we've gotten from our I&E AP in the past and from the council and the public is to minimize the use of acronyms.

In Chapter 5, we certainly can't call it conclusions while you all are developing the document, and so we've discussed with Monica about, as we're developing a document, call Chapter 5 your rationale, so that, when we go out to public hearings, the public has some idea of why we're doing stuff, and then, once you give final approval to the document, then those become your conclusions.

Like I said, there's a lot more detail here, and if you all have anything that you want clarified, let me know. Then we did add in, in terms of the roles and responsibilities, review and comment on ESA issues, as outlined in the Endangered Species Act/Magnuson-Steven Act integration agreement that we've approved and signed, and that's included as Attachment 3.

Then, on page 18 of that document, getting into Phase 3, the public review and council action, again, just pointing out that the council staff and council are responsible for the summary in Chapter 5, and you can see the various parts, and you have different groups that are taking the lead on those parts.

Then the council will review all documentation and supporting analyses before voting to submit fishery management actions for secretarial review and agency action. The council will authorize the Chair to deem that the final document and the proposed rule are necessary and appropriate for the actions being taken, and we do that now on a routine basis.

DR. DUVAL: At the beginning of Phase 3, where there is the request for the Science Center review for BSIA, doesn't that seem a little bit backwards? I mean, you want that analysis to occur closer to the beginning of when you're considering these actions? Maybe I'm just not understanding that piece of the process that well.

MR. WAUGH: We get the Center review, and they can certainly -- They participate on the IPT from the beginning, and so we would expect, if they see issues, that they would raise them, but there is a formal comment and review responsibility for them when we are at this public review stage and getting closer to council final action, that they review and sign off on the best scientific information available, and Rick can explain that.

MR. DEVICTOR: Yes, and so Gregg is right that they serve on the plan team throughout the process, and it's really a two-step process. SERO asks for the review, and then we ask for the certification, and we pretty much want a fleshed-out document that's pretty complete when we ask for them to look at the document and provide us comments. Then, after you approve it and send it to us, then that's when we ask for the certification of best available science, and so we don't want to ask for the review too soon in the process, where we haven't fleshed out any of the actions or alternatives or the impacts throughout the document, and so that occurs further through the process.

MS. SMIT-BRUNELLO: That's the way the Center would like to do it. They see themselves as participating, to the extent they can, and they usually do on the interdisciplinary planning team, but then they kind of take that hat off, almost, and put on a different hat when they're looking at it, to see when the actions are based on the best scientific information available. Just like Gregg said, hopefully those IPT members would have raised any big issues that they had regarding the best available science during the process, but they kind of look at it as a different sort of review when they're looking at it for best available -- At least they wear a slightly different hat.

DR. DUVAL: Thanks. I just wanted to make sure that I was understanding that part of the process.

MR. WAUGH: Phase 4 is post-council action. This is where the Region -- We finish up the document, and it's sent in for formal review. Then, again, there is some other certifications, and one of the things that is in here is post the transmittal document on the council website, and we're looking for clarification here. We don't necessarily have a problem with doing that. We have generally held off posting and publicly distributing an amendment that's submitted, because you don't know whether it's going to be approved or not.

For instance, we submitted Amendment 36, Spawning SMZs, and so we haven't distributed that. It's not posted on the website. We do get questions from the public sometimes, and we just tell them that it's under review. The question here is do we want to change this so that once we formally transmit an amendment to the Secretary for formal review that then we post it on our website?

DR. DUVAL: Monica, thoughts on that?

MS. SMIT-BRUNELLO: The public could see, if they were savvy enough to navigate, they could see in the briefing book for the council meeting in which the council took final action -- That amendment would be there. I am leaving that up to you if you wanted to post that on the website. It seems to me that it would be fine. I am trying to think -- What do you think, Gregg?

MR. WAUGH: I don't see a problem with it. What we have to be careful of is they understand that then that is under review, and I am sure we can come up with a way of making that clear on the document that is posted. Remember that a part of -- One of the functions of this is to make everything transparent, and so sometimes there is a fair amount of difference between the version of a document that's in the briefing book where you all say this is final approval and then it's transmitted.

Now, once the Notice of Availability of that amendment is published, then that's when we generally distribute it and post it. It's getting out a little earlier, but I can see where it could cause a little bit of confusion, but, again, if we make clear that this has been transmitted for formal review, I think that would be good, and it does make it more transparent. The public gets to see a document that's been sent in for review.

MS. SMIT-BRUNELLO: I do kind of like the idea that you would wait until the Notice of Availability of the amendment went out, because that would be the version of the amendment that -- If there were any kinds of not substantive changes, but sometimes you give the staff editorial license to really somewhat clean up the document a little bit after you have all taken final action, and your council chairperson approves that. If she felt like she couldn't approve it, then we would have to figure out what do we do or go back to the council or -- We would figure out that part, and so I do like the idea of when it would be posted when the Notice of Availability went out. On the other hand, if you wanted to post when you transmit it, that's fine too, because we should have worked out everything by then, and there should be no changes. If there was a change, I guess you would post that version, slightly revised, and so I kind of leave that up to you all.

MS. BOSARGE: Gregg, is there any way you can pull up our website for just a second, the Gulf Council, and I will kind of show you -- Not that you want to do it this way, but I will kind of show

you how we do it. I didn't realize that your amendments weren't posted on your website except in the briefing books, which is cool. What we do is we have this little thermometer thing, and it's so that you can go directly to an amendment that you want to see, regardless of what stage the amendment is in. When it pulls up there, I will show it to you. It's pretty interesting. It shows you right there on the screen what stage it's in, and are you looking at a public hearing draft or is this final action or was this just a scoping document, and it even has the implementation listed there.

You can click, and whatever version the document is in at that point, that's what will pull up, but it tells you right next to it where you're at in the stage. See that management plans with the little thermometer thing, over to the right? Just click on the thermometer. You can see some of the amendments that we're just starting to scope. If you scroll down to where you see where the thermometer is higher up, there is one that was in public hearings. You can see right there is modifications to charter vessel headboat reporting requirements.

Then scroll down to like sector separation, because that one we have submitted. There you go. It's rulemaking for Amendment 45, red snapper sector separation, and so we've submitted that one. It hasn't been implemented completely yet, but you can see what stage it's at. If you click on that "read the amendment here", whatever draft the document is in at that point, it will pull it up for you. If you want an older draft, you would have to go to our briefing book and find that, if you wanted to go back and see the scoping document or something like that, but anyway, it's just an idea.

MR. WAUGH: You all do then post it when you send it in for formal review.

MR. BREWER: I was just going to say that I've been on the Gulf website a pretty good bit, and the format that they use here with this thermometer is really very easy to use, and you can go to a -- If there's a particular amendment that you're interested in, you can go right to it, and, boom, you can go to the comments that have been posted with regard to it, and you can see the stages. It really is a good format. I have dog-cussed what I have seen in there in the past, but it's a really good format.

DR. DUVAL: I'm going to let Amber speak, because we've got a website upgrade coming online, and we have a resource library.

MS. VON HARTEN: We used to have something very similar to this on our website, but we had this whole internal discussion of what document gets posted there? Is it the one that's from the last briefing book? As these amendments go through the chain at the council level, which document was the most appropriate one to post, and so we removed it from the website, because it was confusing to the public.

On the new website upgrade, we are bringing the Amendments Under Development Section back. It will be organized by FMP and whatever amendments that are under development, they will have a drop-down menu. You can read a summary of it, and then you click on it, and it will take you to a page like this that shows you the barometer and what stage it is in the process. Really, all I need guidance on is what version of the document you want posted on that barometer page.

DR. DUVAL: I guess, if it's in the has-been submitted stage, we could certainly post the document that has been approved as submitted. That version might change, if there are some minor things, once it has been submitted, that come forward that might require re-deeming or something like that, but that would just be something that would occur naturally. It wouldn't require any big convoluted process to do. I think, Monica, it's obviously just your comfort level with rather than waiting until the Notice of Availability goes out and then that's the version that you all have received and put your stamp of approval on, in terms of being complete, et cetera.

MS. SMIT-BRUNELLO: Really, you don't have to be concerned about my comfort level, but it's very nice of you to think about it. You all participate in such a public process. Your briefing books are online. Anyone can access them. Whatever versions of the amendment are all there in front of the public, and so, if you wanted to pick a public hearing draft stage or whatever and then final transmittal, whatever you want to do, that's fine. That's fine, because those versions are all available to the public anyway in your briefing book, pretty much.

DR. DUVAL: Okay. Is that clear?

MR. WAUGH: So post once we send the document for formal review, we will post it to our website. We are getting close to the end. Phase 4, post-council action, again, these are advisories that the Southeast Regional Office does. The one thing that's in here is to declare a transmittal date, and we're trying to -- Obviously this is dependent on the workload that the Region and NOAA GC gets, because they are on the receiving end of amendments and actions from three councils, and so we're trying to get as close as possible to the date the council sends the document for review and implementation.

The Magnuson-Stevens Act has some timing in there, and the goal that's outlined in the Magnuson Act is to being these processes the fifth day after the council transmits a document. Obviously we can't do that with the volume of documents that are working now, but the intent here, with declaring this transmittal date, is for it to be as close as possible to the date we send the document for review and implementation. The development phase is long. It has lots of public input, and there are several more opportunities for public input after its submitted, but the goal is to try and get that review process started as quickly as possible.

Then ongoing management, we just didn't know if there was any more that you all wanted to add in here on the annual catch limit webpage and tables that the Region has. Rick pointed out their approach for updating those, and that certainly has a lot of detail. I don't know that we need to put that in here. I would suggest not.

Then the final thing is the signature page, and, being the optimist I am, I brought several blank pages, in the hopes that we could get agreement by everybody to sign here, but I would be glad to answer any other questions. If there aren't any, then a motion to approve this regional operating agreement.

DR. DUVAL: Are there any other questions to Gregg regarding the regional operating agreement? If not, then I would be looking for a motion from the committee to approve the regional operating agreement.

MS. MCCAWLEY: **I move that we approve the regional operating agreement.**

DR. DUVAL: Motion by Jessica and seconded by Charlie. Any discussion on this motion? **Any objection? Seeing none, that motion stands approved.** Now we get to our items of Other Business, and Gregg brought up how we respond to critiques of the MRIP data and how we respond, I guess at public hearings, to lack of factual information that may be presented.

MR. WAUGH: Maybe if I could just give a little background. We've been doing this for a while, and we have been dealing with MRFSS and MRIP issues, but the public has gotten very sophisticated, and they have invested a lot of time investigating these numbers, and they're showing up at the hearings with very pertinent questions of why are your level of intercepts down at ten and fifteen and how does that blow up to 180,000 pounds of fish?

They're working, in terms of cobia, in taking the number of vessels that would be necessary to land those numbers of fish and calculating back and just showing that it doesn't jibe, and we're left in the position of -- We're not pointing fingers. We certainly explain the issues with MRIP and explain the rare species. They look at the PSEs, and they point out that on the website it says that any PSEs above 50 percent are highly uncertain, and why don't you have some level of cutoff of when it's usable and not, and then we have to tell them, well, the Magnuson Act says you use the best available data. You watch their eyes flip around two or three times, and it's taking up more and more of our time.

Quite honestly, we don't know how to try to handle those comments anymore, and their blood pressure is getting up, and ours is getting up, and it's hindering -- We're not getting to the actions that are there to be discussed. Then, briefly, the same thing with the lack of factual information. We have had people that spin stuff, but, generally, in the past, we've been able to get agreement of, okay, here's a list of the facts that everybody can agree on, and everybody has got their own facts now. Any suggestions and guidance you all have would be greatly appreciated.

DR. DUVAL: I think it extends to really like the law. I mean, we've been told by constituents lately, during this last round of cobia public hearings, that what we were doing was actually against the Magnuson Act, and so I don't like having to play an attorney. I prefer to have one with me, but those are difficult questions. Those are difficult statements to respond to, trying to explain, I think, again and again what the Act requires, in terms of having annual catch limits and establishing accountability measures and then going into -- Constituents are coming forward and citing the National Standards and saying that we're violating National Standard 1, and I don't want to be flip and refer someone to the National Standard 1 Guidelines, but that's about what it comes down to.

I understand Gregg's frustration in this regard, because I think we both have lived through some of this, and sometimes you're able to communicate with folks and try to provide them the resources to get the answers to the questions that they want. We have recommended reaching out to the MRIP program staff in order to get the answers that folks are looking for with regard to how are these numbers generated and explaining how the program works and that this is a national scale protocol, statistical protocol, that is developed by Headquarters, but it's a partnership with the states in terms of it's actually -- Yes, it is North Carolina DMF staff that out there on the docks who are implementing carrying out the protocol. Those data all go up to Headquarters, and it's the staff up there that actually generate the estimates based on the data that our state staff are collecting, according to these national protocols.

These become incredibly detailed conversations, and Gregg is right that we end up not quite getting -- It takes a long time to get around to the type of input that we're looking for on proposed actions. I am guessing Jessica probably experienced similar frustration, maybe, during the recent mutton workshops, and so it's really difficult. It can be very, very challenging. Gregg and Anna and I spent over four hours, and, in the end, it was a very productive question-and-answer session up in Kitty Hawk with regard to cobia, but I think we're struggling with how to be prepared for these types of questions, and this is the best scientific information available, and this is what has been approved for the council to use and we're on the receiving end of these numbers isn't really holding that much water anymore. I don't know what suggestions folks might have.

MR. BELL: I was just going to say, most recently with the cobia hearings, I ran into this a good bit, and so there's a couple levels of this. One is just making sure that we all understand and can explain, as simply as possible, how it works. Sometimes I have just tried to explain to people how they come up with the numbers, and this is how it's done, and, ultimately, it's an estimate, and it's a proven method. These people that designed this, it's well designed, but this is the way it works and this is how you can get kind of some strange numbers sometimes.

Sometimes that helps just to explain it. They don't necessarily like it, and it's just like with Zack asking about the cobia thing. Certainly Georgia probably had some cobia landed, but here's how that can happen. If you have fisheries where you have a low incidence of intercept, you can end up with a zero. Now, that doesn't make them happy, but that's sort of -- There is one level, is just being able to explain how it works.

We had a case here very recently where we were a few miles away from having some extraordinary flounder landings recently, where we had what we called the flounder jubilee along the Grand Strand, and piers, where they would normally land maybe two or five flounder a day, were landing 450 or 350 flounder, and our creel clerk drew an assignment for a pier in the middle of this flounder jubilee.

Thank God he was at a pier where it was a little bit north of where this event was occurring, but we knew that if he had landed on the wrong pier -- You can imagine, and so now you're -- Normally, you would expect two to five flounder, but you run into 450 flounder, and imagine what that would have done to the numbers, potentially, and so being able to explain, on one level, how it works is useful, but how you deal with that, well, that's just not acceptable, but that's what we have.

The other thing is being able to -- I was able to use this as a tool to explain in improving data and that we are taking steps to certainly focus on the for-hire sector right now, and if we can accomplish that, that will get that piece improved. Then folks, of course, bring up things like how can we private boat anglers help, and then that gets you into uses of technology and things, but I think, if we can all be able to explain to them at least how it works, that kind of helps remove some mystery. Again, they may not be happy with the answer, but that's sort of one basic level of what we can do to be prepared, I think.

DR. DUVAL: I think it just inflames them when they hear about how it's done, because that just feeds the fire for these data. You heard it last night, that your data are flawed, and it gets to be a little bit tough to deal with when it's actually, well, it's your data too, and so, if you're participating in the survey, then they're your data too, but Doug and then Zack.



MR. HAYMANS: I guess I am looking at the factual comment that Gregg made on a more basic level. We hear comments here, and I hear it at home all the time, where people just state incorrect things. For instance, Mr. Charles Wilson, and he was the regular Joe, working-class, overtaxed, American, surfer fisherman, spear fisherman that we heard from last night. One of the things that he was talking about was lack of fishing-clean stations. Although that may not be necessary wrong, I would have loved to have commented that, well, we've got eighteen stations here and we've got carcass freezers.

Perhaps there is a way, in public comment, when the Chair is sitting there and staff or someone else hears something factually wrong, that a note can be passed to the Chair later, between speakers, and perhaps erroneous information can be corrected, and I'm just talking about just basic level stuff and not digging in too deep, but that's one place. The thing is, when people hear that incorrect information out there, they hear it enough times, and it becomes true.

MR. BOWEN: I was at some of those meetings, and I feel like Gregg is asking or looking, and Lord knows I can't blame him, but I think he's looking for something more in-depth than just explaining the process. I know how it works, but that still doesn't -- Like Michelle said, it still doesn't make me feel better, because I know there was cobia landings, but I think we have to really collectively think of a bigger answer than just explaining the process.

These guys that attend these meetings that have, like Gregg said, have done the research and they know where these websites are listed, they are pretty intelligent people, and they want more than just the process. They know how the process works, and if we can -- I don't necessarily have the solution for it, but, collectively, maybe we can come up with something, because we have to start building faith in what they're seeing versus hearing versus what they are being regulated by. I mean, I'm one of them. Mark is one of them. Ben is one of them. We have to start building faith, so they feel like what they're getting, whether it be on a website or answers at a public hearing, is correct and factual. Do I know the solution of it? No, but I feel like Gregg is looking for something more than just we need to explain the process to them.

MS. MCCAWLEY: I was just going to talk a little bit about those mutton workshops. I agree that people have been online, and they're very educated, and they know the process. To me, that's not the problem. Explaining the process is not solving this at all, and, at a couple of these mutton workshops, I felt like people were so belligerent. They were just like you just need to shut this workshop down, because you can't make decisions based on this data, and here is why. These were educated people, and it wasn't coming from a place of I haven't looked at this information or I haven't read this amendment three times.

They were very educated about it, but were very belligerent, and this happened at multiple workshops. Just like you guys said that you spent hours trying to talk about the data, one of the workshops I felt like we got very little comment on mutton, because we spent the whole time trying to explain where the data comes from. Yes, I get that you don't like it, but here's let me tell you more about where it comes from, and I would like for us to collectively think about a better way to do this.

I don't think we're going to solve this right now in this room, but I think the problem is getting worse, and I suspect it's going to continue to get worse, especially when we start going into

hearings on red snapper. I just really think that this is going to escalate to even more than what we saw with mutton.

DR. DUVAL: I agree, and these are constituents who have read -- For cobia, they have read SEDAR 28 and they have read through the entire stock assessment. They're read through all the previous amendments, and so, again, like you said, very educated in terms of reading all the background information, and so I agree with you.

MR. HARTIG: Speaking of the workshops in Florida, one of the few times I've lost it in the council process was in Key West. I had gone through all week, and, to be honest with you, the frustration level was not so much with the fishermen and what they were saying about our data sucks, but the frustration level with me is with MRIP to here right now, personally. Mel, you can say all you want about explaining it. The more I know about MRIP, the less I have any confidence at all in the process.

I've got Mike working on several things, and he is feeding me data over the times, and I'm looking at one intercept and how it's impacting the fisheries. I mean, it's horrible, but I will lay this out for you. Erica was giving the presentations, and before we even really started, your data sucks, and I heard that. Through the presentations, three different times, I heard your data sucks, and so, somewhere along the line, I had a chance to actually say those are the numbers, the numbers are the numbers, and that's what we have to manage with.

Then there was some back-and-forth, and then I started talking about if you want to change the process -- When I started talking about that, they started talking over me, and I got louder and louder as I was trying to tell them that you need to go to Congress, your Congressman, if you want to change this and this is something we can't do.

My frustration level is up to here, and I will just go into my Other Business thing, because it's closely related to this. I think the council needs to craft a letter outlining the cumulative species-specific impacts of unusually large MRIP landings estimates on our recreational fisheries and the council process, because we are getting hamstrung, coming out of the blue, with these numbers, and it's the species of the year. We had gone through the rare species originally, which we had problems with, but it's not even the rare species anymore that are causing us the problems.

For me, this letter is an open letter to NOAA, to anyone in the NOAA process, and the other reason for writing this letter is hopefully it will get to the people who can make a difference at the congressional level, Sportfishing or CCA or anyone who wants to take this letter and say, look, this is what happened to the council process and us based on the recreational survey that we're using now in the Southeast or in the Gulf and the South Atlantic, where you are dominated by recreational fisheries.

I was going to tell this to Sam, but it's too intricate. There is too many interactions, and you can't get the full emphasis of what has happened unless you go back and chronicle what has happened in the process and what we've been exposed to over the years trying to deal with these elements, and it has impacted both the fishermen and the process, and that's the key issue here, and I think, if we put this together -- It's going to take some serious work to put it together, and I know that, because Mike has already done some of the work, but, where we've had these problems, with the species we've had the problems with, I think we need to outline it, and I think we need to point in

the process of where it's hampered the process, where we've had to come and put time and effort into the process and then trying to explain this to the public.

I've gotten to the point where I don't have any confidence anymore explaining it to the public. I just don't, and that's a real problem for me, and I told you last time I was getting ready to leave the process, because if I can't explain it to the public in a rational fashion, that's a real problem for me.

If we can do this, if we can do some kind of lay it all out of what the impacts are, I think it would go a long way, hopefully maybe, to getting some resolution to this in the long term. It's not going to be a short-term process. It's going to take some time and some effort, not just from us, but from other organizations, picking up on what we have put forward, to go ahead and have this as ammunition to go to Congress to change things, because we can't do this anymore. We can't continue to be impacted by these estimates and have any credibility in the management process. It's destroying the process, in my opinion.

MS. MCCAWLEY: I will second that.

DR. DUVAL: Okay. We Leann and then Charlie and then Chester and then Mel. If you agree with what's been said, I would prefer to not like protract this. If you've got something to add to what Ben has laid out, great, and then let's move forward.

MS. BOSARGE: I will just try and be quick. Mine goes back to the public hearings, just because it sounds like your public hearings are getting more and more animated, I guess would be a good word for it, and ours are pretty much always animated, I think. A couple of things that we may do a little differently, because ours are so animated, is it's a little -- Unless it's a very small group and it's not a contentious subject, then it's going to be a more formal process at that public hearing or that scoping meeting.

You're going to have three minutes, and you're going to have to sign a card when you get there, and your name is going to be called. You're going to have to stand up and go to the front in order to speak, and you will have to sit down. That kind of keeps -- That whole atmosphere kind of tells people that, okay, there is a process here, and I've got to follow the process, and so I'll speak when it's my turn.

The other thing that we do, especially with people speaking over you, whether it's staff or the council members, we pretty much have armed enforcement officers at every one of our meetings, our public hearings. I don't know if you all do that or not, but that's how contentious a lot of our issues are at this point, and they're in the room. Their presence is there. There is more than one. That's so that, if things do escalate, we as a council member aren't trying to negotiate a fight that breaks out between people in the audience or whatever the case may be, and so those two things.

As far as when people have questions, we have some great staff people with real thick skins that come with us to these meetings, and they are very good at answering these questions, but I think - I know that you all do this too, but especially those people that have done their homework and they're very educated on the topics, if those people aren't involved in our process already, I think our staff take extra steps to reach out to them, not only right there at that meeting and say, hey, apply for our AP, our Data AP, but to send them emails and say, hey, you know what, the SSC has

this meeting coming up, and here's some links so that you can listen in via webinar and you can raise your hand and different things like that.

Then, as far as the answering questions, we have our fair share of incorrect data, especially at the public testimony, but we very rarely, if ever, correct anyone, especially in this forum. Now, it may be a little different every once in a while at a public hearing, but I think, in our public testimony especially at the council and the public hearings, a lot of what those people need are to come and scream at us, to let us know that they're mad and they care and we're affecting them.

Even though maybe some of the things that they are saying may not be accurate, that's part of what they need from us, is to let them scream and let them know, and so we correct them sometimes on social media. Emily will do that if they're on our Facebook page and they're making a comment that's maybe incorrect. She has a great way of couching it and saying, you know, this and that, and, if you want more information, let me know and I will get it to you, but that's probably the only time we really correct them. We certainly don't do it here at the meeting.

DR. DUVAL: Thanks for those suggestions, Leann. We do usually have state enforcement staff that are there for public hearings, particularly if it's going to be something that's contentious, and we do ask folks to come up to the microphone and speak. I think we've tried these question-and-answer sessions, and sometimes they work really well, just depending on the situation. I think, for cobia, yes, it ended up being successful. We did get folks who have applied for the advisory panel, and we've had a lot of conversations between a lot of folks who have come forward and everything, and so some of that has been successful, but we haven't put a timer on those folks, and so maybe that's something that we could definitely do, is bring the light bulbs there.

MR. PHILLIPS: I am thinking back to Doug, and he wanted a reply about the cleaning stations. Maybe we should consider, and I understand people need to vent and we need to listen, but it may -- When they keep saying the wrong thing all the time, it incites other people to believe the wrong thing, and so it may be something that, when they get through with their public comment and they have said something obviously in error, that somebody at the table can say -- Doug can raise his hand and say, let me talk to you and point you to where the right direction is on getting the right answer to this.

Tell them in a very nice way, and that might stop the wheel from rolling on the misinformation on some of it, and it might be one way to do it, if we have some different people with different expertise, and just say, okay, well, let me answer this or somebody else can answer something else, and that may be a way to do some of it.

MR. BREWER: This is happening because people are frustrated, and they are frustrated by a system that, in truth, was designed for an industrial commercial fishery and not for recreational fisheries, and MRIP -- I share Ben's frustrations. I share his frustrations. The way I answer the questions when I get jumped about MRIP is I say, you're right. You're right.

Following up on what Ben said, reauthorization of Magnuson will be coming up. It may be a year from now, but it will be coming up, and the letter that he is describing, I don't think -- I have actually talked with Gregg about this, but we as a council could not send it directly to politicians, congressmen, but we could send, I think, Gregg, to NMFS/NOAA as an open letter, and I will guarantee that that letter will get into the hands of folks that are working in Washington, that are

working for some changes in Magnuson that I think would open up our toolbox a little bit with ways to manage some of these recreational fisheries, and so I share Ben's thoughts. I applaud them, and I think that might be a way to get the word to key legislators.

MR. BELL: Don't take what I said about explaining how it works as -- That's not the answer. I know that's not the answer. I feel like I'm an MRIP-apologist, and, no, I'm not. That's simply where I was saying you start, and perhaps our fishermen that I am talking to are not as sophisticated as some of the ones that do know how it works, because they honestly don't. When I explain it to some of them, it's, okay, boom. Now, that's not a satisfactory answer, but what I use -- From that point then, I say, okay, how could -- What do you think? How could we do this better? You use it to draw them into thinking.

When I explain that the commercial fishermen have to report, and that's covered. Now we're working on a plan where the for-hire sector can report, all 2,000 or so of them, and so we've got that covered. Now, in South Carolina alone, there are 470,000 people with saltwater privileges. How do I get data from 470,000 people? It just helps explain the magnitude of what we're dealing with and why we rely on a survey, but I just simply use that as a jumping-off point, to kind of draw them into, okay, how do we fix that? It's bigger than they might imagine, and they still aren't happy, but that's all I'm saying. You've at least got to be able to explain how this part works and how we can improve this part, and then, folks, help us. That's all I'm saying. I know that's not the final answer. I didn't mean to imply that.

DR. DUVAL: Wilson, last word, and then I think we should probably just get a motion with regard to this letter that Ben would like to write.

DR. LANEY: Thank you, Madam Chairman. Just a question and a possible idea. With regard to explaining it to people, do we have a simple handout that MRIP has maybe provided that we could use to just provide to people at the hearings? At least, that way, you don't have to spend your time vocalizing it. You could just hand somebody a handout.

The other thing that has always bothered me a lot about the numbers is that so frequently we see them presented in tables and in graphs without any indication of what the standard error is or the CV or the error bars or anything else, and I think that only promotes the perception that these are hard numbers without any error associated with them, and maybe that's what, from some perspectives, gets us into more difficulty. I don't know, and so I would certainly encourage us, at every opportunity, to put those error bars on there.

DR. DUVAL: I couldn't agree more, Wilson. Okay. We have a draft motion on the screen. I think everybody is fairly in agreement. Is there someone who would like to make that motion, Mr. Hartig?

MR. HARTIG: **Yes, Madam Chairman, I would like to make this motion, that the council write an open letter to NOAA outlining the cumulative impact of species-specific estimates of unusually large catch MRIP landings estimates on our recreational fisheries and the council process.**

DR. DUVAL: There is a motion by Ben and a second by Jessica.

MR. BOWEN: We're in discussion, correct, Madam Chair?

DR. DUVAL: Yes, but I hope we don't have to have a whole lot of discussion, but go ahead.

MR. BOWEN: Whether it ends up being a whole lot or not, it's like Chris said earlier, and it's very important to me. I feel like we need to maybe look at this motion, because not all those estimates are unusually large. Some of them are extremely daggone low, and so I feel like that needs to be encompassed in this motion as well.

MR. HARTIG: I think Leann had a good -- Does "atypical" work for you?

MR. BOWEN: Yes, and I wasn't wording it. That was my redneck southern Georgia wording of it. It wasn't the way it needed to be worded on the screen.

MR. HARTIG: I think we know what we're trying to get at, but I absolutely agree with you that there are low numbers and high numbers.

DR. DUVAL: Okay. More discussion? **The motion reads: Council write an open letter to NOAA outlining the cumulative impact of species-specific estimates of unusually large/small MRIP landings and the impacts on the council process.**

DR. CRABTREE: Are we going to see this letter before it goes out at the next meeting?

DR. DUVAL: Yes, and I don't anticipate this letter going out anytime between now and December.

DR. CRABTREE: It's curious to me, because it seems to me that we're saying we don't like the fact that recreational catches are volatile and fluctuate a lot from year to year, and it's not clear, from all of this, that that's MRIP and that's not just the nature of recreational fisheries.

The other thing I would point out is there is no getting around that the MRIP survey today is a much better survey than we had ten or fifteen years ago, and the science we have today is much better, the assessments, than what we had ten to fifteen years ago, or even more than that, yet the dissatisfaction with it seems to grow as it has improved, and that's a strange thing about all of this, but I don't know. I think, as much as anything, this is about annual catch limits and closures, and I'm not so sure how much of it is so much about MRIP.

DR. DUVAL: I see Ben shaking his head, and so this might be a discussion that we continue at the next Executive Finance meeting.

MR. BOWEN: Roy, I respectfully disagree. Whatever is better -- I respectfully disagree. I don't think the science is better.

DR. CRABTREE: You can look at any number of reviews and all the changes, and I don't think you will find a scientist anywhere who understands surveys who won't say the survey is much better today than it was then. That's just a fact. You can't get around that.

MR. BOWEN: I am not a scientist.

DR. CRABTREE: We don't need to argue about it.

MR. BOWEN: We're not, but I just respectfully disagree. I'm not a scientist. I'm a fisherman, and all I can do is read those MRIP numbers when they're posted on the website.

DR. DUVAL: Okay. The intent is to bring this back in December for review. That's not saying it will be sent after that. I think we'll have some more vigorous discussion about it, but is there any more discussion on this motion? **Is there any objection to this motion? Seeing none, that motion stands approved.** We had one more item of Other Business that Mr. Haymans brought up. This is in regards to the Mackerel Cobia AP.

MR. HAYMANS: Thank you, Madam Chair, and I'm quite surprised that you let me add it to the agenda, seeing as how I'm not on your committee, and so I appreciate that. I was going to bring up the cobia subcommittee, because there has been a lot of discussion in the two days since that occurred, but then I understand that perhaps Gregg could maybe fill us in on that subcommittee.

DR. DUVAL: We're not at Full Council. There were lots of closed session discussions, and so I just want to be mindful of that with regard to nominations to the advisory panels.

MR. HAYMANS: Not mentioning anyone's name, but it was more of a -- Because we're in Executive Finance, my initial thought was to talk about could we afford to bring in this one advisory panel. Kim stepped over and said there had been a sidebar conversation and Gregg had some more information to fill in on it.

MR. WAUGH: If I could, I think people got the misunderstanding that by creating a Cobia Subpanel of the AP that that was somehow diminishing the role that that group would serve. In other words, we didn't want to put them on the full committee, so we created a subpanel. To me, it's the exact opposite.

To me, the issue comes down to there was an interest in putting perhaps more people -- Trying to appoint more people with cobia expertise than we could accommodate on the Mackerel Committee, with the financial impacts from that, and the need for them to be involved. The suggestion was, well, then let's create a subpanel, so that we can use them much more often and have them involved a lot more, particularly between now and when the assessment is done and the resulting amendment from that.

We could pull them in and meet. They could, at times, meet along with the Mackerel Committee, depending on the size and the financial situation, but the whole intent was to have them be more involved and participate a lot more than bringing the whole Mackerel AP, where you don't have as much interest in cobia.

MR. HAYMANS: My only point to that is we did rename that advisory panel the Mackerel Cobia AP, and I was just pushing towards having the expertise from both sides on one AP, but it's okay. I am good with the direction we're headed now.

DR. DUVAL: I think that if we find that there is a need to merge the Cobia Subpanel with the full Mackerel Cobia Advisory Panel that we can do that. I think, like Gregg said, this was just a way to try to acknowledge and include more stakeholders who have a specialized interest in that

particular fishery and have an ability to maybe convene that group more frequently, if needed. Then there was also concern about having, I think, enough space on that committee to continue to accommodate the mackerel expertise, particularly from the State of Florida.

MR. BREWER: Gregg, can I take it from your comments that, financially, we're okay with forming that subpanel?

MR. WAUGH: Yes, with the understanding that it's a smaller group and we may meet with them via webinar and not necessarily in-person every time, and so, yes.

MR. BELL: Just a question. When discussing cobia, those are your subject matter experts, but that wouldn't preclude then, or would it, the other members of the big AP from weighing in as well?

MR. WAUGH: No, and we would certainly distribute any cobia amendment document to the full entire Mackerel Cobia AP as well, and so other members would have the opportunity to participate.

MR. BROWN: Gregg, would they be able to vote too?

MR. WAUGH: Yes, they would be AP members. It's just creating a subpanel so that we could put more people on there and have them work and participate more while we're active on cobia. Then, as Michelle said, when we see what number we finally settle at and see the financial implications of that, down the road, you may want to merge the two then, but, yes, they would be full voting AP members. If the two ever met together, then they would be participating just like the rest of the Mackerel Cobia AP.

DR. DUVAL: Okay. Is there any other business to come before Executive Finance? Seeing none, we will stand adjourned.

(Whereupon, the meeting adjourned on September 15, 2016.)

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

Transcribed By:  
Amanda Thomas  
October 14, 2016



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*(Continued)*

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9/15/2016 8:03:57	Lora Clarke	lclarke@pewtrusts.org	on file	Non-Governmental Organization
9/15/2016 8:13:22	Bill Kelly	fkcfat@hotmail.com	On file	Commercial fishing representative
9/15/2016 8:35:44	david bush	davidbush@ncfish.org	on file	NCFA
9/15/2016 9:19:18	jack cox	dayboat1965@gmail.com	file	Seafood Dealer/Wholesaler/Retailer
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9/15/2016 17:05:42	Leda Dunmire		on file	Non-Governmental Organization
9/15/2016 17:05:59	Dick Brame		on file	Non-Governmental Organization
9/15/2016 17:06:13	Allison Johnson		on file	Non-Governmental Organization
9/15/2016 17:06:33	Rusty Hudson		on file	Commercial Fisherman, DSF
9/15/2016 17:06:53	Bill Gorham		on file	Charter/Headboat/For-hire
9/15/2016 17:08:09	Trip		on file	Non-Governmental Organization
9/15/2016 17:08:27	Dean Foster		on file	Non-Governmental Organization