

**SOUTH ATLANTIC FISHERY MANAGEMENT COUNCIL  
EXECUTIVE FINANCE COMMITTEE**

**Hilton Wilmington Riverside Hotel  
Wilmington, North Carolina**

December 5, 2013

**SUMMARY MINUTES**

**Executive Finance Committee:**

Ben Hartig, Chair  
David Cupka  
Charlie Phillips

Dr. Michelle Duval, Vice chair  
Jessica McCawley

**Council Members:**

Mel Bell  
Zack Bowen  
Jack Cox  
LT. Morgan Fowler  
John Jolley

Anna Beckwith  
Chris Conklin  
Dr. Roy Crabtree  
Doug Haymans  
Dr. Wilson Laney

**Council Staff:**

Bob Mahood  
Kim Iverson  
Myra Brouwer  
Dr. Mike Errigo  
Dr. Brian Chevront  
Mike Collins

Gregg Waugh  
Amber Von Harten  
Anna Martin  
Dr. Kari MacLauchlin  
John Carmichael  
Julie O'Dell

**Observers/Participants:**

Phil Steele  
Dir. Bruce Buckson  
Doug Boyd  
Dr. Jack McGovern

Monica Smit-Brunello  
Otha Easley  
Dr. Bonnie Ponwith

Other observers attached

The Executive Finance Committee of the South Atlantic Fishery Management Council convened in the Cape Fear Ballroom of the Hilton Wilmington Riverside Hotel, Wilmington, North Carolina, December 5, 2013, and was called to order at 2:10 o'clock p.m. by Chairman Ben Hartig.

MR. HARTIG: I bring the Executive Finance Committee to order. The first item of business is to approve the agenda. Are there any changes to the agenda?

MR. MAHOOD: I have one addition under other business.

MR. HARTIG: Okay, hearing no other additions, is there any objection to approving the agenda? Seeing none; the agenda is approved. Now we have the minutes. Are there any deletions or corrections to the minutes? Is there any objection to approving the minutes? Seeing none; the minutes are approved. That brings us to the status of our 2013 budget expenditures.

MR. MAHOOD: If you will look behind Attachment 1, you will see where we stand for the year. To save some time, I'm not going to go over every item. If you have had a chance to look at it and have any questions, let me know. Basically along the bottom for CY 2013, the first number column, you will see what we budgeted.

You can then see what we expended to date, what we look as obligated and what we expect to end up with to carry forward into next year, about \$362,000. It seems like a big number but if you look at what we carried forward from 2012, we carried forward a little bit over a million dollars into 2013.

We've gradually, during this five-year grant, been able to maintain our activity level by being fairly frugal and keeping really close watch of our dollars. Again, I say at every meeting Mike Collins, every time I turn around, he is figuring out a way to save money; and that has been very beneficial to us.

I think even if we take some of the cuts that may be proposed that I'll talk about here in a minute, I think we will be okay through the fifth year of our five-year grant. Our Calendar Year 2015 we will be going into a new five-year grant period. That is all I have unless somebody has some questions.

MS. McCRAWLEY: We talked about earlier in the week that did you say that other councils had had a 16 percent cut and you hadn't heard anything about that yet?

MR. MAHOOD: I was going to get into that down the road a little bit.

MR. HARTIG: Are there anymore questions of Bob about the 2013 budget? Seeing none; the 2014 budget.

MR. MAHOOD: Okay, if you look behind Attachment 2A, obviously we don't have a budget yet. The whole country doesn't have a budget yet; so we obviously don't know what we are going to have. What we do, for the new folks, in our budgeting process; we have an in-house

process where based on where we are with what the council would like to see – and we're going to talk about that in a bit – where we are, what we're working on.

The tech staff gets together and they look at what they think we will need to accomplish for the following year. They sit down with Mike and let him know about the different meetings that will be needed and this type of thing. That is kind of between Mike and Gregg. Then Mike sits down with the Activities Schedule and puts dollars to it.

Then, of course, for the fixed costs, Mike's staff figures that. We come up with a rough budget. Obviously, that is going to change, number one, based on what we get; and then if it is less than what we anticipate, then we would have to go back and refigure it. We try to base our budget on kind of a level-funded budget.

In the good old days when we had a budget by January 1<sup>st</sup>, at our December meeting the council would actually approve a budget for the next year; but generally with these continuing resolutions in Congress we tend to go almost through the whole next year before we get a budget, if we get one. I guess what I'm trying to say is this is a rough idea based on what we think we're going to be doing and what we think we're going to be getting for funding.

MR. HAYMANS: Bob, remind me does anybody else approve this up the chain; so is there any competitive process between – I know I have you heard you talk about before at the chair meetings sort of some discussion about funding.

MR. MAHOOD: When I first came into this process, the eight regional councils would get together. There would be a certain amount of money. It is in the line item the Congress gives the councils. They would battle it out. It would be very bloody battling over this money every year. Back then the grants were actually one-grants.

Some of us new folks coming into it said, man, this is not the way we need to operate. We sat down and figured out a percentage that each council would get of the budget based on the size of the council, the number of meetings, what we were working on. Over the next several years we were able to – we traded percentages and this type of thing and we all settled at one point – well, at least by a seven-to-one vote.

We never did get Kitty to go along with us; but by a seven-to-one vote we have had for the last maybe 15 years a set percentage that if the budget goes up you're going to get that percentage; if it goes down you're going to take that percentage cut. It has worked out pretty well. Now, every time we get a new executive director that thinks they need more money; they want to revisit it; and fortunately we have been able to not do that.

It is kind of like the allocation issue, Roy, we don't want to revisit the bloodshed. That is how it works. Now, the other part of that is prior to Bill Hogarth coming in as the head of NMFS, we only got the council line item. Every once in a while when there was special need, NMFS would find some money for one of the councils. When Bill Hogarth came in, he brought in a much more council-friendly attitude, let's put it that way, and we started actually getting recognition that we're doing a lot more things than just what is in our line item.

Now we have been getting some of the NEPA money. We have been getting ACL money; most recently, regulatory streamlining; and a number of other items that are actually line items within the National Marine Fisheries Service's Budget, the councils get some of it at the good graces of whoever is in charge at the time.

That has been good because it has allowed us to do more; but it is also bad in that if you ever work like for a state agency where the legislature gives you a certain amount of funds and then the rest of your funds that you operate on may be soft funding. The council is probably operating on 75 percent for operations on our line item that we get from Congress and 25 percent we get from NMFS, which I would equate to more like soft money because if something happened it could go away. That is a quick primer on how we get our money.

MR. HARTIG: Are there any other questions about the 2014 budget? Seeing none; how about council followup and priorities.

MR. MAHOOD: Gregg is going to come up and take you through that.

MR. WAUGH: The follow-up document is in there; it is Attachment 3. We're not going to go through that in detail. What we do after each council meeting is go through and update this based on your accomplishments at that meeting and your directions to us. We review this internally and then send it down to the region.

Jack is our contact person there and he and his staff go through it; and we agree on the rough timing and specific deliverables and so forth. I'll go through one or two of these so you can see how we do this. This is carrying over from Amendment 13A, the Oculina Experimental Closed Area; the ongoing monitoring; the timing so that we have a context for where we are now; and then it outlines that the Oculina Evaluation Team prepared the evaluation report in 2014.

It highlights the research needs; and then for the most part we are highlighting in yellow the things that are active now and that require some attention. This lays out the timing; and some of these presentations have been done. You all are providing input to Anna on any remaining members of the evaluation team.

That evaluation team will work January through March using webinars to put that report together. That will reviewed by the APs in April/May; by the SSC in April; and the report will be revised and presented to the council in June. We will then look that over and determine if there are any needed modifications to that Oculina Experimental Closed Area; and should there be, then we would figure out which amendment that would go into.

This carries on for all of our amendments; so you can use this. After we get it approved; and anytime there have been some major changes between the meetings, we will send this out to you; but you can use this at any time to figure out where we are in a particular amendment and what is in a particular amendment.

Given the large number of amendments that we have going, I use this almost daily. It is hard for us even to keep track of what is in each amendment. Then as you get farther into it, you'll see there is section dealing with public hearings. This goes through for each amendment and we have the SSC material is in here as well.

After this meeting, we will go through and delete all the items that have been completed. Starting on Page 46 of that document, it lays out public hearings and scoping. We have already done the webinars in November. We're looking at those January hearings and scoping; and as we get the dates and locations, we put them in here. This will be revised now based on your actions at this meeting.

We have scoping webinars and the looking ahead to August, planning on that. Then there is a list of future council meetings. This is very helpful at the top here. Our council, for your future planning, has defined meeting weeks; and so this will help you look into the future. We've got them identified through 2015; but even beyond that you can use this indicator up here to figure out when we'll have our meetings.

Then from the committee reports, that timing and task motion that we approve at the end of each committee report comes right into here so that we track specific items from each council meeting and check them off as they're done to make sure we get everything done as you have directed us to. Then we start working on the agenda.

Since December is done, I will show you March draft meeting. We will pull that up here and then fill out a rough of the June one. So particularly for committee chairs, you can look and see what is coming up; and if there are any particular items you want to see addressed, let that staff person know. Looking ahead to March, here is a rough agenda for March. There is not much there for June other than the date. We try to at least look one council meeting ahead, if not two.

At the very end will be your priorities. These were your priorities for 2013 and the rough timing. This will just be a summary of the more detailed timing; so if you want to see where the more details, just go to that section up in the body and that will have more detail. Are there any questions about this follow-up document?

MR. BELL: You said you refer to this; and it is a working kind of document that you use to just track everything. It changes or you make adjustments to it or you add to it or scratch off stuff as you go along?

MR. WAUGH: Yes; and when things are done, we check them off; and if there are needed adjustments after IPT meetings or any major changes, yes, and we periodically will be sending that out to you.

MR. BELL: That is what I was going to ask you that you just put that out to us quarterly or whatever works?

MR. MAHOOD: Yes, Mel, we talked earlier about the other document. It is really kind of a really brief summary of this. This is more detailed. We consider this our regional operating

agreement with the region; and that is what evolved into. I will give you a little more history when we get to the ROA part. But, yes, it is a critical documents; it is where you can find everything.

MR. WAUGH: And the first time on the front end it takes a little longer. We get it laid out in all the details and that usually takes two to three weeks. Then we send it down to the region and they need a couple of weeks to take a look at it. Once we get it back from them, that is the first time we will send it out to you after the meeting. We haven't set any particular time but we could send that out each month in between meetings just so you all have it to see where we are.

MR. MAHOOD: I think the summary that the staff puts together might be more useful for the council members. I think we need to send it when we first get it completed with the regional office and then the summary would really keep you up to date. It is interesting; I often sit here – well, Wilson is not still here but he is a notetaker.

I went to many years of meetings with Wilson to where you wanted Wilson there because, man, he took detailed notes. This is kind of our notes; this is how we keep track of everything that is going on. Without it, we would be lost; and sometimes we still forget things even though it is – or least I still forget things, let's put it that way, even though it is right there in front of us.

MS. McCAWLEY: I was just going to say I really appreciate you sending it out. We refer to it a lot, too, my staff and I, and it helps kind of keep us on track. If we forget something, because we're trying to bring things to our commission for consistency actions – we try to look out two years on that schedule; so we're trying to do everything from planning the commission meetings to plan what actions we need to ask them for direction on; so we use this document all the time.

MR. WAUGH: Next what I would like to do – this was e-mailed around early this morning; and this is a spreadsheet that shows – the timing information is not up to date but it shows council priorities. What I would like to do is just go through your priorities from 2013 and then talk about what is on the list for 2014.

Let me just say at the start that the number of items that we accomplished in 2013, the complexity of them was huge; and it would not have been possible without the very close working relationship that we have with the regional office staff. Thanks to Phil and Jack and everybody else down there; everybody is working very, very hard to keep up with this workload.

To be honest with you, as you will see in a minute, we're not keeping up with it. This is the first time that we haven't completed and submitted all the documents from one council meeting. You all approved four documents at the last meeting. We got two of them done. The other two are very close and will be submitted within a couple of weeks.

The workload that the regional office staff, the center staff and our staff have been operating under has just been huge. I went into Bob's office last week and I said, "Uncle, give up, we've just hit the wall." But having said that, if you look at what your priorities are here from 2013, what is left, your number two item, Regulatory Amendment 14, that is in the late stages of review. I'm finishing my review and then the Chair will look at it and then it will be submitted.

Number five, the Emergency Rule, Snapper Reg Amendment 15, I'll focus on the things that are still out there; but you can see what has been done. Reg Amendment 16 is evolved from golden tilefish and is now the black sea bass pot closure that we will be working on this year. Number 8, Reg Amendment 17, we have been working on that. That has been delayed some. Snapper Grouper Amendment 22 you talked about today; 29 you talked about today.

Dolphin Amendment 5 is done. The FEP, some work started; and the bulk of it will be done in 2014. CE-BA, which is bycatch, we will talk about just very briefly, but that is still ongoing and we will get the report from NOAA GC. Coral Amendment 12 was done. Joint Mackerel 20B; that's the one we're still trying to finish up with the Gulf.

The framework, this is the other one that you approved at the last meeting. I just have to finish my review and then the Chair will look it over. Those two will go in before the end of the year. Then the Joint Amendment on Commercial Logbooks is on hold pending the pilot project completion. All the others were accomplished, which I think on behalf of the region staff and our staff, we feel good having accomplished all of those.

Looking ahead to 2014, we've got a list of items – and I'm just going to go through this very briefly, and I'm going to ask Julie to pass out a list to all council members. What we'd like for you to do is there is a spot down here for you to put your name. The directions here are for each amendment indicate your priority, whether they're high, medium or low, with a checkmark.

What that is saying is over here you can see like for Reg Amendment 16, put a check under this high column or medium or low, depending on how you rate it. I'm going to just go down this list very briefly and then we'll leave those with you; and if you could complete them by the close of business today and give them to me, that would be great.

Then we'll tally the ranking that you give us and then bring those up for full council. We talked about Reg Amendment 16, 17; snowy grouper and mutton snapper were delayed pending the receipt of those assessments. Let me back up one second. Assuming it is approved by the council, we will have an emergency rule for blueline tilefish. That has almost the same amount of work that is involved with a framework action.

We basically put together a letter and send it to the region. They are the lead on this, but we will provide them as much assistance as they need and we can to complete that. Obviously, that is on a very fast track. Then we will have Reg Amendment 21, which will revise the minimum stock size thresholds and not the blueline tilefish ACL. We were talking about that earlier, but that is not going to be done there, so we will strike that.

And then 13A, we talked about the timing for that. The completion has to be done next year and bring it to you; and we're looking at June 2014 for that coming to you. 21 is a little more into the later parts of 2014, because that is where we handle the outcomes from visioning. We talked about 22 and 29. Then Amendment 31, which needs to be corrected to 32. 31 was I think the charterboat amendment; was that what it was, Jack; the charterboat amendment; so that is really 32.

Hopefully, we will drop the blue line rebuilding program because Reg Amendment 21 will be approved; so that would indicate that blue line is not overfished so it doesn't need a rebuilding program. We will also address the blue line tile ACL and any management measures you want; and that would need to be completed and sent to the secretary at our September council meeting. The emergency, assuming it is approved, would last for six months. We can extend it for one additional six-month period if we're actively working on a permanent fix to it. The emergency action, Reg Amendment 21 and Amendment 32 are tied together. We have the system management plan for Amendment 14 MPAs that we will be working on and bringing that to you for review.

Dolphin Wahoo Amendment 7 is scheduled for final approval at this meeting; but perhaps will need some more work and carry over to March. The Fishery Ecosystem Plan Update Number 1 we will be working on next year. That also meets our requirements to update our essential fish habitat information. CE-BA 3, hopefully that will be resolved next year.

Coral Amendment 9; this is a potential. You have asked us to look at some new information and bring that back; so if your decision is to make some changes, then that would go into that document. Shrimp closure work, if there is any; and then we've Joint Mackerel Amendment 20B, which hopefully wouldn't last too much longer.

Spanish Mackerel Framework, you just talked about taking that out to hearings. Then Amendment 24 you talked about and 26 in mackerel. The Joint Charterboat Reporting Amendment, we will talk about that in a little bit in data collection, but we need to appoint a technical committee to work on the aspects of potentially removing charterboats from MRIP and putting them under logbooks.

That technical committee's work probably will take up most of next year; so I wouldn't anticipate any action on that amendment until late year at the earliest. The commercial logbook is on hold pending the pilot study, which we will get an update on in a little bit. The generic allocation and accountability measures, you split that so we will make that change.

Then visioning workshops; and calico scallops, and this was on the bottom of the list last year and we're just sort of keeping it here. There has been some flurry of activity, but we have made two or three runs at this in the past, so I don't if that is something that would be on here. That is 24 items plus the emergency rule, which is 25, which is way too much to get done next year.

We are eagerly awaiting your guidance in terms of priorities. Again, if you fill those out and get them back to me, we will tally it, and then a part of the report to full council will be that ranking and you can just reaffirm that or make any adjustments as necessary. I'd be glad to answer any questions.

DR. DUVAL: Gregg, the Snapper Grouper Amendment 13A, the Oculina Experimental Closed Area 10-year evaluation, that is required. That is one of the things we have to get done in 2014; correct?

MR. WAUGH: That's correct.

DR. DUVAL: In other words, it doesn't matter how you rank it, it has to be done.

MR. WAUGH: Yes, but please rank that one of your high ones.

MR. MAHOOD: If you're astute, you'll rank that low knowing that it has to get done.

DR. CRABTREE: So the oculina review has to be done in '14; and that is because the FMP says we will do it?

MR. WAUGH: That's correct; it is a 10-year review.

MR. BELL: That's kind of what I was going to ask; so there is a schedule already on some of this stuff; so I guess we have to keep that in mind as well. Something might be of more importance in our mind but if it is already scheduled and it has got to be done by a certain date, then you might get some conflicting information or something. I don't want to steer you wrong or something.

MR. HARTIG: I had the same feeling. Bob.

MR. MAHOOD: I think what you've got to look at, Mel, is not if you scored something low, does that mean it is not going to get done? I think when push comes to shove, obviously those things that you all consider the lowest priority may not – it is kind of when you rank projects based on a certain amount of money and then you have that cut-off line.

Well, everything that is ranked down, as long as everything is above that line and can be funded or can be done, it will all get done. But if things get tight – and again it come down to money in the number of meetings and this type of thing. We don't know what is going to happen in 2015 and '16. It could get really tough. I think I would look at it like that and not necessarily that one would indicate you don't want to do it. One would just be if you had to give something up, that would be the one you'd give up before the twos and the threes.

MR. WAUGH: And when you do this ranking, then we will sum those numbers and show you as a part of the Executive Finance Committee Report the order. That gives you a chance then to take a look at it and say, okay, well, this might be how it came out numerically but do we need to make some more adjustments to a couple of items. You will have that opportunity at full council.

MR. BOWEN: Do we have to put our name at the bottom of it?

MR. WAUGH: Yes; we don't want anybody stuffing the ballot, you know.

MR. HARTIG: I guess when you were talking about calico scallops and you said there had been a little bit of flurry activity; do they have to have VMS?

MR. WAUGH: It is similar to royal red. Many of those vessels also fish for rock shrimp; and that would apply to calico scallop as well. If they fish for rock shrimp, then they have to have VMS on board anytime they're fishing. That would cover royal red and calico.

MR. PHILLIPS: And they're not working down south anymore. They're working out of – they were unloading in Fernandina and now I think they're unloading maybe at Cherry Point or something. They're not working down south; they're working off here.

MR. BELL: And if the pattern follows, you won't see it for ten years, probably. They will fish them down, fish the beds down, and then ten years later they'll come back. That is the trouble with trying to have a plan in place. It comes infrequently; but when it comes, it is big money and they like to take advantage of it.

MR. MAHOOD: Most of you probably don't know but this council actually developed the Calico Fishery Management Plan, submitted it to the secretary and it was rejected. We made several attempts. As a matter of fact, we may have started before we did that three or four times; and every time we got going, the industry would come to us and say, "Well, no plan; we'll take care of our ourselves." We should have had a plan a long time ago. At one point in time I think that produced something like \$48 million annually in that fishery.

MR. HARTIG: So you want this at the end of today?

MR. WAUGH: Yes; because then what we have to do is tally this up and get that to Bob to become a part of the Executive Finance Committee Report that will then get e-mailed out tomorrow morning some time so that we can deal with it at the committee level.

MR. MAHOOD: I think one of the key things – and Gregg hit on this – the last time we did this, when we came back to the council and some people looked and said whoa, whoa, we didn't want it to be that low or we didn't want it to be low in relation to this one or that one. We did adjust some things. Then by the end of the year I think we probably didn't follow it completely, anyway.

MR. HAYMANS: The ranking sometimes; I mean some of the ones – and I'll use this. Sorry, John, but I'll use the Bahamian fillet issue. It is really not that big of an issue to the whole council, it is to a small group of people, it might have a low priority, but it is extremely low-hanging fruit. It ought to be easy to do and easy to get through. It might get scored low, but yet we could get it knocked out pretty quick, I think. That is just an example of one that may wind up as a one but could be done. Well, I've heard three or four influence discussions around the table.

DR. DUVAL: Clearly, all of the stuff on the list is important. It is not that it's not and so I think it's hard when you do these kinds of things to not feel like because you are ranking something low that it reflects you're thinking that is not an important item when that is not the case. It is just what do we have the capacity to focus on next year and finish.

MR. HARTIG: Yes; that was my only thing and I think Bob gave us some guidance. Clearly, we've put some things on hold it doesn't mean they're not important, but we moved some things back. I wasn't sure how that fit into your ranking. All right, moving on, Update on the Joint Committee for South Florida Management Issues and the Ad Hoc Goliath Grouper Joint Council Steering Committee Activities; Bob.

MR. MAHOOD: If you will look behind Attachment 4, what we have there is we have scheduled a meeting of the Joint South Florida Management Issues Committee and the Goliath Grouper Joint Steering Committee. It is going to be on Tuesday, January the 7<sup>th</sup> through Thursday, January the 9<sup>th</sup>. It will be Key Largo, Florida.

Our good Florida delegation led by Jessica is kind of taking the lead on that and has developed agendas to finalize Monday. This just shows you who the members are of the different groups. The members of the South Florida Committee are listed there; the Gulf and the South Atlantic. Myself, Doug Gregory, Luiz and John Hunt serve as staff support. The members of the Goliath grouper are listed over on the right. It includes both council members and staff in that. Jessica, do you have any comments?

MS. McCAWLEY: We're working on the agenda and the materials. Even though it is almost time for the holidays, we're going to try to get the background materials out a couple of weeks in advance. Otherwise, we'll see everybody in the Keys to discuss the South Florida and Goliath grouper issues.

MS. SMIT-BRUNELLO: Bob, this a joint meeting between South Atlantic Council, some personnel; and some personnel from the Gulf Council; correct?

MR. MAHOOD: Right; it is really two committees that have been set up. One is the South Florida Issues Committee, which is all council members. The Goliath grouper steering or workgroup was set up as a mixture of council members and council staff.

MS. SMIT-BRUNELLO: And I think you've had general counsel at a previous – well, the previous meeting was a webinar; is that correct?

MR. MAHOOD: Correct. Well, you're certainly invited; I will send you an invitation.

MS. SMIT-BRUNELLO: Well, I'm just thinking for planning purposes. We don't have a budget and we have – anyway, I don't know that this was on our radar schedules, so I'll make sure we put it on quickly.

MR. HARTIG: Are there any other questions? It says action here, Bob; what action do we need to take?

MR. MAHOOD: Well, you just have to say, "Jessica, you're doing a good job putting it all together."

MR. HARTIG: Jessica, you're doing a great job putting it all together; thank you very much. All right, without any other questions, the next item is review and approve ROA Agreement.

MR. MAHOOD: Okay, if you'll look behind your last attachment, you will see the Regional Operating Agreement. Let me give you a little history on this. Back in 2005, the last time the NOAA Operational Guidelines to the councils were changed or were modified, one of the things it called for was for the councils and the regional offices and the centers and NOAA General Counsel to set up a regional operating agreement.

We went through a process that laid what the various groups did relative to developing the fishery management plan process. We put a lot of work into it, actually. Genny Faye I think in the region kind of ramrodded it for everyone. We got down to the bottom line and NOAA GC said that they could not be a signature to it. I don't know what the reasons were. I would say that Monica was very much involved in it and I think she was willing to sign, but the powers to be decided it just was not something that be done. Do you have an answer?

MS. SMIT-BRUNELLO: I think it was a staffing issue.

MR. MAHOOD: Was it a staffing issue?

MS. SMIT-BRUNELLO: I believe so.

MR. MAHOOD: I think they just didn't feel like they had the staff to be locked into things. It kind of died on the vine. When the inspector general did his assessment of the National Marine Fisheries Service, one of the things that popped back up were a couple of things. One, the operational guidelines needed to be updated; and, two, we needed to have some sort of an agreement between the NMFS folks, both the center and the regional office and the councils, laying out again what we did.

Well, conveniently we had this document already; and we were able to go into it and just make some minor changes that reflected how it developed the way we work. The changes to the original 2005 document are highlighted in yellow. Jack and Phil and the staff down there have looked at it. Our staff has looked at it. We think we got it in good shape.

We have already sent a draft up to the powers to be at the NOAA Office in Silver Spring. I think what they would like us to do a council is to go ahead and ratify this, which would allow – I can't remember if I sign it or the chairman signs it. I think I sign it – would allow me to sign it and then the other signatures would be the Regional Administrator and the Science and Research Director, which would be Bonnie for the southeast.

Mr. Chairman, I guess what we would need is a motion to approve this. If anybody has any questions, I'd certainly be glad to answer them or try to. There were two or three things we did modify in this that I need to point out to everybody. If you go to Page 6 in the document, if you look at the "products deliverables" under B in the table, the decision document was a function that used or was envisioned to be done back in 2005, but it is not anything that we do; so that would be dropped off of that table.

If you look at Page 8, you will see in blue there Attachment 1 and IPT Protocol Attachment – well, we don't have an IPT Protocol. I think that was something that was envisioned; so that would drop off of there as far as any reference. Then if you go to Page 10, at the top of Page 10 you will see Attachment 2, to ensure that we use the Data Quality Act requirements; and we're not going to attach that. We would just drop that off. It is referenced right there; and if somebody wants to know what the Data Quality Act is, they can find it. Other than that, that is pretty much what we're going with if you all approve it.

MR. HAYMANS: Well, I guess my comment goes back to Monday and really to that Page 10. This seems like a great vehicle for some of our discussions we had Monday about the council's interaction with the science center with prioritizing data needs. I know we have that document; but it would seem to me that this would be a good linkage for that, that some agreement between the council and the science center as to our role in directing those activities or requesting those activities. I know it's too late to do it here for this particular document.

MR. MAHOOD: Well, what specifically were you talking about?

MR. HAYMANS: Well, remember on Monday we had –

MR. MAHOOD: Well, I know what you were talking about then, but how would it change this document?

MR. HAYMANS: Well, there is nothing that I can see that speaks to the relationship between the council and the Southeast Science Center with regards to the council requesting research priorities for given amendments. We talked about on Monday if we had specific items, perhaps we need to be putting those into the amendments. There was some discussion – I don't know if it was from Roy or from somebody – about perhaps we shouldn't be putting those in amendments. This would seem to be a tool that we could use to establish that relationship if we decide to do that.

MR. MAHOOD: Well, we annually fill out data research needs.

MR. HAYMANS: And there is no teeth in that. You had that comment about there is really nothing to sort of push the issue that several council members had about not having certain research done. I didn't know if an operating agreement might be that set of teeth.

MR. MAHOOD: Well, that would probably be up to the Southeast Fisheries Science Center whether that we have that input into what they're doing – basically what research they're doing or how they're doing it, this type of thing. I think we probably can develop that relationship. I think Ben and Bonnie have been laying that groundwork even at this meeting. I think this just shows who has what responsibilities. I understand what you're saying.

MR. HARTIG: Essentially if push came to shove and there was something that the council really wanted that we weren't getting, we put it in an amendment. If it gets approved, then it would have to be done. That is assuming it was approved. There are options available to us; but

I think the way we're going now, I'm a little more positive about our interactions with the science center. Now we've got a road to go down, what I was pushing so hard, so I'm not dissatisfied right now.

MR. HAYMANS: So what I'm hearing is the operating agreement isn't the place to do that, then?

MR. MAHOOD: No; this is a more formal agreement that I think is needed at higher levels. We do this stuff and we work these things out amongst ourselves. They just want to see it in some sort of formal signed document. I don't know that we could lock in the specifics in this.

MR. STEELE: This document really is the primer of how we do business. It describes the products, the responsibilities, the roles and so forth during the four phases of the rule-making process that we go through. That is basically what it does. All the councils basically have the same thing; but it all stems back to our operational guidelines that we did publish in 2005. This is basically the heart and soul of what the IPT does.

MR. MAHOOD: The operational guidelines are being modified right now. I am on the team from the council group working with the NOAA folks, Mary McPherson and Emily Natchez and some of those folks to try to modify that. We're moving along. Dave Witherall is involved and Kitty is involved. We've got a good working group and I think we're going to make some headway. Again, we don't want that to be too constraining. We want it to be pretty general because all the councils and really all the NMFS regions operate somewhat differently. We're trying to keep the operational guidelines as general as possible under the constraints that we're supposed to operate under.

DR. DUVAL: Mr. Chairman, I was prepared to make a motion if you think that would be appropriate at this time. **I move that we approve the regional operating agreement as presented by staff.**

MR. HARTIG: Motion by Michelle; seconded by Charlie. Monica.

MS. SMIT-BRUNELLO: Bob, I have one slight editorial comment, which is GCSE; would you change to GCSES? A few years ago the NOAA GC Sections were renamed. Our section is now General Counsel, Southeast Section; so just add an "S" to the GCSE.

MR. HARTIG: Is there anymore discussion on the motion? Is there any objection to the motion? Seeing none; **that motion is approved.** That takes us down to the report on the CCC Meeting. Bob.

MR. MAHOOD: Our CCC meeting was held a month ago; and we did it by webinar for the first time ever. I don't think a lot of people felt it was satisfactory to do it that way because now we've scheduled our February meeting as a face-to-face meeting. I meant to put the agenda in here of the meeting, which I did not. Doug, can you recall anything of significance that we talked about?

MR. BOYD: Well, the most significant thing I think was Sam Rauch just reiterated that he wanted everybody to review allocations. He said it about three times, literally. The other thing was the budget. There was a pretty extensive discussion about the budget. I just want to say that is the one webinar that I thought worked perfectly. All the others I have been on don't work that well, but that one did work very well for me.

MR. MAHOOD: I think technically it worked well is what you're saying.

MR. BOYD: Yes, technically.

MR. MAHOOD: As far as getting a lot of conversation on agenda items, it was pretty much a bust.

MR. BOYD: No, you never do, I don't think.

MR. MAHOOD: Like Doug said, the main push was Sam. I think Sam talked about some of the new appointments in the hierarchy within NOAA. We did talk about the fact they didn't know what our budget was going to be, which does lead into one of the things that I wanted to discuss under other business.

That was what we had talked about earlier – and I guess I'm putting this on Roy – a number of the regions had heard that there was going to be an assessment on the councils to help – what was the term that was used; do you recall the term that was used?

DR. CRABTREE: Management and administrative cost assessments.

MR. MAHOOD: Yes; and the councils considered it a tax; but as high as 16 percent some of the regions had been told. We all had to say, well, we haven't heard anything from Roy so we expect he is taking care of it. I don't know what you know or don't know about that.

DR. CRABTREE: Well, what I know for now is that it is not going happen in FY-14. I don't know what is going to happen in FY-15. I had a couple of calls with headquarters about how this would impact things. I had my budget staff looking at how we could try to help make it up with you guys if it did happen.

Fortunately for this year it is not going to happen, but it does seem to me that something is going to change in how this is done. Essentially we have a large number of grants that come into the agency and then are disbursed out. Most of the grants we assess a management and administrative cost fee to them, overhead or a tax, if you want to.

We haven't done that with the councils and the commissions and I think a few other things; and I guess somewhere along the way of reviews and things we're being told we're going to have to change that and do it more consistently. I was very close to coming to you to talk about this, but I didn't want to come to you until I knew what was going to happen or until headquarters told me I could.

Then they decided not to do it this year; so I'm not sure what is going to happen at this point, Bob. I think it is a good time for all of us to be prepared that it is quite likely our budgets are going to be cut; and to the extent that we can be ready to deal with that when it happens, we should be.

MR. MAHOOD: The reason that the councils are concerned about this is that we do get our funding through the NOAA Grants Process; but we're not a NOAA grantee in the typical manner. We're an ongoing operation that is a statutory body. When they first looked at the councils and tried to determine what is going to be the easiest to transmit the money to the councils, they looked at the grant process, so that's a process we can use and that's where they went.

We're not NOAA grantees in the typical sense; and so there has been some discussion and I know some of the congressional staff have talked about looking at other ways for the councils to get the money if NOAA felt obligated to put a tax on the councils because they fall under the NOAA Grant Process.

Again, I think it is good that it was put off for a year so people can think about it a little bit. Regardless of that, I agree with Roy; we can look for reduced budgets. We're not going to have a bunch of money on 2015 and '16. I hate to be pessimistic but it is looking like it is going to be a little bit tougher; so we need to be prepared for that.

MR. HARTIG: We are under other business.

MR. MAHOOD: Under other business, I picked a poor time to bring this up; but we have several folks on our council staff that in the next couple of years will be nearing retirement. One of the requests I wanted to make to the council was kind of a small additional benefit for the council staff relative to retirement.

Our human resources department is Mike; and although that's great, we have nobody that really gives us any help with financial planning and this type of thing. We have looked at a couple of groups that will work with the staff for a minimal amount of money, less than \$2,000. I would like to be able to provide the staff with a one-time benefit of financial planning prior to their retirement. I'm bringing that request to the council after I said the budgets will be less in the future. We do have a couple of people in the near future that may be considering this. With that, Mr. Chairman, I'm making that request.

MR. HARTIG: Do we have a motion? Michelle.

**DR. DUVAL: I move that we approve the Executive Director's request to allow a one-time benefit for staff to have a financial planning consultation.**

MR. HARTIG: Seconded by David. John, discussion.

MR. JOLLEY: I think that is an excellent idea and the way to go is with a fee for service. I think that is what you're doing.

MR. HARTIG: Is there anymore discussion? Is there any objection to the motion? Seeing none; **that motion is approved.** That concludes the business for the Executive Finance Committee and we stand adjourned.

(Whereupon, the meeting was adjourned at 3:10 o'clock p.m., December 5, 2013.)

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

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Graham Transcriptions, Inc.  
January 2014

# South Atlantic Fishery Management Council

## 2013 - 2014 Council Membership

### COUNCIL CHAIRMAN:

**Ben Hartig**  
9277 Sharon Street  
Hobe Sound, FL 33455  
772/546-1541 (ph)  
mackattackben@att.net

**Chris Conklin**  
P.O. Box 972  
Murrells Inlet, SC 29576  
843/543-3833  
conklincc@gmail.com

**Deirdre Warner-Kramer**  
Office of Marine Conservation  
OES/OMC  
2201 C Street, N.W.  
Department of State, Room 5806  
Washington, DC 20520  
202/647-3228 (ph); 202/736-7350 (f)  
Warner-KramerDM@state.gov

### VICE-CHAIRMAN

**Dr. Michelle Duval**  
NC Division of Marine Fisheries  
3441 Arendell St.  
(PO Box 769)  
Morehead City, NC 28557  
252/808-8011 (ph); 252/726-0254 (f)  
michelle.duval@ncdenr.gov

**Jack Cox**  
2010 Bridges Street  
Morehead City, NC 28557  
252/728-9548  
Dayboat1965@gmail.com

**Dr. Wilson Laney**  
U.S. Fish and Wildlife Service  
South Atlantic Fisheries Coordinator  
P.O. Box 33683  
Raleigh, NC 27695-7617  
(110 Brooks Ave  
237 David Clark Laboratories,  
NCSU Campus  
Raleigh, NC 27695-7617)  
919/515-5019 (ph)  
919/515-4415 (f)  
Wilson\_Laney@fws.gov

**Dr. Roy Crabtree**  
Regional Administrator  
NOAA Fisheries, Southeast Region  
263 13<sup>th</sup> Avenue South  
St. Petersburg, FL 33701  
727/824-5301 (ph); 727/824-5320 (f)  
roy.crabtree@noaa.gov

**Robert E. Beal**  
Executive Director  
Atlantic States Marine Fisheries  
Commission  
1050 N. Highland St., Suite 200 A-N  
Arlington, VA 20001  
703/842-0740 (ph); 703/842-0741 (f)  
rbeal@asmfc.org

**David M. Cupka**  
P.O. Box 12753  
Charleston, SC 29422  
843/795-8591 (hm)  
843/870-5495 (cell)  
palmettobooks@bellsouth.net

**Jessica McCawley**  
Florida Fish and Wildlife  
Conservation Commission  
2590 Executive Center Circle E.,  
Suite 201  
Tallahassee, FL 32301  
850/487-0554 (ph); 850/487-4847(f)  
jessica.mccawley@myfwc.com

**Mel Bell**  
S.C. Dept. of Natural Resources  
Marine Resources Division  
P.O. Box 12559  
(217 Ft. Johnson Road)  
Charleston, SC 29422-2559  
843/953-9007 (ph)  
843/953-9159 (fax)  
bellm@dnr.sc.gov

**LT Morgan Fowler**  
U.S. Coast Guard  
510 SW 11<sup>th</sup> Court  
Fort Lauderdale FL 33315  
morgan.m.fowler@uscg.mil

**Charles Phillips**  
Phillips Seafood / Sapelo Sea Farms  
1418 Sapelo Avenue, N.E.  
Townsend, GA 31331  
912/832-4423 (ph); 912/832-6228 (f)  
Ga\_capt@yahoo.com

**Anna Beckwith**  
1907 Paulette Road  
Morehead City, NC 28557  
252/671-3474 (ph)  
AnnaBarriosBeckwith@gmail.com

**Doug Haymans**  
Coastal Resources Division  
GA Dept. of Natural Resources  
One Conservation Way, Suite 300  
Brunswick, GA 31520-8687  
912/264-7218 (ph); 912/262-2318 (f)  
doughaymans@gmail.com

**John W. Jolley**  
4925 Pine Tree Drive  
Boynton Beach, FL 33436  
561/732-4530 (ph)  
jolleyjw@yahoo.com

**Zack Bowen**  
11 Kingsridge Court  
Savannah, GA 31419  
912/398-3733 (ph)  
fishzack@comcast.net

PHIL STEELE  
MONICA SMIT-BRUNELLO  
BRUCE BUCKSON  
OTHA EASLEY  
DOUG BOYD  
BONNIE BONWITZ  
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Mei Bell  
Roy Crabtree  
Wilson Laney  
Jessica McCawley  
Staff contact: Anna Martin

(Continued)

# South Atlantic Fishery Management Council Staff

## Executive Director

✓ Robert K. Mahood  
robert.mahood@safmc.net

## Deputy Executive Director

✓ Gregg T. Waugh  
gregg.waugh@safmc.net

---

## Public Information Officer

✓ Kim Iverson  
kim.iverson@safmc.net

## Fishery Outreach Specialist

✓ Amber Von Harten  
amber.vonharten@safmc.net

## Senior Fishery Biologist

Roger Pugliese  
roger.pugliese@safmc.net

## Fishery Scientist

✓ Myra Brouwer  
myra.brouwer@safmc.net

## Coral Reef Scientist

✓ Anna Martin  
anna.martin@safmc.net

## Fishery Biologist

✓ Dr. Mike Errigo  
mike.errigo@safmc.net

## Fisheries Social Scientist

✓ Dr. Kari MacLauchlin  
kari.maclauchlin@safmc.net

## Staff Economist

✓ Dr. Brian Chevront  
brian.chevront@safmc.net

## Science and Statistics Program Manager

✓ John Carmichael  
john.carmichael@safmc.net

## SEDAR Coordinators

Dr. Julie Neer - julie.neer@safmc.net  
Julia Byrd - julia.byrd@safmc.net

## SEDAR Admin/Outreach

Andrea Grabman  
andrea.grabman@safmc.net

## Administrative Officer

✓ Mike Collins  
mike.collins@safmc.net

## Financial Secretary

Debra Buscher  
deb.buscher@safmc.net

## Admin. Secretary /Travel Coordinator

Cindy Chaya  
cindy.chaya@safmc.net

## Purchasing & Grants

✓ Julie O'Dell  
julie.odell@safmc.net

# PLEASE SIGN IN

So that we will have a record of your attendance at each meeting and so that your name may be included in the minutes, we ask that you sign this sheet for the meeting shown below.

## South Atlantic Fishery Management Council December 2013 Meeting

**Executive Finance Committee:**  
Thursday, December 5, 2013

<u>NAME &amp; ORGANIZATION</u>	<u>AREA CODE &amp; PHONE NUMBER</u>	<u>EMAIL ADDRESS</u>	<u>P.O. BOX/STREET CITY, STATE &amp; ZIP</u>
Emily Helmick Pew			
Karen Carr	843-819-8169	karr@peaftrusts.org	Po Box 9357 Charleston SC 29402
Randy Johnson	5FAECS 386-239-0948	DSF2009@aol.com	Po Box 9357 32120-9351
Leda Dunmore Pew	505-393-7934		
DICK BRANT	CLIA		

South Atlantic Fishery Management Council  
4055 Faber Place Drive, Suite 201  
North Charleston, SC 29405  
843-571-4366 or Toll Free 866/SAFMC-10

78	L, I	<a href="mailto:captaindrifter@bellsouth...">captaindrifter@bellsouth...</a>	219 min
70	Lloyd, Vic	<a href="mailto:vic_lloyd@bellsouth.net">vic_lloyd@bellsouth.net</a>	1 min
62	holiman, stephen	<a href="mailto:stephen.holiman@noaa.gov">stephen.holiman@noaa.gov</a>	221 min
61	collier, chip	<a href="mailto:chip.collier@ncdenr.gov">chip.collier@ncdenr.gov</a>	251 min
60	Mehta, Nikhil	<a href="mailto:nikhil.mehta@noaa.gov">nikhil.mehta@noaa.gov</a>	229 min
55	Meadows, Sarah	<a href="mailto:sarahmeadows23@yahoo.com">sarahmeadows23@yahoo.com</a>	77 min
51	Baker, Scott	<a href="mailto:bakers@uncw.edu">bakers@uncw.edu</a>	207 min
51	Takade-Heumacher, ...	<a href="mailto:htakade@edf.org">htakade@edf.org</a>	89 min
49	raine, karen	<a href="mailto:karen.raine@noaa.gov">karen.raine@noaa.gov</a>	249 min
45	meyers, steve	<a href="mailto:steve.meyers@noaa.gov">steve.meyers@noaa.gov</a>	199 min
42	michie, kate	<a href="mailto:kate.michie@noaa.gov">kate.michie@noaa.gov</a>	244 min
40	Gerhart, Susan	<a href="mailto:susan.gerhart@noaa.gov">susan.gerhart@noaa.gov</a>	220 min
38	Byrd, Julia	<a href="mailto:julia.byrd@safmc.net">julia.byrd@safmc.net</a>	246 min
38	Martin, Gretchen	<a href="mailto:gmartin@edf.org">gmartin@edf.org</a>	238 min
35	Eich, Anne	<a href="mailto:annemarie.eich@noaa.gov">annemarie.eich@noaa.gov</a>	14 min
34	sandorf, scott	<a href="mailto:scott.sandorf@noaa.gov">scott.sandorf@noaa.gov</a>	229 min
33	Simmons, Carrie	<a href="mailto:carrie.simmons@gulfcounci...">carrie.simmons@gulfcounci...</a>	206 min
33	Bademan, Martha	<a href="mailto:martha.bademan@myfwc.com">martha.bademan@myfwc.com</a>	219 min
32	Rindone, ryan	<a href="mailto:ryan.rindone@gulfcouncil....">ryan.rindone@gulfcouncil....</a>	111 min
32	Clemens, Anik	<a href="mailto:anik.clemens@noaa.gov">anik.clemens@noaa.gov</a>	173 min
31	Bresnen, Anthony	<a href="mailto:anthony.bresnen@myfwc.com...">anthony.bresnen@myfwc.com...</a>	208 min
29	Ballenger, Joseph	<a href="mailto:ballengerj@dnr.sc.gov">ballengerj@dnr.sc.gov</a>	232 min
29	DeVictor, Rick	<a href="mailto:rick.devictor@noaa.gov">rick.devictor@noaa.gov</a>	182 min
28	Package-Ward, Chri...	<a href="mailto:christina.package-ward@no...">christina.package-ward@no...</a>	189 min
27	gore, karla	<a href="mailto:karla.gore@noaa.gov">karla.gore@noaa.gov</a>	165 min
27	Helies, Frank	<a href="mailto:fchelies@verizon.net">fchelies@verizon.net</a>	199 min
26	Muir, Kirsten	<a href="mailto:kmuir2@emory.edu">kmuir2@emory.edu</a>	63 min
26	Denit, Kelly	<a href="mailto:kelly.denit@noaa.gov">kelly.denit@noaa.gov</a>	86 min

25	Crosson, Scott	<a href="mailto:scott.crosson@noaa.gov">scott.crosson@noaa.gov</a>	58 min
25	burton, michael	<a href="mailto:michael.burton@noaa.gov">michael.burton@noaa.gov</a>	51 min
23	Stump, Ken	<a href="mailto:maggiewdc@gmail.com">maggiewdc@gmail.com</a>	36 min
22	Smart, Tracey	<a href="mailto:smartt@dnr.sc.gov">smartt@dnr.sc.gov</a>	40 min
79	Karp, Fran	<a href="mailto:francine.karp@gmail.com">francine.karp@gmail.com</a>	274 min
76	morgan, jerry	<a href="mailto:b8ntackle@aol.com">b8ntackle@aol.com</a>	167 min
71	Mehta, Nikhil	<a href="mailto:nikhil.mehta@noaa.gov">nikhil.mehta@noaa.gov</a>	165 min
70	L, I	<a href="mailto:captaindrifter@bellsouth.com">captaindrifter@bellsouth.com</a>	3 min
69	Hartig, Patty	<a href="mailto:pattyhartigpainter@att.net">pattyhartigpainter@att.net</a>	214 min
60	Womack, Brenton	<a href="mailto:jwomac2@emroy.edu">jwomac2@emroy.edu</a>	53 min
56	holiman, stephen	<a href="mailto:stephen.holiman@noaa.gov">stephen.holiman@noaa.gov</a>	115 min
49	raine, karen	<a href="mailto:karen.raine@noaa.gov">karen.raine@noaa.gov</a>	147 min
42	spain, bill	<a href="mailto:bill@harborlightsoftware.com">bill@harborlightsoftware.com</a>	6 min
42	michie, kate	<a href="mailto:kate.michie@noaa.gov">kate.michie@noaa.gov</a>	150 min
41	Lloyd, Vic	<a href="mailto:vic_lloyd@bellsouth.net">vic_lloyd@bellsouth.net</a>	30 min
39	meyers, steve	<a href="mailto:steve.meyers@noaa.gov">steve.meyers@noaa.gov</a>	274 min
38	sandorf, scott	<a href="mailto:scott.sandorf@noaa.gov">scott.sandorf@noaa.gov</a>	252 min
37	Takade-Heumacher, ...	<a href="mailto:htakade@edf.org">htakade@edf.org</a>	247 min
35	Byrd, Julia	<a href="mailto:julia.byrd@safmc.net">julia.byrd@safmc.net</a>	274 min
35	DeVictor, Rick	<a href="mailto:rick.devictor@noaa.gov">rick.devictor@noaa.gov</a>	142 min
33	Clemens, Anik	<a href="mailto:anik.clemens@noaa.gov">anik.clemens@noaa.gov</a>	132 min
32	Helies, Frank	<a href="mailto:fchelies@verizon.net">fchelies@verizon.net</a>	167 min
32	Bademan, Martha	<a href="mailto:martha.bademan@myfwc.com">martha.bademan@myfwc.com</a>	176 min
31	Baker, Scott	<a href="mailto:bakers@uncw.edu">bakers@uncw.edu</a>	157 min
30	Hadden, Whitney	<a href="mailto:tiftonkid@yahoo.com">tiftonkid@yahoo.com</a>	62 min
30	Knowlton, Kathy	<a href="mailto:kathy.knowlton@gadnr.org">kathy.knowlton@gadnr.org</a>	158 min
29	Bresnen, Anthony	<a href="mailto:anthony.bresnen@myfwc.com">anthony.bresnen@myfwc.com</a>	176 min
27	Eich, Anne	<a href="mailto:annemarie.eich@noaa.gov">annemarie.eich@noaa.gov</a>	141 min

