

SOUTH ATLANTIC FISHERY MANAGEMENT COUNCIL

EXECUTIVE FINANCE COMMITTEE

**Town & Country Inn
Charleston, South Carolina**

October 3-4, 2018

Summary Minutes

Executive Finance Committee

Jessica McCawley
Chester Brewer
Steve Poland

Mel Bell
Doug Haymans

Council Members

Anna Beckwith
Chris Conklin
Tim Griner
Art Sapp

Dr. Kyle Christiansen
Dr. Roy Crabtree
LCDR Jeremy Montes
Spud Woodward

Council Staff

Gregg Waugh
Dr. Brian Cheuvront
Kimberly Cole
Mike Collins
Dr. Mike Errigo
Kathleen Howington
Roger Pugliese
Amber Von Harten
Dr. Julia Byrd

John Carmichael
Myra Brouwer
Dr. Chip Collier
Kelsey Dick
John Hadley
Kim Iverson
Cameron Rhodes
Christina Wiegand

Observers and Participants

Dr. Jack McGovern
Monica Smit-Brunello
Dr. Tom Frazer
Shep Grimes
Charlie Phillips

Rick DeVactor
Dr. Erik Williams
Erika Burgess
Frank Helies

Other observers and participants attached.

The Executive Finance Committee of the South Atlantic Fishery Management Council convened at the Town & Country Inn, Charleston, South Carolina, Wednesday afternoon, October 3, 2018, and was called to order by Chairman Jessica McCawley.

MS. MCCAWLEY: I am going to call to order the Executive Finance Committee. Let me name who is on the committee. It's myself, Mel Bel, Chester Brewer, Doug Haymans, and Steve Poland are on the committee. The first order of business is Approval of the Agenda. Are there any changes to the Executive Finance agenda? All right. Are there any objections to approval of the agenda? Seeing none, the agenda stands approved. The next order of business is the June 2018 Committee Minutes. Any modifications or changes to those minutes? Any objection to approving those minutes? Seeing none, the minutes stand approved.

We're going to go out of order here. The first thing that we're going to take up today is the priorities and tiering this afternoon, and it will make sense when we get through this, because we're going to be taking some surveys, and then, tomorrow, we're going to look at the results of those surveys, and so I am going to turn it over to Brian, but, before I do that, this was something that we talked about at the last meeting extensively, and this was one of my bright ideas, that we have been using a complicated spreadsheet to figure out what we were going to work on at the next meeting, and it was difficult, and, even though we had a rule that maybe we only wanted to try to work on four large amendments, I felt like we were working on, I don't know, twenty-something different items at one time, even though we said that we only wanted to do four.

It was getting out of hand, not just for staff, council staff or NOAA staff, but it was really getting out of hand for the council members to try to review all of those items and get prepared for the council meeting, and so this is kind of the start of a discussion to think about another way to look at this and to rank items and then pair those rankings with the council members ranking them for their importance and then kind of figuring out what we're going to do at not just the next meeting, but also the meeting after that and a couple of meetings after that, because sometimes we talk about things, and we don't bring them back.

It's just like Doug said, that we're not going to bring Mackerel back to the next meeting, and maybe two meetings from now, and so just trying to capture that in a place where people know where things are in the process, and so I appreciate staff and all their work on this, and I'm going to turn it over to Brian.

DR. CHEUVRONT: Thank you, Madam Chair. I just wanted to let you all know, just to recap for you, that we've been struggling, as Jessica has said, figuring how much -- What's the workload and all of this for the council as well as for council staff. We had a really productive conversation in June in talking about ways that we could actually go about doing that, and so, behind the scenes, council staff and Jessica, basically, we've been working over the summer and trying to figure out ways that we can make this a quick, useable process for you, and we've come up with a draft method that I would like to explain to you all today.

Now, I'm going to tell you that there are now two documents on the website, in the briefing book under late materials, and they are Tab 9, Attachments 4c and 4d, and 4c is an updated version of the one that was there, and, I mean, we were working on this up until yesterday, and so it's hot off the presses here, and 4d is a spreadsheet, and so I'm going to be referring to those things as we go through this.

Now, what we looked at doing was sort of getting staff input. When I am referring to staff now in this conversation, I am referring to council staff as well as SERO staff, because we've all been working on this together, because the staff from the two organizations work together to form the IPTs, and the IPTs basically are the ones who are doing the heavy lifting in between council meetings, working on documents and doing analyses and putting things together and making recommendations to bring back to the council and all of that.

It's a real workload issue for us as well, and your priorities are what drive our work efforts. Basically, we work from meeting to meeting, and we have an overall larger picture of what we're trying to get done in the long run, but the specifics of what we do from one meeting to the next is driven by what this council tells us they want to do, and so everybody has a vested interest in working through this.

The document 4c, Tab 9, 4c, and I am bringing it up right now, what we did is we talked about using a tiering kind of method to look at this, and, actually, this is not the one that I wanted. Let me close that one. That's an older version. Here it is, and so what we did is -- I am going to give a shout-out, first, to Chip Collier. He took a first crack at looking at how we could tier amendments and looking at the criteria that we could use to help us determine how much work needs to be done on the different amendments, and then it went through several edit versions, but Chip did the first draft of it, and it was really, really helpful in putting this together.

What we've come up with is a two-step process. From now on, in the future, if we continue with this process in the future, and so I'm going to want feedback from you tomorrow, when we get the survey results and all of that back, but what we wanted to do is figure out what can the council and SERO staff add to the process to help you figure out how much work needs to be done and how much work can we do between now and the next meeting, and so we came up with eleven criteria that -- That's what I just told you was uploaded to the briefing book online, under the late materials, and so you can get these two documents from there. This is Tab 9 under Executive Finance, Attachment A4c.

What we're doing is we've got these criteria that we're using, and so, for example, just so you can see what council staff are doing, the first criterion is are the data available, data availability, and so if it's the data are already analyzed, we would say -- We would give it a score of one, meaning it's not much work that needs to be done there, but then you can see that data are available and ready to be analyzed would be a score of three. Data are available, but not quite ready to be analyzed yet, that's a score of five.

Now, here is one that's different than all the others. We have five tiers. The fifth tier is that we can work on this, but we can't bring you something back at the next meeting. In this case, we have data need to be requested for the analysis, and that may mean that we don't know yet what is needed, because we don't have enough direction from the council yet to state that these are the data that we need and we need to go to the Science Center or whoever, ACCSP or whoever, to get the data that we need to perform the analyses, and so it's highly unlikely that we would be able to do analysis and bring it back to you at the next meeting. It doesn't mean that we wouldn't work on it, but it just means that there's probably nothing available.

Then we have other items, like analyses still need to be done for the amendment, sections that need to be completed in the amendment, the number of actions, the number of species affected, the type of a plan amendment, because just the type determines, in some cases, the amount of work that needs to go into it. Then whether we know what kind of a NEPA analysis needs to be done, whether ESA has to happen, and so on.

What the staffs are doing is putting together a pretty objective number. The council staff and the SERO staff each have a lead that help coordinate the activities for each FMP, and those two people work closely together to coordinate all the activities of everybody else on the IPT, and so what we're doing now is we have the two leads from each organization getting together and scoring each amendment that they are the leads on for these activities.

What we do is we come up with a score, and we sum them together, and so we have five tiers, is what we come up with. A Tier 1 amendment is low-hanging fruit. We can knock that out, and it's almost done. That is probably -- A minimum score is going to be eleven, and so eleven to fifteen. That means there's not a whole lot of work to be done on this, and we can easily knock that out.

Tier 1 things, I don't think we really even need to count those in the amendment load, because this is so easy for us to probably get together at that point. Then we have Tier 2 that requires some work, and Tier 3 is some significant work. Tier 4 is a lot of work, and Tier 5 is we can't bring something back to you at the next meeting, but we could still be working on it.

Now, most things that end up in the Tier 5, and probably the Tier 4 categories, have data things that are going on, because that's our big time consumer, and, after that, it would be section writing. The other thing I want to point out is that these scores are going to be done prior to every single meeting, because they are going to change over time. As work gets done, the tier level will eventually come down, or that's the thought of what's going to happen, and so I want to put that out there. Just because it's a Tier 3 now, it doesn't mean that it's not going to be a Tier 2 at the next meeting.

What we've got now is I've got a spreadsheet, and this is the other attachment that you all got. You can see that -- I'm just going to start going -- There's a couple of sections on this one page, and let me show you what I've got here. These actually follow the same order that are in the follow-up document that we'll be talking about later, but, in the follow-up document, it shows the different amendments, and I have each amendment, or in some cases the review or something, is in a row on its own.

We have Snapper Grouper Amendment 38, which is blueline tilefish north of Hatteras. This has been hanging out there for a while, and we haven't done much with it for a while, but we don't want to lose track of anything that we need to keep working on, and so everything ends up on this spreadsheet.

The SERO staff lead is Mary Vara, and the council staff lead is Roger, and the IPT leads have ranked it a Tier 5, because we don't really know where we're going with this yet, and we don't know what data are needed. Data haven't been requested yet, and so one of the things that Jessica asked us to put in there is when is the next time that the council really needs to be considering this amendment, if we know it, if we know when the next time is, because, in some cases, one of the criterion that we're looking at is is there a statutory deadline and things like that.

If we know when something needs to be looked at, I have put that there and the date that the council began working on the amendment, so you can get an idea of how long things have been sitting around. If you look at this, this amendment, Snapper Grouper Amendment 38, was first really talked about in March of 2015, and, as you can see, we really haven't moved very far with that.

Things that are up for approval to send for secretarial review at this given meeting, like Snapper Grouper Abbreviated Framework 2, doesn't have a tier on it, because your task here this week is to decide whether to send it in for secretarial review or not, and so there is no work that needs to be done on that between now and the next meeting, and so we have a black box in that column for those things.

Now, also, if you look over at the scoping column for Abbreviated Framework 2, scoping is blacked out. When you do an abbreviated framework, you don't have to do a scoping session. That's not a requirement, and so, when you get down here to the wreckfish ITQ review, we're not doing an amendment. We're doing a review, and so the requirements that are needed for that review are different than they are for typical amendments, and so here we have all the amendments and everything listed that you could be working on.

Now, I have down here, and I do have an abbreviation explanation, because I needed to keep this spreadsheet from getting too terribly wide, but, for the council to work on in September of 2018, these are all the things that you told us last June that you wanted us to bring back to you at this meeting. Now, what we have done is there have been some discussions, but nothing is etched in stone here. This is some tentative things that you have sort of indicated to us that you want to see in December, but it's not really quite there yet, and that's what we're going to be working on when you respond to the emails that I'm going to be sending out to you.

Then Jessica wanted us to sort of then project out a little bit further than that. What potentially could the council be needing to work on say in March of 2019? That is where we are with this, but what you're going to do is you're going to receive an email that will be coming from me, and it's through the Survey Monkey program. We want your opinions on what you think should be the amendments and things that the council should work on.

Now, I am hoping this is going to work well for me, but I'm going to pull up the Survey Monkey online here, and I just want to give you an idea, so that you can see, and this is really quite simple for what you're going to be asked to do. What you're going to get is, when you log on, when you click on the link from the email, you're going to see that these follow the same order as in the spreadsheet. You don't have to rank order anything. All you have to do is grab this little button on the bottom, where it says from not important to extremely important. You just click on that button, and you drag it to the right as far as you think it is important to work on for the next meeting or not. That's all you have to do, and you do it for each one of the amendments and let us know how important you think that is to work on at the next meeting.

MS. MCCAWLEY: Can I ask a question?

DR. CHEUVRONT: Sure.

MS. MCCAWLEY: Unlike the old system, where we were giving it a number, like what's number one and what's number two, this is just how important each one -- We're not trying to rank one relative to another one or any of that.

DR. CHEUVRONT: That is correct. You view each one independently, because what's going to happen is I can use -- When I get all the results back from everybody, Survey Monkey will tabulate it all for me, and I'll be able to put it into a report, and I will be able to have them rank-ordered by the scores that they were assigned, and so you don't even need to worry about numbers, and you don't need to rank them in relation to each other or anything. Just do whatever score you think that individual amendment should get.

MR. BELL: It's a geeky question, but, when you move it, does it actually though hit on a specific number in there, or is it literally two-and-a-half or 2.6 or --

DR. CHEUVRONT: It's a scale of 1 to 100, and so it's fluid movement, and so, wherever you drop it, it's going to assign the number between 1 and a zero, from zero percent to 100 percent, based on where you drop that thing. The higher the number, the more important it is, and so all it's going to do is -- I've got it so it will just score, tally, it all for me in the end, and then I will be able to come back to you all tomorrow with the results and say this is the top order, and everybody gets to do it privately and take time to think about it. All you have to do is click on the button in the email that you are going to receive from me. As soon as I get back to my desk and log on, and I have to hit the button that says "send it to the recipients", and I've got all your email addresses in there.

MS. MCCAWLEY: All right. We've got questions coming.

MS. SMIT-BRUNELLO: Just for the record, council members will complete this individually and send it to you or to Survey Monkey or whatever, but you will announce the results in open council session, so everybody will be able to see what the scores were?

DR. CHEUVRONT: That is correct. That's the plan, and the whole -- The PDF document that we uploaded explains the whole process from start to finish on how we came up with the different criteria that are used to give the tiers, some things that the council members can think about when they are wanting to assign a weight to each of the amendments, and then they will be scored and then brought back to -- The idea, if we're going to try to do this in the future, is that, as soon as we finish all of the species council meetings, in the future, I will just be able to send you the email with the button on it, and, bam, you push it, and, the next day, when we have a -- Because, typically, we have Executive Finance on the last day of meetings. We'll have the results, and we'll just go through them right then and there, and we can make the final decisions about what you want the council to work on, and we don't have to spend a lot of time hassling back and forth of, well, what do you think about this one and what do you think about that one, and so the process is out there in the public now. The votes from each of you are private, but, once they're all tallied, they will be presented publicly, and so, how you vote, nobody is going to know, other than me, but I'm not telling.

MS. MCCAWLEY: I have questions, and then we'll take questions from anyone else, but can you back up to the Excel file, if you can? How, in the part below, and maybe there's a good way to see this, but, like the for December 2018, are you just supposed to scroll up and figure out if it has

a statutory deadline, so that you will know that before you do your questionnaire? How do you know, from the list for December, what definitely has to come back because of deadlines?

DR. CHEUVRONT: I told you this was a work in progress. No, but you're right. I think that actually is a really good addition on there that we need to put up in this larger part of the table, because that is a huge driver on some things and not an issue at all for others, and so I'm going to take that back, and I'm going to add a column that is yes or no for statutory deadline, and I will add that to it, because I think that's a great idea, because you don't have any way of truly knowing. I think, right now, the only thing that actually has a statutory deadline for when it needs to be completed is red grouper, Snapper Grouper Regulatory Amendment 30, I believe.

MS. MCCAWLEY: Wreckfish doesn't have a deadline?

DR. CHEUVRONT: We had a statutory deadline to start, not end, and we met the deadline. You will notice that was one of the tweaks that I made in that description, because that came up in our discussion with staff, after I had done this, is that a statutory deadline is -- We had to clarify that it was a statutory deadline for when it needed to be done. We met the deadline to start it, and so we're good there.

MS. MCCAWLEY: Knowing that I think would be helpful before you go into the questionnaire, and it seems like some way to know it up top and then some way, when you're looking out -- In this case, it would be for December and March, but if there was a way to color-code or something, so that we know to look up that there is a statutory deadline and that is one of the ones that needs to come back, because of the deadline, I think would be helpful, because what if there is a deadline on say turtle release, but everybody marks that as their lowest item, but, because there is a deadline, it needs to come back, and I guess that's my concern.

DR. CHEUVRONT: Actually, I think your idea of color-coding it is probably the best way to do it, because that makes it very easy, and it makes it stand out, and so I think what I will do is I will put a note in there about color-coding those that have a statutory deadline.

MS. MCCAWLEY: Other folks? I feel like Mel and I had the benefit of looking at this in advance, but everybody else -- They're just seeing this now, and so please ask questions. There is the Word document part, plus this Excel sheet part, and so if folks want to look at it and ask questions and throw things out there.

MR. SAPP: You're talking about color-coding the questionnaire to where you can't miss it?

MS. MCCAWLEY: We were actually talking about color-coding this Excel sheet, so that you could see if there was one that -- We would have the discussion here, and you would know, before you filled out your questionnaire, that this one is red or whatever and that it needs to come back because of a statutory deadline.

DR. CHEUVRONT: When you are looking at it online, it's pretty easy. Just like how I showed you, you just go down from one to the next, and it just scrolls right now. It's as simple as it can be, and it all comes up on one screen, and there is simple instructions right at the top, and you just grab each one of those sliders and move it over. It's pretty straightforward. I tried to make it as absolutely unbreakable as possible.

MS. MCCAWLEY: What else? Are there more questions about the whole tiering process and then how you put the numbers together with the questionnaire results, or are you just going to want to test it out and see if you can break it and we'll talk about it more tomorrow?

DR. CHEUVRONT: You can always contact me in between now and then if you need to, trying to figure out -- If you have questions or something comes up that you don't understand or need a little bit of coaching on, but I think this is something that we'll have to practice once or twice and see if we can make it work and see if this all works for you.

This first time, of course, this is a fairly big effort, a heavy lift, because we're just trying to put it together. In the future, these documents will be part of your briefing book, and so you'll have all of that information available, and so you could even think about it some before you get here, but it will be during the council meeting that I will send you the email with the link for the specific survey for that meeting.

MS. MCCAWLEY: Brian, as we go through the meeting week, this document, at each council meeting, would be changing, both -- Not the tiering part, but the what's needed and what would be on the possible list, and I guess it's changing in the survey as well, and is that what is happening throughout the week, as white papers and all sorts of other things are added?

DR. CHEUVRONT: When you get your email, you will notice that Snapper Grouper Amendment 47 is not on the list, I'm assuming, because, right now, as it stands, after yesterday's vote, it's no longer going to be worked on, and so there is no reason to put it on there. If you all choose, at Full Council, to bring it back, then we just have to have the discussion as to where it would fit, but what I'm doing is I'm able to -- As long as I have an internet connection, I can very quickly go in and modify these things as we're doing it, and so it's not a huge burden on me to do this on the fly, and so that's why I wanted to wait until later to send you the email, because I want it to have the most up-to-date thing.

Obviously, in the future, you're going to come up with new amendments and things that you're going to want to work on, and I will add those to the list. They just won't have a tier assignment, because no work has been done on them yet, but you can tell us what you want us to do.

MS. MCCAWLEY: Okay. More questions or comments?

MR. POLAND: I just -- Brian, I am just trying to think, operationally, how this is going to work with the tiering process. I see on here there is a lot of stuff sitting in Tier 5, and if the council wants staff to move forward with a new amendment or action or something like that that requires analysis, and it's automatically dumped in Tier 5, and I see there's already a lot of Tier 5's here, and some staff might have multiple amendments sitting in Tier 5, and how are they going to prioritize their work if they have got multiple analyses to do on Tier 5, and then where does the input from the council -- Say, for example, there is an amendment to just -- I don't know, but something very quick, like a brief framework amendment just to take care of some just regulatory discrepancy, and there's also an amendment to do something off-the-wall, like a slot limit for dolphin or something like that, that requires a -- They both require an analysis, and if they both get dumped on one person, how are they going to prioritize that analysis, because my concern is, if

they're both sitting at Tier 5, and then, all of a sudden, there's a bunch of Tier 5's that pile up, I just want to know how that kind of moves back to us.

DR. CHEUVRONT: Sure. Certain things, like an abbreviated framework amendment, that's probably not going to sit in Tier 5, because we already know what the projected ACLs will probably be, because you will give us that information, whether you want say the ACL to be equal to ABC, and you would have that discussion at the time that you tell us to do that amendment. That's pretty straightforward and quick and easy, and that's not going to be a Tier 5.

As far as which staff is doing what and how -- That's part of what my job is. If I have to move people around sometimes on amendments, which sometimes I do, and we've had to do that recently with regards to snapper grouper amendments, and that's part of what I've got to figure out. Our goal is for you to tell us what you want us to do. Part of my job is to make it happen.

If I need to move staff around to do that, that's what I do, and you will see the ones that are Tier 5 now are things that have been -- If you look in the follow-up document, we have a section called purgatory, because there is things that the council has worked on, but they haven't worked on in a while, and we don't want to lose track of them, but some of those things -- If it's workable, they're in this list, and we may not have gotten very far with those things, but we just don't want to lose track of the things, because the workload is so heavy now that you cannot work on everything at every meeting, which is what we used to try to do, and everybody was getting totally overwhelmed by all of that, council and staff and everybody, and we just can't do that anymore.

We were trying to come up with a way that would allow us to have you all define for us what you want us to work on. Just because it says it's Tier 5, that doesn't mean that you can't tell us that we want you to work on that. We want you to tell us that, if that's what your priorities are. We will make it happen, and so what we can do is, tomorrow, when I bring back the rankings by score, you can look and see what has scored high, and there may be something on there, like the marine aquaculture plan -- Well, that's got some issues, but, for some reason, you all may vote that a real high thing that you want to work on.

Well, okay. That tells us that we need to start addressing those issues now, as much as we can. That means that analysis needs to be done, and we'll start doing analysis, and we'll get that ball rolling, but it just may mean that we can't bring anything back to you in December, but, maybe in March, we can make that as our goal, to bring that back to you in March. That's kind of the way it will work. Part of my job is to help juggle all of this stuff and manage staff workload and get 'er done.

MS. MCCAWLEY: More questions and concerns here? I'm sure we're going to hit some snags as we move through this the first time.

MR. BELL: No question or concern, but the first thought is thank you for helping to kind of push this along, and thanks to you and Chip and whoever was involved. I mean, this is great, because that's one of the things we do struggle with, is too much stuff and how do we prioritize, and so this looks great, and let's see how it works and see if we can break it.

DR. CHEUVRONT: Just in closing, in a few minutes, I'm going to send you all the email that will have the link, so you can start working on this, and, if you want to do it at some point, that's

great. I would just like if you could have it done prior to the start of the meeting tomorrow morning, and that would be really good, because, that way, I've got -- I also have to tabulate all the results and get Kimberly to print it out for me, so we can have it when we get back to Executive Finance.

MS. MCCAWLEY: So you have homework. Thank you, Brian. Thanks so much for working on this. I can't wait to see how it goes. All right. We're going to go back to the beginning of the agenda, which is the Magnuson reauthorization.

MR. WAUGH: In terms of Magnuson reauthorization, we had a Council Coordinating Committee Legislative Committee call on September 28, and Dave Whaley, who is under contract to all the councils, gave us an update, and I will relay some of the information from Dave. He is pretty pessimistic on whether MSA will move in this year's Congress. There is a slight chance, maybe in the lame duck, but there is likely going to be a lot of stuff to come up in the lame duck session, and so he doesn't think there is much of a chance that it's going to move.

HR 200 is more comprehensive, and that has passed the House. Environmental NGOs object to some of the provisions that are in there that give us more flexibility, and they have raised concerns with the senators, such that it's not likely the Senate will take up HR 200 in its present form.

The Senate bill includes items desired by the recreational community, and there are several holds on that bill. Senator Wicker's staff are working to remove those holds. Two of the big items are that rebuilding section, and that's one we would like to talk about a little bit here today and get some more guidance on, in case we get asked to comment. We can't lobby, and so we have to wait and, if we're approached by congressional folks, their staff, then we can respond to them.

One section has to do with rebuilding, and there is a lot of concern about raising the probability of overfishing from 50 percent, and, if you're not making adequate progress in two years, then you raise it to 75 percent. Now, we'll get into the specifics of that in a minute, but it's kind of like telling the fellow who can't high jump over five feet to tell him that now you've got to jump over seven-and-a-half feet. It sounds like a good idea on paper, but it just doesn't work.

They are looking at removing that rebuilding section, and that is good that it will remove that portion, but it also then would leave us with that arbitrary ten-year rebuilding provision, and so there is some good and some bad about that. There is also apparently concern over the exempted fishing permit section, and so there's talk about removing that, to release the hold on. If the Senate does send their bill to the House, the House could accept it, amend it, or take no action, and then the bill would die, and so, overall, it looks pretty gloomy for any action on MSA this year.

I asked him if, okay, if nothing moves this year, then, next year, do we start up with the existing bills, and that depends on what happens with the election. If the leadership changes, then all bets are off, and so we'll just have to wait and see on that.

In terms of our comments on HR 200, we now know what's in the bill, because it has passed the House, and we have provided comments along the way, and so we've got those letters. We have got the CCC working paper, and so I'm pretty comfortable that, if we get asked to comment on that any, that we've got sufficient material to pull from, but I did want to see if there is any additional thoughts on HR 200 before we move to the Senate bill.

MS. MCCAWLEY: Comments or concerns? Okay.

MR. WAUGH: Then, moving on to the working paper, you have this working paper, and this is a document that we update periodically to address issues, and we don't write that specific to any one piece of legislation, and so it's a document that stays and we can pull from. It's helpful when you get new congressional folks, because it has each council's regional perspective. Then there is a consensus statement, and those regional perspectives are up to each of the councils.

As you all look at that material, if you see some of that material in our regional perspectives that you want to change, we can do that on our own, and then we update the document. The consensus statements are a compilation of the eight councils' thoughts, and those have to be negotiated with the other councils, and those are approved at our CCC meetings.

Next year, we become the host council for the CCC process, and so there will be a February meeting, and Jessica will lead that. NMFS takes the primary lead on the agenda for the February meeting, and that mostly deals with budget issues. Then the May meeting we will be hosting here in Charleston, and the councils take more of the lead on the agenda for that May meeting, but you can see the items that are in here. We did add some new topics dealing with aquaculture and mixed-use fisheries LAPP moratorium at the last meeting, and so, again, if you have any thoughts on any of those issues, we can add to our section.

Within the Senate bill, there is two items that I think it would be helpful for us to have some more guidance on. The first, we have some guidance already, and we may be okay on, but this is one that the councils wanted to raise again, and Section 101 describes a process for allocation review for the South Atlantic and Gulf of Mexico mixed-use fisheries. The way the bill is worded now is it would require NMFS to spend approximately a million dollars to have the National Academy of Science conduct a study looking at ways to allocate.

We have several documents that the councils, the eight councils, have worked on with NMFS that lay out how we're going to develop triggers and how we're going to do allocation, and we're starting into the process now of looking at reallocating, based on the new MRIP numbers, and so it's questionable whether it's a wise use of resources to spend a million bucks out of the NMFS budget to study the allocation issue, and we have commented to Senator Graham in the past on that and made that point, but that's one, if we have any more thoughts on it.

Then the other is rebuilding, increasing that probability. We have included some items based on red grouper, and that's Attachment 1d. I am not going to walk you through that, but the take-away from there is, while on paper it seems like a good idea to raise your probability to 75 percent if you're not making adequate progress, but that doesn't solve an issue like red grouper, where it's not related to the catches.

We haven't exceeded our catch levels, and so it's not due to overfishing. There is some environmental or recruitment issue that we can't explain right now, and that's why red grouper aren't making adequate progress, and, when you look at what we put together for red grouper, we started out with an 81 percent probability of rebuilding, and so there is nothing magical about 75 percent. We went in at 81 percent and still it hasn't rebuilt. I would like to have some guidance

on you all's thoughts as to how we should comment, should we be asked to comment on that provision specifically, and then if there's anything else on the allocation as well.

MR. BREWER: On the 75 percent, we've already had discussions about that, and I think the response should be not only no, but hell no.

MS. MCCAWLEY: Any other comments on the 75 percent? Any other comments?

MR. HAYMANS: I guess I would ask if we would want to even make a recommendation of what that percentage should be or to remove that or ask to have that removed altogether?

MR. WAUGH: Well, I don't know if John wants to comment on this any more specifically, but my inclination would be to leave it at the 50 percent, and, I mean, obviously, we're going to take a look. If we're not making adequate rebuilding, we're going to look at that species and determine what additional actions need to be taken, and we sort of started to do with red grouper. We included a spawning SMZ targeted at red grouper off of North Carolina, and so that hasn't been factored in yet.

My preference would be to leave it -- To point out that what we would like to do is for the council to have an opportunity to examine such a situation and propose a response, rather than just having an arbitrary increase, and, for something like red grouper, where it's not fishing related, it doesn't matter what you increase it to. You're still not going to rebuild it.

MR. BELL: I was just going to say that the way to say what Chester said is that we would recommend leaving it where it is, and we see no -- Moving it to 75 wouldn't help, and you could use red grouper as an example, and I don't know if there is other examples, but that was certainly one right in our faces at this point.

MR. HAYMANS: It certainly seems as though specifying a specific level here is not providing the flexibility that all the councils are asking for.

MR. WAUGH: That's correct, and New England is concerned about this, and they've got an example, where, by raising that level to 75 percent, your ABC is going to go down, and you can get pretty close to having to close fisheries, and that certainly reduces your flexibility, definitely. Then I assume, for the issue on allocation review, we would stay with our prior guidance that we just don't feel that's a prudent expenditure of funds, given that we've got all the guidance that we need?

MR. HAYMANS: Yes, and we did say that at a previous meeting, that we didn't think it was an appropriate use of funds to tell us how to allocate.

MR. WAUGH: Then, moving on, the Senate Bill 3138, Advancing the Quality and Understanding of American Aquaculture Act --

MS. MCCAWLEY: Gregg, wait a second. I was confused whether we were in the CCC or 1520. What about the twelve-month deadline on the exempted fishing permits? Do we want to say that the twelve-month deadline is too short?

MR. BREWER: Is there some way we can get the actual wording up there, because it's been switched around several times, and I have forgotten, quite frankly, what they ended up with.

MS. MCCAWLEY: I know. I'm having trouble following.

MR. HAYMANS: Basically, the twelve-month period says that whoever -- The twelve months is saying whoever the permittee is has to provide a report to the council within twelve months and that the council has to analyze what they did within twelve months to even see if it's possible, and that's -- The way I read that, that's just not doable.

MS. MCCAWLEY: I completely agree.

MR. HAYMANS: So what do you think is an appropriate amount of time? I mean, right now, the EFPs are good for two years, and is that right?

DR. CRABTREE: No, there is no specific time limit on them.

MR. HAYMANS: Do you set a time when you issue the EFP?

DR. CRABTREE: Yes, and, generally, they are one year, and sometimes they're two. I can't think of one that has been more than two.

MR. HAYMANS: There is a report that comes back to you from that EFP?

DR. CRABTREE: Yes, and usually those requirements are built into the EFP.

MS. MCCAWLEY: Doug, do you have a suggestion?

MR. HAYMANS: Certainly twelve months doesn't seem to be an appropriate amount of time. If there needs to be a time, I would think at least twenty-four months, but --

MS. MCCAWLEY: Yes, I was going to say twenty-four months as well, but --

MR. HAYMANS: I honestly don't know that, as a state agency, that we're going to comment on the EFP that NOAA is -- We're going to comment through this process. I mean, I guess if it winds up being -- If we think it's egregious to the state, then maybe we would make a comment, but, from the first part of that, I would say twenty-four months.

MS. MCCAWLEY: I think Gregg has the language up there that you're asking about, Chester, if you want to take a minute to glance at it.

DR. CRABTREE: Like most things, this is, I think, very Gulf-centric, and we have had occasions in the Gulf where various states have objected to EFPs. Of course, now they all love the EFP, and so they like it, and that's why I think some of this is sort of schizophrenic. One minute they don't like it and the next minute they do.

MS. MCCAWLEY: Chester, I'm looking to you, when you get finished reading.

MR. BREWER: Let me sit down this evening and read this language, as opposed to trying to rip through it right now, but I was getting ready to reply to Roy, but I'm going to rise above that.

MS. MCCAWLEY: All right, and I need a little more time to look at the CCC document as well, and so maybe we can, when we pick up Executive Finance tomorrow, maybe we can look at it a little bit more.

MR. WAUGH: Okay, but the preliminary guidance is to look at modifying the twelve months to twenty-four?

MS. MCCAWLEY: Yes.

MR. HAYMANS: Just a quick question on the working paper. I don't recall seeing the working paper prior to reauthorization really getting going. Was that something that was -- I mean, you're telling me that it's a living, breathing document, which is a great thing, but did it get started over Magnuson, or was it pre-existing?

MR. WAUGH: It was in existence for the prior reauthorization. The Mid-Atlantic was in charge of it, and they had that document, but it has been used, and it's been there for a number of years, but, each time reauthorization comes around, it gets heightened interest. It gets dusted off and used, but Dave Whaley has made the point that he uses it, and others use it, if you've got new congressional folks coming up.

It's a handy document to give them, because it presents not only the consensus position, but the regional perspectives that you don't get of why some of the councils have differing views. It is available, and it's posted on the all-council website as well as all of our comment letters, and so, if you all are ever looking for issues related to reauthorization, that's a good place to find all of that information.

Coming back to the Wicker bill, Monica is going to give us an update on the lawsuit in the Gulf, and then we'll come back and discuss this, because it seems to me that the Wicker bill could take on greater importance. Again, it's controversial, and it's not expected to move in this Congress, but, again, it would be good to have some guidance, and I put together a list of items on Attachment 2c for you.

That will give us some guidance, and the council may want to comment on us having a larger role. Right now, the Wicker bill has NMFS running the program, and the councils would be consulted. The money would go to NMFS, and we may want to suggest that some of the money go to the states to build up their capacity, because a lot of this activity would take place within the state waters, and we had asked in the past for approximately \$500,000 to develop an aquaculture FMP, and so we may want to make that suggestion, but there is a lot of good in the bill. It would consolidate the permitting process, and so, once Monica gives her presentation, then we can come back and look at the material in Attachment 2c and see what of that you want to sort of give us guidance on commenting on.

MS. SMIT-BRUNELLO: Thanks, Gregg, and, last week, and I apologize for the lateness in the week, I think sent to Mike Collins, and he sent it all to you, the judge's recent order out of Louisiana. Then there was a request for the arguments that were filed on each side, and so I think

you got all of those, but, in brief, a judge out of the Eastern District of Louisiana issued an order on September 25 that found that the Fisheries Service didn't have the authority to issue these regulations to implement the Gulf aquaculture FMP.

Essentially, the Gulf had passed an aquaculture FMP some time ago, and the Service put out final regulations to implement that FMP I think in January of 2016. In February of 2016, a lawsuit was filed by a group of plaintiffs, and I will list them for you. It was the Gulf Fishermen's Association, the Gulf Restoration Network, Destin Charter Boat Association, Alabama Charter Fishing Association, Fish for America USA, Inc., Florida Wildlife Federation, Recirculating Farms Coalition, Food & Water Watch, Inc., and Center for Food Safety.

They filed a lawsuit alleging several things, that the Fisheries Service, one, didn't have the authority under the Magnuson Act to issue these regulations, and they also claimed violations under the Endangered Species Act and the National Environmental Policy Act, NEPA.

The briefs were filed back and forth, and a huge administrative record was filed, because this had gone on for quite a while in the Gulf of Mexico, with the council and with the regulations and all that, and so that was all done, and I think oral arguments were heard in March of this year, and then the judge issued her order on September 25 that essentially said that harvesting, under the Magnuson Act, was intended to refer to traditional fishing of wild fish and not the farming of fish and that the Magnuson Act is aimed at conservation of natural resources, and she stated that aquacultured fish are not natural resources, and they are also not found off the coast of the United States, and what she meant by that was that, in the Magnuson Act, Congress is addressing fish found off the coast of the United States and all those sorts of things.

She held that, under the Administrative Procedure Act, which is the -- The Administrative Procedure Act governs the judicial review of agency decisions that you all do under the Magnuson Act, that the Fisheries Service does, and so, anyway, the long and short of it is that she said the regulations were unlawful and in excess of NMFS's statutory authority.

There is a case out of Hawaii that a judge issued in 2012 with a different decision, finding essentially that the harvesting was an activity, and it was an aquaculture permit. There was an organization out of Hawaii that wanted a fishing permit that was issued for one year to essentially aquaculture some species, almaco jack, off the coast of Hawaii. The Fisheries Service issued that permit, and Food & Water Watch and another plaintiff filed suit in the District of Hawaii, in federal court, and essentially the judge, in 2012, found that the activities were harvesting, and they did fall within the Magnuson Act definition of fishing.

We have two courts saying kind of different things, right, and so one is in Hawaii and one is in Louisiana. The Fisheries Service has issued a statement, which I will read to you, and that came out on the 29th of September. It is brief, and I will read it to you.

"NOAA is considering whether to appeal the Eastern District of Louisiana's finding that NOAA does not have regulatory authority to regulate aquaculture under the Magnuson-Stevens Fishery Conservation and Management Act. Given conflicting court decisions and the desire for regulatory certainty, NOAA supports congressional efforts to clarify the agency's statutory authority to regulate aquaculture. NOAA remains committed to expanding the social, environmental, and economic benefits of sustainable marine aquaculture in the United States. It

is important to note that this ruling is not a prohibition on marine aquaculture, either nationally or in the Gulf of Mexico, and we will continue to work with stakeholders through existing policies and legislation to increase aquaculture permitting efficiency and predictability.”

What that means also is, obviously, that they have not made a -- The Fisheries Service hasn't made a decision as to whether to appeal this Louisiana decision, and they've got some time, roughly sixty days, I think, or a little bit more, to decide whether to appeal. So what does this mean for you?

You know, the Eastern District of Louisiana -- The United States is divided up into essentially twelve regions, or twelve circuits, and each -- These district courts are fit within those regions, and each circuit has its own court of appeal, and I think there is even a thirteenth, the U.S. Court of Appeals for the Federal Circuit, and so the Louisiana court falls into the Fifth Circuit.

Alabama, Georgia, and Florida fall into the Eleventh Circuit, and South Carolina and North Carolina fall into the Fourth Circuit, and Hawaii is in the Ninth Circuit, and so the Hawaii decision in the Ninth Circuit, obviously, is different than the Louisiana decision, which is in the Fifth Circuit, and so what I'm telling you is that the South Atlantic states aren't necessarily -- It is not a precedential decision, what comes out of Louisiana, in terms of what -- In terms of how aquaculture -- How the Fisheries Service really deals with aquaculture under the Magnuson Act.

However, I think it would be silly to think that -- If you went ahead with a fishery management plan, and you were sued, it would be silly to think that the judge in that lawsuit wouldn't be looking at these decisions to figure out what that judge thought and how to rule, and so, essentially, what I think you ought to do is stay put with not going ahead with your FMP right now and see whether the Fisheries Service appeals and see what the decision is in that case. Take some time to see, perhaps, if Congress is going to amend some law and give -- Address this more thoroughly, in terms of who has got authority for aquaculture and those sorts of things.

I hope I haven't confused you too much, and I know that, at the last council meeting, I think there was discussion, or the one before it, on whether to proceed with an aquaculture fishery management plan, and I know that is in not even the early workings, and it's pre-early workings, and so you haven't moved very far with that, and so I don't think it has taken up much staff time at all, but I would just stay tuned, and, at the next council meeting, I will update you again, and we'll see where we are with all of this as we move forward, and so this was a bit of a surprising decision, and surprises are good and bad, and so we'll just see what happens. Thank you.

MS. MCCAWLEY: Thank you, Monica. Are there questions for Monica?

MR. BREWER: Monica, we are currently in the reauthorization of Magnuson. That case turned on language that was in Magnuson as to whether or not the word “harvest” would encompass aquaculture. Has any thought been given to, while we're in the process of changing a whole lot of words in Magnuson, that we either put the word “aquaculture” in there and/or modify the wording so that aquaculture would be covered? If that could be done, that's going to be a heck of a lot cheaper than the lawsuits that are envisioned, because, if it's clearly delineated in Magnuson, then the federal court is going to have to follow it.

MS. SMIT-BRUNELLO: Right. That's a great question, Chester, and I am certain that folks are thinking about all kinds of things that could be done in relation to this decision, and I don't have a direct answer for you, because I don't know, but I am certain that, in Silver Spring and in D.C., at Headquarters, that they are probably thinking about many things.

MR. PUGLIESE: Monica, just a quick question, and I guess eventually we'll know if that has any influences, but we do have a standing live rock aquaculture permit and process in the South Atlantic region, and just to know if this is going to impact or affect or modify that activity would be good to know.

MS. SMIT-BRUNELLO: Thank you. That was something that I had circled that I forgot to mention, and so, in the mid-1990s, I would say, maybe late 1990s, this council and the Gulf Council determined that it would be appropriate to proceed with regulations regarding aquacultured live rock.

As best I recall, and this was a bit before me, but I think I remember it, because I prosecuted some cases involving live rock, there is an aquarium trade that is primarily out of Florida, and folks were going out to rocks, or places, out in the EEZ and in the state, and they were taking pieces of coral, pieces of all kinds of things, with a lot of things, creatures, growing on it, from sponges to corals to all kinds of things, because of the warm water and whatever, and so they were chipping away at these things and taking them, and it was habitat for other species as well.

I think the state may have addressed this first, and then it came to the councils, and so the councils came up with a novel idea, which is that you could not harvest wild live rock, but they came up with a way to let you aquaculture live rock. In essence, people get certain sites, certain geographic locations, and they have to apply for permits with us, with the Army Corps, and I think they have to go through several hoops.

They are allowed to dump some rubble, distinguishable rubble, if you will, which is distinguished from the other habitat in that area, and they are allowed to place it on the seabed floor. Then all these creatures start to grow. Well, they are wild creatures, and they come, and they grow, and then those folks are allowed to harvest that aquacultured live rock, through their business, and it goes into the aquarium trade and all that.

I don't see this being affected by that. I think it's distinguishable for many reasons, including that these are wild organisms that end up on the rubble on these sites, and so that's right, Roger, that there is something called aquacultured live rock, which is kind of a really cool name for something that is kind of hard to describe, but, anyway, I don't foresee this affecting that at all.

MS. MCCAWLEY: Thanks, Monica. If council members can just wait, Mel, and so we're past time to go into public comment, and if we can maybe take a five-minute break. Right now, we only have five people signed up, and so then, after those folks go, we might be able to come back today, before 5:00, and finish up some more, and so we'll come back to you, Mel, and so a five-minute recess while we get set up for public comment.

(Whereupon, the meeting recessed on October 3, 2018.)

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October 4, 2018

THURSDAY MORNING SESSION

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The Executive Finance Committee of the South Atlantic Fishery Management Council reconvened at the Town & Country Inn, Charleston, South Carolina, Thursday morning, October 4, 2018, and was called to order by Chairman Jessica McCawley.

MS. MCCAWLEY: I am going to turn it over to Gregg, as you folks are finishing up your surveys, and we will go back into Executive Finance, and, at least for me, hopefully back up, at some point, to the CCC working paper.

MR. WAUGH: Yes, and we were finishing up aquaculture, and Monica had given us a presentation, and I think there were a couple of questions. Mel had one.

MS. MCCAWLEY: Yes, Mel had his hand up, and we had to stop that discussion yesterday, and so, if you had some more questions for Monica, let's go back to that.

MR. BELL: I actually got with Monica and took care of that. Thank you.

MS. MCCAWLEY: Did other folks have questions after Monica's report yesterday? All right.

MR. WAUGH: So Attachment 2c has some draft points for you to consider about the Wicker bill, and, again, this will likely take on greater importance, and so just some guidance from you all to us, in case we get asked to comment on the bill. The working paper has some discussion of aquaculture, but we went through and reviewed the bill, and I had the benefit of doing this last year, prior to the CCC meeting, when Charlie was still around, and so I got his input here as well.

Just to run through this quickly, there is a lot of good in the bill. It coordinates permitting, and it develops some national consistency. In its current form though, it misses the use of the Regional Fishery Management Council process to address aquaculture in a fully transparent manner, and you may want to consider putting in some -- Giving us some guidance on these are the sort of big items that we thought you might be interested in having some input on.

In terms of siting, the councils have extensive experience dealing with user conflicts. Siting also needs to be done taking into account our habitat protection protected and managed areas, and so that may be one area that you want to comment on. The other is the species that could have direct interaction with council-managed species. There could be issues with law enforcement, if they're the same species that we're managing, black sea bass, for instance, and then permits. The councils could review general and specific permits within the context of a national permitting process developed by NMFS.

The next group of points show you where the councils are mentioned in the bill. There is four places, and I'm not going to go through that. You can take a look at that, but here are some additional points. One is clarify whether someone can get a permit and then lease that permit to

another business or individual, and these are some points that Charlie raised. Remember that we had some discussion when Leann was here from the Gulf talking about sufficient money being set aside to decommission a facility. A bond is required, but what happens if that company goes out of business? Is it sufficient?

Timing questions, and this is one that gets at that issue of transparency. The wording in the draft bill, in terms of public notice, there is a public notice, but no indication of how long the public has to comment. The plan and the wording right now is, ten days after receipt of application for the permit, the Secretary shall take action. Thirty days after the period for public comment ends, the Secretary shall issue the permit, and so this is really, really fast compared to what we deal with, and, with aquaculture particularly, the siting is going to be controversial, and so is that something you all are comfortable with?

They point out, on page 23, that offshore aquaculture permits issued under this action will not be considered fishing for the purposes of the Magnuson-Stevens Act, and so that clearly takes it out of the Magnuson Act, and then, the programmatic EIS, are the councils in agreement with the Secretary choosing the areas, again, or would that transparent council process be more effective in determining the areas?

The final point for your consideration is funding. There is a lot of money in this bill. Right now, that money goes to NMFS. The councils may want to suggest that some of that money be provided to the states to beef up their capabilities, because a lot of this action will take place in state waters, and, also, do we want to suggest that perhaps half-a-million be provided to any council that wants to develop a fishery management plan?

Now, obviously, you have to factor in in some way what the lawsuit, that ultimate resolution, but remember one of the points that Monica said is we wait and see what happens with the lawsuit and see what happens with congressional intent, and so part of congressional intent is going to be dealing with this aquaculture bill, and remember from yesterday that it's not likely that that will move this session, but it could, and so just some guidance. Are there some of these points that you all want us to make? Are there other points?

MS. MCCAWLEY: I saw hands in the air.

MR. HAYMANS: Gregg, to the next-to-the-last point about money to the states, this is a typical, I think, federal bill that is all federally-centric. It's National Sea Grant this and regional councils that and NMFS this, but most of aquaculture, the way we see it right now, is going to occur in the state waters over state lands, and so I really -- This will be the point that we make to the commissions as well.

If this bill progresses, we really want to see some inclusion of the states' ability to receive some additional funding, because, ultimately, I think it's every state that is going to wind up regulating aquaculture within its state waters and over its state lands, and having National Marine Fisheries Service or Sea Grant, although Sea Grant is a technology support engine, I guess, and they're working with industry in our state, it still has to be the states that are prepared to do this, and so it's very, very weak on the state there.

Secondly, just a question. Is this going to rename the Office of Aquaculture, as it currently exists within the National Marine Fisheries Service, and is it going to rename it the Office of Marine Aquaculture, or is there going to be a second office, because there is currently an Office of Aquaculture.

MR. WAUGH: I don't know the answer to that.

MS. MCCAWLEY: Yes, those are good points. My points kind of tie in with some of Doug's points, and so, first, I like everything that we have run through here, but we also felt like the bill doesn't speak a lot to state jurisdiction, and it was somewhat confusing to us, as if this was going to take away some state jurisdictions, and so, in other words, does this mean that NOAA would permit state marine aquaculture facilities? How would federal permits relate to the existing state aquaculture rules? Would there be duplicative processes in place?

There is a number of things like that, and so, in Florida, the Division of Aquaculture is in a separate agency, and so it's the Department of Aquaculture and Consumer Services, and it's a whole separate agency from where the fisheries lie, which is in Florida Fish and Wildlife Conservation Commission, and so I think there's a number of state kind of management and authority issues that don't seem to be fully addressed in the bill.

DR. CRABTREE: A couple of comments, and I don't think this bill changes any state jurisdictions, and so, the funding part of the bill, remember that there is a big difference between a bill authorizing funding and a bill appropriating funding, and I have seen all kinds of authorization bills that have loads of money in it, but it doesn't mean anything until the Appropriations Committee appropriates it.

Then the other thing to think about is the role of the council, and I know, at the CCC, and generally the councils want to keep aquaculture under their jurisdiction, but you ought to think about most councils don't really have aquaculture expertise too much on the councils, and so, if we go down the path of aquaculture taking off in federal waters and the councils getting involved on it, we're going to need to get aquaculture representatives on these councils, and that's going to have implications for the overall balance of the councils that you ought to think about, because I guess Charlie had at least inshore aquaculture experience, but, by and large, the Gulf, I don't think, has really anyone, and I don't think we really do so much at this point.

MR. BELL: I was going to kind of echo what Doug said earlier. I think, for us anyway, what we're seeing in aquaculture, mariculture, is all state-focused, and our agency has a long history of research and development with that, finfish species and shrimp and clams and now we're entering the world of oysters, and I know that Sea Grant is basically a group, federally funded, that works with the industry and promotes things and moves things along and with technology, but we're under -- We right now, as a state, with the oyster mariculture, are very limited in the resources we have available, but we're having to move quickly, with limited resources, just to try to keep up with things, and so funding is an issue for us.

Then, in terms of what might occur in the waters of the EEZ related to mariculture, I don't -- Off of South Carolina anyway, there is not a lot to choose from right now. It depends on, perhaps, how some other things play out, but, for us, it's primarily a state issue, state waters, and for us primarily it's shellfish.

MR. BREWER: In Florida, all submerged lands are owned by the State of Florida, out to obviously the beginning of the EEZ, or I should say the control changes at the EEZ. In Florida, the land is owned by -- If it's submerged, it's owned by the State of Florida. Any kind of project that takes place, the state has to be involved, because you're going to be leasing -- Whoever the project is, they're going to be leasing the land from the State of Florida, and I assume the other states that are represented in the council, and so the states have to be involved.

It would be great if there was some money available, because I know this administration wants to push aquaculture, but if there was some money made available to the states to begin developing and to develop, and there's already been some work in Florida with regard to oysters. They had an experimental site up at the top of Shoal Harbor for a while, and it seems like, to me, the feds could, both from the standpoint of funding and perhaps from the standpoint of some coordination, to see whether the different plans that are organized, or the different procedures that are put in place, are somewhat the same throughout the states, and I'm not just talking about us.

I am talking about anywhere this is going to take place, so that you have the ability, I guess you would say, or at least it would make it easier for large corporations that want to get involved in this to operate within certainly the southeast United States, if you had some conformity that they're dealing with.

I would see our role on the council, because we don't really have any expertise, and I don't know that you've got to have a council person come in, or add a council person on aquaculture, but you would for sure and for certain have to hire a staff person that had expertise to advise the council. It's kind of a sticky-wicket, and it's something that I think -- Obviously, I think the council needs to be involved in it. What that level of involvement is, I kind of have a problem getting my head around it, and that's all I have to say about that.

MS. MCCAWLEY: Thanks, Chester.

MR. POLAND: I just kind of wanted to mirror what everyone else was saying and provide a little North Carolina perspective. Our state has had some new legislation from our state legislature that we're still trying to work out, or just figure out implementation, as far as aquaculture. A lot of our state rules have changed and kind of opened the door for more expansive leasing and that kind of stuff.

Similar to what Chester was saying, most of the submerged land in North Carolina is controlled by the state, but we do have a long history of leases, and there is actually some land in North Carolina that is controlled by families that had grants from the crown, and so before we were even a state, which is always -- It surprised me when I found that out, because I thought that we won back in 1783, but, to that, I know, from North Carolina, we will -- This will be difficult to just try to figure out how our new state legislation kind of meshes with this, and I can see permitting being an issue, coordinating not only with our agency, our Department of Agriculture, and a federal entity now, and so I would like to encourage that the feds put up some money and try to coordinate with the states, or at least set up a mechanism to work with the states on this permitting.

MR. WAUGH: Coming back to Roy's point, and Chester touched on this too, remember that we did put together a request to NMFS and asked for roughly half-a-million to hire a staff person and

to conduct meetings over a three-year period to come up with a plan, but I think, as I said, there's a lot of good in the legislation, and, to me, and it's presupposing how we would approach developing an aquaculture plan, but I don't think we would want all the nuts-and-bolts in our plan.

I think it's more important to be able to talk about siting, species, and review of permits through the council process, but have NMFS handle all the nuts-and-bolts, because Roy is right. To do all the work and consideration, you need to have a lot of different expertise, but, in terms of siting, species, and the impacts on our management, and then just to be able to comment on the permits, rather than just consult, but to have some -- I don't know whether you want to say approval, but something more than just we consulted with the council and gave a presentation.

I think there is room there for a middle ground, and that's certainly how I would think we would want to approach it, so that we don't sort of add another section in our office dealing with aquaculture, because you guys at the state level are doing it now, and NMFS would be doing it, and, in our review, those three areas of siting, species, and then the permit are areas that we think that the council would be interested in commenting on.

MS. MCCAWLEY: All right. Are there more comments? Do you think you have enough, based on this discussion, to add in those main points as well as some of these nuances that we brought up?

MR. WAUGH: Yes, I do, and there has been no -- There's nothing in here that people have said don't make that point, and so we'll work up some draft comments and probably get them reviewed internally with council members, and, of course, our Chair of our Aquaculture Committee, Dr. Crabtree, and so we would have that, so we've got it in our pocket and ready to go.

MS. MCCAWLEY: Sounds great. Thanks, Gregg.

MR. WAUGH: We can come back to the CCC now, because that was one point that we were discussing under that. I wasn't going to walk through this, but, if you've got some specific points, and I can pull that up if we need to have it.

MS. MCCAWLEY: My points were on the cooperative research section, specifically the part for the South Atlantic. There is some phrasing in there, under our regional perspective, that says the South Atlantic Council believes that using fishing vessels or acoustic and other marine technology, expanding the use of electronic catch reporting programs and technology, and improving monitoring and observer coverage through the expanded use of electronic monitoring devices would be helpful.

While I think that is somewhat of a true statement, when we were working on the for-hire logbooks, we were pretty adamant that we didn't want VMS, and we heard a lot of comments from stakeholders about not wanting VMS, and, if I didn't have all of that history of that discussion, I might read that piece and think that we meant VMS, and is there a way that we can tweak the language? It starts about midway down, with the sentence that says, "The South Atlantic Council believes".

MR. WAUGH: To explicitly state that we're not including VMS in that?

MS. MCCAWLEY: Or that, at this time, we don't really have any plans to include VMS, but we are looking to use innovative technologies.

MR. BELL: Yes, and something like "although not currently considering the use of VMS", because we are on the record for decisions at this point.

MS. MCCAWLEY: Yes, I agree.

DR. CRABTREE: I would be careful about being too definitive, because we could find ourselves, a year from now, considering VMS, because I think one of the problems with the charter boat electronic reporting amendment will be the lack of positioning devices on the vessels, and not necessarily VMS, but some way to tell if the vessel has gone out from the dock or not, and so I wouldn't want to tell them that we're not considering it and then, a year from now, we're considering it.

MR. BELL: Right, but if you said "currently", and, I mean, currently is now, and a year from now is --

DR. CRABTREE: Yes, but someone that picks this up a year from now and reads it and it says "currently", is going to -- I would just be careful, is all I'm saying.

MS. MCCAWLEY: Maybe Gregg can find some creative wording to add that in about our previous position on VMS, as of whatever.

MS. BECKWITH: Maybe we can even be broader and just talk about positioning devices, because VMS is sort of one extreme, but, during that time, we also talked about pingers that just ping the location when you're coming in and out of the inlets and such, and so there are other technologies, and hopefully other technologies will be developed.

MS. MCCAWLEY: Any other comments on this cooperative research section? What about other comments on other parts of the CCC document? Okay.

MR. WAUGH: We will draft some wording for that and circulate it and give everybody an opportunity to review it. The next item is our budget, and that's Attachment 3a, and we distributed a revised budget. This is basically the same budget that you saw in June, and basically the same budget that you've seen in March as well.

What we've done since June is make adjustments to the staff comp and staff benefits to implement your guidance for that 2 percent cap, and so those numbers have been adjusted, and that's basically the only change in this budget that you have before you, and I will mention -- We talked yesterday about the draft council travel policy, and that's been implemented.

We continue to search for ways to reduce costs, and we recently received an almost \$17,000 credit towards our annual medical administrative fee, due to the level of claims and how staff have utilized that program, and that savings is shown in the obligated funds for the rest of the year. We have switched to American Express, and that is projected to save about \$4,300 a year, and so Mike and our staff continue to look for all ways that we can save money on an ongoing basis.

We got our final funding levels this year, and our total that we have received is about \$3.7 million for grants and our general funding. We have hired Kelly Klasnick, and we have included his expenses in here as well. He starts on October 15, and he will be here to have that overlap with Mike, and he will get to participate and see how to set up for the SSC and some AP meetings and then the December council meeting.

We are projected, with what we've got here, and Mike and I will be glad to answer any particular questions, and we've talked about these quite a bit already. In terms of the travel-related expenses, that comes from the activities schedule. You all review the activities schedule starting at the March meeting, and we'll do that again in 2019. Those level of meetings have all the costs associated with it, and those outputs drive our estimates of travel and council member comp and those sorts of things. In the future, starting next year, when we start talking about the budget, we will bring in more detail about council staff comp and benefits, so that you all have that information as well.

Our rough estimate right now, and, in terms of the money that we got this year, we were basically level funded, in terms of the NMFS line item. Chris Oliver was able to find an additional \$100,000 for us to deal with the regulatory reform, and so he identified \$1 million across all the councils, and we got approximately \$100,000 of that, and so our 2018 budget is up by \$100,000, and our rough estimate of what we'll be carrying over into next year, which is the final year of our five-year grant, is about \$215,000, and so we'll be glad to answer any questions that you all have, but this would be the time for you to approve this budget, now that we have our final numbers.

MR. HAYMANS: You said that you all had adjusted between the version that we got and the October and September versions, and is that what I heard you say? I just don't see the adjustment.

MR. WAUGH: The adjustment with the latest version was incorporating the expenses related to Kelly and hiring another Administrative Officer. The changes from what you had in your briefing book compared to June, there was an adjustment to reflect your decision at June to have that 2 percent cap.

MR. HAYMANS: Okay. I'm sorry. I thought you were talking about from the version that we got in our briefing book to this one.

MR. BREWER: Will there be any further SSC travel expense this year?

MR. WAUGH: Yes.

MR. BREWER: So that's going to go over pretty good.

MR. WAUGH: Well, we've got that -- Yes. We are going to have more expenses there, yes.

MR. BREWER: Any idea of the magnitude, order of magnitude, on the additional expense?

MR. COLLINS: I would say probably about \$26,000 or \$27,000.

MR. BREWER: Thank you.

MS. MCCAWLEY: As Gregg mentioned earlier, I had asked for some additional information when we start looking at the budget for next time, to kind of see what is changing and what's going up each year, where we're cutting in other places and the proposed budget. The oldie council members, versus the newbie council members, you might remember that, during the Personnel discussions, we had a list of items that we wanted Executive Finance to look at on the budget.

Also, there were the list of items that were new things that we might want to consider, and I neglected to bring that list forward this time, for this budget, but we can consider it for next time, and so it was things like Mid-Atlantic Council liaison, and there were budget figures, estimates, associated with that, and so hopefully we can bring back both the items from the Personnel Committee and this wish list that we wanted to consider, and some of those items were fairly substantial items that we wanted to consider, and so, if we do want to do some of those new things that Ben and Michelle and Charlie had been talking about for some time, then we would have to go in and cut somewhere else, and we had cut a little bit, such as with that new travel policy about the number of council members that can attend AP meetings and how APs can meet via webinar and vote via webinar.

MR. BELL: I was just thinking that it might be helpful for the new folks, as well as myself, to just really quickly review kind of the timetable that we work on with budgets. We use a calendar year, but, on this month, we have -- In this month, we make decisions and this month -- Just how it works through a year, I mean really quickly.

MR. WAUGH: Yes, and what we've done in the past is, at the December meeting, get some rough guidance from you all on what activities you all want to address next year, and that would be my suggestion, to address those other items on the list, like Mid-Atlantic liaison, and another in-person SSC meeting was another suggestion, but we've gotten, and John can correct me if this has changed, but a fair amount of pushback from the SSC for another in-person meeting, but they're open to doing business by webinars.

We can have that list and discuss that in December, and then we would bring you the detailed activities schedule, and then we'll add the background, in terms of staff and any changes there as well, and so, at the March meeting, you all would give us sort of more specific decisions on what goes into the budget.

The question is when we'll know our funding, and that varies, but, obviously, what we want from you all at the March meeting is a guidance on a budget for us, and then we start working with that budget and limiting to that budget, and then, once we get our final monies, then we approve the budget, and so it's really identifying items in December and then making your initial decisions in March.

MR. BELL: But, in March of 2019, we will be making decisions about the budget for 2019, and we're already into 2019 a couple or three months, but that's how that works, and it's a calendar-year-based budget.

MR. WAUGH: Yes, and, by getting the guidance from you all in December, you all would give us -- We would then identify what's going to be accomplished basically in that first quarter, up to the council meeting, as well as the rest of the year, but we feel comfortable identifying our budget in March for that current year, because, in December, you have told us are we going out to any

hearings and scoping in January and February, before the March meeting, because remember that our meeting occurs fairly early in March.

MR. BELL: Then, at every meeting, we take a look at how we're doing, and there is a pulse check, and things are good or things are bad.

MR. WAUGH: Yes, we review the budget and give you a status report, in terms of where we are, and we can make adjustments as we go forward, but we don't ask you to formally approve it until we have our final funding from the agency.

MS. MCCAWLEY: The cycle for the grant is -- The new grant starts in 2020, and is that right?

MR. WAUGH: That's correct, and this is one of the things of why I wanted to have our new Administrative Officer onboard for some overlap. We're going to sit down and just run through the mechanics of doing that five-year grant while Mike is still here, and then we will get a notice from NMFS sometime during 2019 that they want to see that, and so we'll bring that to you all, and remember I asked particularly the state people to give us some information, in terms of what your costs are to participate and your support to the council, because we recognize that the amount of money you get for the state liaison grants doesn't cover that.

We would like to have what it really costs you, so that -- We can use that for two purposes. One is we can argue and put that in our five-year grant, but they generally tell us what level of funding to put in the five-year grant, but at least we can make an initial case that here is what our real costs are. The other is that, while we can't lobby, on occasion we get asked what do the councils need, and so we work amongst the councils and come up with a figure that we feel would support our activities, and, should we be asked to comment, then we would have that information, and so I can also use that justification from the states to beef up any request, should we be asked.

MR. BELL: The decisions that are made to give the councils the money, is that based on fiscal year, because I'm used to having to deal with a state fiscal year and a federal fiscal year, and now we have a calendar year, but they make their decisions based on fiscal, but they feed it into -- All the councils work on calendar?

MR. WAUGH: Yes, we all work on calendar, and the reason we did that is to allow some time so that they can make their decision on the fiscal budget, and then we have that leeway up until January, which in recent times hasn't been sufficient, but we have also got assurance that, moving into this next five-year grant cycle, they will make sure that there are monies available to the council.

Now, we also can apply for a no-cost extension. If we are working on some items from our current five-year grant and didn't get them completed and anticipate completing them early in the next five-year grant cycle, we can apply for a no-cost extension, and so that's one way to cover some money for that first quarter or so in the new five-year grant, but the grants folks have also made clear that they will ensure that at least some monies are available, and, Mike, I don't know if you want to elaborate on that.

MR. COLLINS: Just to say that this is the first time that we've gone into a new five-year grant cycle where they have assured us of that, and so that's what I was scared of a couple or a few

meetings back, that we had no assurance that we would get any funding as we went into the new, but they have guaranteed us that we can do a no-cost extension and that they would provide funding, even if the final budget wasn't approved by Congress and the President.

MR. HAYMANS: Gregg, I'm sorry if I missed it, but was there an email, or when did that request for the states go out requesting --

MS. MCCAWLEY: It's been at least six months or more that he sent that to us, and we're delinquent as well, even though we got the request a while ago. We've been working on getting that ready to turn in, and so you're not the only one that hasn't turned it in. Do you think you could send it again, since Doug can't find it?

MR. WAUGH: Sure. I will dig that out and send it. Steve wasn't around then, and so I will do that, and there is no huge rush now, if you don't have it in the next week or so, but it would be helpful to have that prior to or at the December meeting, and I think that would be helpful, that kind of timing.

DR. FRAZER: This is a question for Gregg, I guess. I mean, these budget issues, obviously, affect all the councils, and the reference to the no-cost extension made me think of something. Typically then, if you have some monies that you have still available, or you might carry forward, if you don't expend those monies by the time that the grant actually expires, you have to return them back to the government?

MR. WAUGH: Yes. If you apply for an get a no-cost extension, and then, if you don't use them by the end of that extension period, then, yes, they get forfeited back to the government.

MS. MCCAWLEY: Any more questions or comments?

MR. HAYMANS: March 19.

MS. MCCAWLEY: March 19 is when we got the email, and so that still is not helping Steve, since Steve wasn't around on March 19, and so maybe we need the email, and Mel has decided that he was on medication, and so it sounds like we need another round of that email.

MR. WAUGH: I will re-send that, and Mike reminded me too that, if you come to the end of your five-year grant cycle and don't apply for a no-cost extension, then you lose any monies that you have as well.

MS. MCCAWLEY: More questions?

DR. FRAZER: Just one quick one, because I'm trying to learn about this budget a little bit. Where would the carry-forward dollars that you have available now -- Where would they show up in this budget? I don't see any, and that's why I'm asking.

MR. WAUGH: They don't in this budget. What I'm saying is that estimate of \$215,000 for carryover, that's some of what we rolled over from last year and anticipated monies that won't be spent from this year, and so that doesn't show up in this budget.

MS. MCCAWLEY: More questions about the budget? We need a motion to approve this budget.

MR. BREWER: **So moved.**

MS. MCCAWLEY: Motion by Chester, and it's seconded by Doug.

MR. WAUGH: That was to approve the 2018 general funding budget.

MS. MCCAWLEY: Right. We've already had a number of discussion points on this. **Is there any objection to this motion to approve the 2018 general funding budget? Seeing none, that motion stands approved.**

MR. WAUGH: Then we'll move to Attachment 3b, which is the SEDAR budget, and parts of this feed into the other budget as well, in terms of how we track the money in-house, but we do present this separately, so that you can see what we're spending and how that money is distributed for SEDAR.

We get approximately \$600,000 each year for SEDAR, and this is largely driven by the activities schedule, and, again, as I said, you look at that and approve the activities schedules, and that has all of the detailed meetings, and John works with his staff, and they compile a list of meetings. Those have the individual costs, and then, in terms of the staff comp, it's a portion of John's time and other people's time that are attributed to SEDAR that go into this budget, and so we would like you to approve this budget as well. The adjustments from June, again, have to deal with that 2 percent reduction that affected the staff comp figures in the draft budget.

MS. MCCAWLEY: Just like the general budget, this could be carried over. The same rules and everything apply to this budget as well.

MR. WAUGH: Yes, because, in essence, it's all within -- Those monies get combined into one big lump with us, yes.

MS. MCCAWLEY: Questions about this, the SEDAR-specific budget, that's coming through the council? Once again, we need a motion to approve this SEDAR budget.

MR. HAYMANS: **So moved.**

MS. MCCAWLEY: Motion by Doug and seconded by Chester. Any discussion on the SEDAR budget? **The motion is to approve the 2018 SEDAR funding budget.** Any more discussion? **Any objection to that motion? Seeing none, that motion stands approved.**

MR. WAUGH: I don't know if everybody has finished their questionnaire yet, but we can --

DR. CHEUVRONT: They have.

MR. WAUGH: Okay, and so are you all ready?

DR. CHEUVRONT: I'm ready.

MR. WAUGH: All right.

MS. MCCAWLEY: So we're going to see the first beta test of the results of this tiering process, where people filled out their questionnaire, and we're going to see the results of that now.

DR. CHEUVRONT: I want to thank everybody. We got it all done today, and so I got a whole series of analytical statistical things.

MS. MCCAWLEY: We have had a request that people don't like -- I'm going to call that hot pink, or fuchsia, and I don't know what that is.

DR. CHEUVRONT: The reason why those are highlighted is because those are things that you kind of have to do. I was sort of told to do red yesterday for statutory things.

MS. MCCAWLEY: Apparently those men just meant light pink.

DR. CHEUVRONT: Anyway, red was totally unreadable, and so I lightened up the red a bit, but, anyway, we're going to yellow now, but what I got is I worked up a printed report that is basically one page for each question, is what it turns out to be, but I summarized the findings into another tab on the spreadsheet, and the final column says "council score", and that was the average score across all twelve folks who did the survey.

What I did is rank-ordered them. Now, I realized, as folks were doing this more, that what I will have for you next time is a short description of each of the amendments, because I realized that some of these are things that have been on the back-burner for a while, and while, as staff, we might remember what they are, because they come back to haunt us every once in a while, you may not remember, and so what I will do is give you another document that has more of a description next time that may help you with some of these things, and it will include things like whether there is a statutory deadline to have this done or not.

This is our test run, and it went fine. I mean, there were no logistical glitches, and so I think we will probably, if you all want to continue doing this -- From our perspective, we can make this work. The top item, the one that got the highest score, a score of eighty -- As you slid those sliders, you might have noticed, on the right-hand side, that a number came up, and that was the actual number that was assigned based on where you moved that slider.

Red grouper rebuilding, which does have a statutory requirement on it, got the highest score of eighty, and we have a few things -- Now, notice we have a couple of things in the top eight here, top ten, that are Tier 5. If you want us to start working on these things, that's fine, but we won't be able to have something to bring back to you in December, but that could be part of a little bit of a longer-term sort of thing.

There is an iterative process that goes here. For example, on Row 6, the commercial electronic reporting, it scored higher than the ABC control rule. Well, John Carmichael is the one who would be working on those, and he really, with all his SEDAR and all the other stuff that is going on, could only do one of those, and so we would need to think about -- We have been working on the ABC control rule up through last June, and now that has come out lower than the idea of working on commercial electronic reporting, and so staff would need some guidance as to how you want to

go with these sorts of things, and then, interestingly, while there is no regulatory requirement to finish the wreckfish ITQ review, we did start it on time, and it is relatively low-hanging fruit here.

Based on what needs to be done, there is a few more sections, and a little bit more -- We're having an IPT meeting coming up shortly, where we're going to be talking about what it's going to take to finish this thing up. You may not want to see it in December, and that's okay. If you want to wait until March, that's okay too, but that's relatively low-hanging fruit. We can get that done pretty quickly.

MS. MCCAWLEY: So, really, anything that's a one, which I don't see any ones up there, or a two, and a two is even something that could maybe be completed in the next time we bring it up, maybe one more meeting, and is that a good way to interpret the twos?

DR. CHEUVRONT: Christina, do you think that -- You are doing the turtle release gear and the framework, and that could be finished by December, couldn't it? Yes. So, yes, I think that probably is a good assumption.

MS. MCCAWLEY: So what we need to do now then is look at this list, and then we're going to pick out the actual items for December, and then maybe March, so that staff can work on them, and then the other thing that we're doing is your example with commercial electronic reporting and ABC control rule. You are inserting this information that you know is happening in the background and know, based on who is working on it, whether some of these items really need to come before others or if it's just one staff person, like John Carmichael, that we can't necessarily pick two of a certain type of item, and so that's what we'll do here, I think.

DR. CHEUVRONT: Yes, Madam Chair, and this is the part when we were having discussions that I was saying that we have to do the iterative process, because, depending on how you do the rankings, we still need to tweak this a bit. We can't go just by these scores, and part of it is workload issues for you, and part of it is workload issues for us, and so we have to have this conversation every time after we do this, but at least we know what the council members think are the things that are the priorities that need to be worked on.

MR. BELL: I think, if you can include that additional information that you were talking about when we do this, we'll get a probably better product upfront, and then we get the iterative process, and it will work out a lot better.

MS. MCCAWLEY: Brian, I don't know if you want to create a list over there of Columns F or G or H or whatever of what we want to bring to December and what we want to bring to March. Then we can start picking through this list over here, and so I'm going to be looking for people to add items to the December and March list. Let me just make sure I understand. If it has a five by it, it definitely cannot come back to December, and is that right?

DR. CHEUVRONT: It would be really hard to do that, because we're basically starting at square-one with data here, and data and data acquisition, as well as analysis, that's the part that takes time, and remember that this time we've got two months. Actually, we have six weeks this time before our briefing book is going to go out, and so it would be really tough for us to be able to pull data together and have any kind of a meaningful analysis that we could present you in December for anything that's a five.

MS. MCCAWLEY: Okay, and so I'm going to try to start adding some things into December and March for discussion, and so red grouper rebuilding, and I feel like we wanted that to come back in December, and we already said that. Recreational visioning, I think we said we wanted recreational visioning to come back in December as well.

DR. CRABTREE: The yellow things are things, Brian, that have statutory-required timelines?

DR. CHEUVRONT: The allocation plan one, for example, we really haven't discussed, but, by August of next year, we have to have together a plan of what -- The council has to have the plan of the triggers.

DR. CRABTREE: Okay. I just wanted to point out that the wreckfish IFQ review is also a statutory requirement to be done within --

DR. CHEUVRONT: The statutory requirement was to start it. It's not necessarily to end it. There was no specific timeframe given to complete it, and we met the time to start it, but we do need to finish it at some point, and, like I said, it's relatively low-hanging fruit, and so December or March should probably be when the council sees it, and we're good.

MS. MCCAWLEY: Both the wreckfish and the turtle release gear, I would like to put those either on December or March, and maybe wreckfish goes to March and maybe turtle can go to December.

DR. CHEUVRONT: I think that's a good plan.

MS. MCCAWLEY: Okay. Then the allocation plan -- Was this the thing that we were going to begin looking at in December, based on those MRIP recalibrated stock assessments, and help me understand what the allocation plan was.

DR. CHEUVRONT: This simply is -- The Gulf is much further along than we are on this, and what this is that the council needs to have a document together in which they have identified the conditions or triggers or events and things that would cause them to look at allocations, sector allocations, or gear allocations, whatever you want to do for different species, and it's something that was agreed to by the CCC, and it's some guidance that's in their documents, and the idea was that these would be done by August.

What I was kind of thinking would happen is I would probably be the one working on that. I seem to be doing a lot of the allocation stuff, and so I would try to put together a white paper. I actually already have a plan, early next week, even to get up with some of the Gulf folks who are working on it and have them help, based on what they have done, and I would bring something to you all in December that would really officially start the conversation, and you can give direction, and the idea would be that, by the June meeting, you would all have a document that you could agree to, and that's all it has to be. There is no actions, and there is no data. There is nothing involved, but it's just saying this is how the council is going to look at allocations and when they need to look at revising them.

MS. MCCAWLEY: That sounds like that might need to come -- The allocation plan needs to come to December.

MR. BELL: I was just doing, in my mind -- We have to decide that by June, and so walk it backwards and tell me when, and December is fine.

MS. MCCAWLEY: There is no deadline on the ABC control rule, nothing?

DR. CHEUVRONT: I am not aware of one.

MS. MCCAWLEY: What are some other things that people want to come forward? It might be easier to populate March than it is to populate December, and so I think -- Dolphin, Anna, and I know we said that was coming back in 2019, but do we want to start looking at that in March?

MS. BECKWITH: I think we were -- It had been suggested that we have a Dolphin Wahoo meeting in December to talk about some other issues, and then I was thinking that John and I could just review our sort of previous to-do list, since we've got a fresh council, and see what items still kind of float up to the top for a future amendment.

MS. MCCAWLEY: Then, based on that, is that particular amendment coming back, or it's just meet the Dolphin Committee, and so see how we have Dolphin Wahoo Amendment 10 on there? Do you want that amendment to be in the December list?

MS. BECKWITH: I think we don't need to necessarily do work on the amendment. Just come back and review what was in it and see where that kind of floats up in the priority list. Does that sound good, John?

MS. MCCAWLEY: Okay. Did I see some hands up on this side of the room for ideas here?

MR. WOODWARD: More of a question. Snapper Grouper 29 has a three on it, and so why does it have a three, versus something less than that? What do we need that we don't have to move that one forward?

MS. MCCAWLEY: Does a three mean that it can't come back in December, or it just means, if we pick that one, then something else that Christina is working on can't come back in December? Is that what that means?

MS. WIEGAND: The big part we still need to do is do all of these analyses, now that you guys have identified what actions and alternatives you would like to keep in it. Since it's mostly qualitative, that's why it's not up there at a five. If you wanted to see it in December, I think we could put something together. It would be pretty rough at that point, since the meeting was postponed and we're working on a real short timetable. If you wanted to see it in March, it could be a bit more complete.

MR. BELL: I was looking, honestly, at March at the earliest, but, if there were other things that needed to happen, for instance like additional Law Enforcement AP or something, I mean even June, but I wouldn't go any sooner than March, I don't think.

DR. CHEUVRONT: On the current schedule you have for Regulatory Amendment 29, it's that you were going to approve it for public hearings in December, and so, if you want to push it back,

that's okay. Let us know, and we can alter that schedule to fit with what you're saying, but, Christina, would we have that together to be able to do a public hearing vote to send it out for public hearings in December, or is that too premature?

MS. WIEGAND: We could if you wanted it to, but it might be better to wait until March if you want to be able to see really full, fleshed-out analyses before you send it out to public hearings.

MS. MCCAWLEY: If we wait until March, and then it needs to go to public hearing, does that mean it can't go to public hearing until the fall? Is that our next -- No? Okay. I just want to make sure.

MS. WIEGAND: If you guys approved it for public hearings in March, then we could take it out for public hearings between the March and June meeting.

MS. MCCAWLEY: Okay.

DR. CHEUVRONT: Because there's a good chance that it would probably be done by webinar, and those are easy enough for us to schedule between any meetings.

MS. MCCAWLEY: I think I would love it if yellowtail accountability measures -- I see it's got a four up there, but I would love it if yellowtail accountability measures could come back to December. Then, the golden crab and Oculina extensions and the transit, maybe March for that? It's got a five on it. I also wish, on this list on the left, if we could somehow introduce some checkmarks on what things we've already put into those two columns.

DR. CHEUVRONT: I will just color-code them.

MS. MCCAWLEY: That sounds good. That would help us go through this list.

DR. CHEUVRONT: One of the things that you might want to also look at is recreational AMs as well.

MS. MCCAWLEY: For December or what?

DR. CHEUVRONT: Whenever you want to do it.

MR. WAUGH: This is one that remember we don't have to have in-season closures in a recreational fishery. We chose to do that to be extra conservative, but you don't have to do that, and so, if you're interested in getting away from those in-season closures, the sooner we work on that amendment to do that, the better.

MS. BECKWITH: Which was the amendment that we were looking at not -- Is it in the accountability measure amendment that we wouldn't close if the PSEs were above a certain amount? Is that included in that amendment?

DR. CHEUVRONT: That is in the recreational AM amendment.

MS. BECKWITH: Yes, I would like to --

MS. MCCAWLEY: Tell me which one of the meetings you want it to come to. It has a three on it.

MS. BECKWITH: I would say December, but Steve is saying March, and so --

MS. MCCAWLEY: Okay. Recreational AMs in March.

DR. MCGOVERN: I just have a question. For the amendments that are listed there for December, is that like for Regulatory Amendment 32, 26, 30, is that all for final action or just whatever stage they are in the process?

MS. MCCAWLEY: Yes, that's what I assumed it was, whatever stage they're at, which some of them it would be final, and some of it's just the next step, and is that right, Brian?

DR. CHEUVRONT: That is correct.

DR. MCGOVERN: So 30 and 26 would be ready to go final, right?

DR. CHEUVRONT: Yes.

DR. MCGOVERN: Okay.

MS. MCCAWLEY: I have to be honest that I can't remember Atlantic Spanish mackerel allocation and what we were even talking about on that.

DR. CHEUVRONT: That was one that was in purgatory that went back a long time, and we said that we were going to hold on to that for a while, but there was some looking at -- I think it was sector allocations for Spanish mackerel. I think that was a Ben thing.

MR. WAUGH: Just coming back to recreational AMs for one second, something to consider, in terms of your timing, is would it be your intent to complete that in 2019 such that, in the 2020, there would be no in-season closures? If that's your intent, that you don't want to have in-season closures in 2020, you may want to consider that in addressing it in December, rather than March, because, if we start in March, I don't know if that -- You would have to finish it by June in order for NMFS to implement it, and, more recently, they have said that they want even more than six months.

MS. MCCAWLEY: Okay, and so then it sounds like recreational AMs needs to come over to December, and is that okay, Anna and Steve? Okay.

MS. BECKWITH: In that case, I would like to slip, just for kicks, the dolphin one into March, because, if we talk about it in December, then maybe we can look at something in March and use it as a placeholder. Now, I'm a little embarrassed to ask this, but can someone remind me what the blueline tilefish north of Hatteras --

MS. MCCAWLEY: I can't remember what that is either.

MS. BECKWITH: Because we talked about it over here, and, sadly, none of us remember.

MS. MCCAWLEY: I don't either, and so maybe Brian can enlighten us. Hold on. He is still filling out our chart as fast as he can.

DR. CHEUVRONT: Yes, and I had a little sidebar question, and so I didn't hear what the question was.

MS. MCCAWLEY: The question was remind us what blueline tilefish north of Hatteras is.

DR. CHEUVRONT: You will remember that the assessment that was done was from Hatteras south, and then there was a separate assessment done from Hatteras north, and so, between the Mid-Atlantic and the South Atlantic, we had to apportion a part of the Mid-Atlantic's ABC for the South Atlantic, because we manage up to the Virginia/North Carolina state line, and so we have that amount now, and we've got to figure out what to do with it.

MS. MCCAWLEY: What about the ABC control rule? I feel like we should put that on either December or March.

DR. CHEUVRONT: Madam Chair, I would like to caution you that you're approaching your limits for December.

MS. MCCAWLEY: Maximum capacity? Okay.

DR. CHEUVRONT: You're approaching your saturation point for December.

MS. MCCAWLEY: Got it. I appreciate that, because I was over here trying to mark off everything on this list on the left. Okay. Your direction for the ABC control rule would be March? Okay. Since we're approaching saturation, are people okay with this list? You can see other things that are hanging out there that aren't coming to either December or March, as of right now, and I'm looking around the room, and I see that people seem to be okay with this.

MR. BELL: We've got nothing but fives left.

MS. MCCAWLEY: Right. Mel says we have nothing but fives left, and so --

DR. CHEUVRONT: I added stars to the first two in December, and those are the things that are supposed to go final in December, and so now you know -- Those are your two priorities, and so you chose those, and so it looks like you've only got two things going final in December, and you have got four more additional things that you want to have brought to you in December, plus there's going to be other things that are going to come up, and so no worries. You will have plenty to keep you busy.

MS. MCCAWLEY: Plenty.

DR. CHEUVRONT: But you know one of the things that I think is really good about doing it this way is that -- You may have noticed, some of the old-timers, but there seemed to be more time to discuss a few issues more in-depth than we seem to have had in the past, and I think that was all

to your benefit towards moving things further along through the cycle, and so kudos to you for doing that.

MS. MCCAWLEY: Thank you. All right, and so do we feel good about this list? I am just looking around, and we don't need a motion, but just a thumbs-up. Okay. Everybody seems to be all right.

DR. CHEUVRONT: This is direction to staff, and I'm happy with this.

MS. MCCAWLEY: Okay. As long as you feel like you have what you need, I think that we're good here. Thanks for working on this, Brian, and thanks for everybody filling out those questionnaires so that we could beta test this process.

DR. CHEUVRONT: I did want to just -- If it's okay, other than for me providing you a document for the next meeting that has a short summary of all the amendments that are in -- That are going to come up in the questionnaire, is there anything else that you could suggest at this time that would help this process to go more smoothly?

MS. MCCAWLEY: The two things that I heard were, maybe in the questionnaire, the items that have the regulatory timeline -- Maybe they are color-coded differently on the questionnaire somehow, and then I'm wondering -- Instead of it being in a separate document, maybe there is just one sentence, one phrase, and I'm wondering if that makes the questionnaire too long, but if there's a bullet on some of those older items that we can't remember that tells us just a little bit -- Just a reminder of a little bit about what it's about.

DR. CHEUVRONT: Yes, I can do that. I'll make it happen.

MR. BELL: You can't like click on it and it links you to a description, and you can't do that within the context of Survey Monkey?

DR. CHEUVRONT: That's getting above my paygrade.

MS. MCCAWLEY: Anything else that would make the questionnaire or this process easier or better for next time? All right. Do people like this process? It seemed to work, and it seemed to help us figure out what we're going to do next. Okay. Once again, thank you, Brian, and thank you, Chip. Thanks to all who worked on that process.

DR. CHEUVRONT: Yes, it was a joint thing, and our staff and SERO staff -- At the last minute, we all got our tier stuff together, and we did it very quickly, and it was done in less than twenty-four hours, and, when you're coordinating that many people across different locations, I was very pleased at how well that went, and so thank you, all, very much.

MS. SMIT-BRUNELLO: Brian, a quick question. Would you remind me what CAT10 is that we're going to -- That the council wants to see in March?

DR. CHEUVRONT: That's Coral Amendment 10, and so that is looking at the allowable fishing zones for golden crab and the Oculina extension and the transit provisions and that sort of thing. That is a Chip thing.

MS. SMIT-BRUNELLO: Thank you.

DR. CHEUVRONT: Just a couple of -- Just one other thing, especially for the newer folks, and we talked about this when we had the orientation, but you have that follow-up document in the briefing book, and that was the latest version that we had at the time of the publication of the briefing book, and that's your bible. Whenever you're trying to figure out what's going on with anything that the council is working on, you can go there, and, all these things that are in purgatory, they are all listed in there, but all the upcoming meetings and draft agendas, when the APs are meeting, when the SSC is meeting, it's all sort of in there.

In some cases, it probably has more detail in it than you want to know, like when the Federal Register notice for something was published, and that may not be -- That may be at a level that you're not interested in, but that's important to us, because that helps us keep track of how things are progressing along and what still needs to be done, and so this is a multipurpose document. We use it in-house, but it's also useful for you if you need to look up what's going on. Then again, if there's any time that you look up something and it doesn't make sense to you, or you just have a question, just call the staff, and we'll be glad to help you out.

MS. MCCAWLEY: Where will this document live? How will we be able to go back and know that this is the list for December and this is the list for March?

DR. CHEUVRONT: This will appear in the Executive Finance Committee report, and so we will have all of that in there.

MS. MCCAWLEY: That sounds great.

DR. CHEUVRONT: As the agendas and things are coming up, they will also appear in the draft agendas as well, but, if you want to look at it say next week, the Executive Finance Committee is where you will find this.

If you recall, at the June meeting, we did not have the luxury that we seem to have now of having enough time to really get into things, and we were up against a deadline, in terms of regulatory reform, and we had been asked to go through and identify all of the federal regulations that were unnecessary, unneeded, or outdated. It was a long process, and we went through it all in June, and you had previewed it in March. We got it done. We had like a week after the council meeting to get the letter in to Headquarters with all that information in it, and that was sent, and that's in your briefing book.

Just to recap what we did, it's I presented you all with a document that you then color-coded into three groups. One was these are things are unneeded, unnecessary, or outdated, and these are the ones we recommend that can be removed, and then there was another group that you said that we don't want to touch these, and these are fine, and all these recommendations come from your APs, and they came from staff, and they came from SERO staff as well as council staff.

We brought it up to you, and you all had mentioned a few things, and so I combined them all into a single document. What we're left with now are those items that were left to be modified, and, because we were in kind of a hurry, we didn't do anything with those, and I am not suggesting

that, at this meeting now, that we talk about what are we going to do to modify each one of these regulations. There is a document in the briefing book, in I think it's Tab 9, Attachment 5, I believe.

All I am seeking right now, at this point, is do you have direction to staff on how you want us to handle those things that are modified? One thing I had thought of is that they are listed in FMP order, and that what you could do is, as new FMPs are being considered, the appropriate staff member could then bring up those actions, unless there were things in there that you felt needed to be addressed sooner, but I wanted to put that out there. We just left that without direction on how to handle those things that you wanted to modify.

MS. MCCAWLEY: Those are good points, and so a couple of things that I noted in that document, and so the two-for-one is in there, and there are permit modifications that actually the Snapper Grouper AP talked about, and we said that the presentation from the Permits Office would cover some of these, and so some of these, I feel like, are either in the works or about to be in the works, and the shrimp item could get covered when we talk about the shrimp and Oculina transit, and so I feel like almost all of these are either in the works or soon to be in the works, except for maybe the one about the charter vessel engaging in fishing and all that.

DR. CHEUVRONT: Madam Chair, I might suggest that I can help direct staff to keep tabs on the ones, the items, that are relevant to the FMPs that they work on, and, as you're discussing these new things, then they can suggest -- They can say remember back to this document, and this was something that you said you wanted to consider for modification, and do you want to do it now, and then let the council have that discussion then, but I didn't want to jump into that without specific direction from you all, because I didn't know if you all wanted to move these along faster or say we had second thoughts or whatever about any of them.

MS. MCCAWLEY: As long as we're not required, because we identified them, to move them along faster. Okay, and so you're saying no, and I'm fine with them just coming as we look at these various topics.

DR. CHEUVRONT: Just to clarify that, the things that you noted for modification for the future were not included in the letter that went to Headquarters. This is now a council issue only, and it didn't go any further than that.

MS. MCCAWLEY: Any more thoughts or questions or concerns or comments on the leftover regulatory review items? Okay. I think we're good. I think we have a plan. Thank you, Brian.

DR. CHEUVRONT: Thank you, everybody.

MR. WAUGH: The next item is issues to comment on, and, prior to the CCC meeting, we had a lot of different documents that were out for council review, and this was discussed at the CCC meeting. That Attachment 6 is a presentation that the Policy Office gave at the CCC meeting, and I'm not going to go through that. We had made the request that they develop a spreadsheet for the councils, to show what's out for comment and when it's due, to help us track this better, and they agreed to do that.

Right now, there aren't any other documents out for review, and I had thought that there would be some, so that we would bring those to you, but we're good for now, but, in the future, as those get

identified, we will get a list of items that we need to comment on and bring those to you for your review and input.

MR. HAYMANS: This sounds like an appropriate time to bring up something Monica mentioned this morning, and that's that the penalty schedule is being revised right now and that, in the very near future, you should see a Federal Register notice giving an opportunity to comment on that. I don't want to put words in your mouth, but Monica is going to keep an eye out for that Federal Register notice, and maybe, if the council could too, we wouldn't miss it. It may happen between council meetings, but I would love for the council to respond to that inquiry with our strongest desire to increase the penalty schedule in both the Southeast and the nation regarding reporting of data.

MS. MCCAWLEY: Good point.

MS. SMIT-BRUNELLO: Right, and so, in talking with my counterparts, they're finishing it up. I don't know about the near future, and I'm not sure of the timing, but I had heard that it was being worked on, and so they will put out a notice for public comment, and I made the point to Cynthia Fenyk, who -- Karen Raine is officially retiring tomorrow, and so Cynthia Fenyk, who goes to Gulf Council meetings, will also be -- She is listening in this week to this meeting, but, at any rate, I made the pitch, or at least I will continue to make the pitch with her management, that this council meets four times a year, and so perhaps they could schedule the public comment period so that you would have an opportunity to comment, because I know you're very interested, and so I will keep you posted on that, or I will make sure that Gregg knows, so that you can hopefully have an opportunity to comment, because I know you've been very concerned about that.

MS. MCCAWLEY: Good points. Gregg, do you feel like that's enough for you guys, if you had to comment on that letter before you get to the next council meeting?

MR. WAUGH: Yes, and we would run that -- Something like that, we would run it by all the council members, to make sure that everybody had some input, yes.

MS. MCCAWLEY: That sounds great. Very good point.

MR. WAUGH: The next item was Law Enforcement AP meeting schedule, and, Brian, were you going to handle that, or is Myra?

MR. CHEUVRONT: This is something that came up at the Law Enforcement AP meeting the last time they met. In the previous years, starting several years ago, they were meeting twice a year, and I believe, at one time, they were meeting -- When we were starting council meetings on Monday afternoons, they were starting the Law Enforcement AP the first thing on Monday morning at the March meeting, and sometimes they went into the next day.

Then they were meeting again at another time during the year, and we moved away from that, and they were meeting once a year, and there was a request from the AP to meet more frequently than once a year. Your current budget has them meeting once a year, which is what we have been doing for the last year or two. The question came up of does the council want us to meet more frequently, and that was their desire, usually, that they want to meet more frequently, and so we need to get some direction from you all.

MS. MCCAWLEY: I am going to look to Mel, too. I talked to our law enforcement rep about this, and he felt like, yes, they needed to meet more frequently, because, by the time they've met that one time, we might have already been all the way through the process, or it wasn't as timely as it could be for them to discuss things. I asked him if he would be willing to meet via webinar, and he said that if they had to that they would be willing to meet via webinar, just so that they can comment more frequently and stay on top of things, but I will look over to Mel, to see what you think.

MR. BELL: Yes, that's absolutely right. That was their idea, and it really came about because they found themselves -- We were at a point where we were about to go to push something to secretarial review, and they're like -- So they would like an opportunity to make sure that they can comment earlier on in the process and kind of stay in the rhythm of what we're doing better, and that could certainly be accomplished face-to-face, but, if that doesn't work, and there is specific things we want to -- Then a webinar would be fine, but I think the point is to give them more opportunity to weigh-in on things, and, like you saw this week, we got into some detailed discussion of descending devices and venting tools and all this stuff, and so, the sooner they can weigh-in, the better, and it kind of helps us then kind of know what's practical and not practical. Whether it's webinar or face-to-face, if we just kind of keep that as an option, and then we can just go with what we need to, related to what issues are tracking along and what amendments we're doing.

MS. MCCAWLEY: Yes, and so we could do that, or are you suggesting, Brian, that then they would meet on the schedule like the other APs, where they would meet once in the spring and once in the fall, and is that what you're thinking?

DR. CHEUVRONT: I don't know, and we hadn't really thought about scheduling. From a budgetary standpoint, webinars are really nice, because they're already paid for, basically, because we have an account that we can do an unlimited amount of those, but clearly there will be times, just like when you are talking about scoping and public hearings, where a webinar may not be an appropriate time to do that, or a venue to do that, and so I would like to maybe suggest that webinar be the default meeting for the second meeting.

They're always going to have one face-to-face a year, and additional meetings, if they can be done by webinar, that perhaps, if you could specifically give us that direction, and, if you need us to have them together face-to-face, then that's always an option, but those take longer to plan and set up, and they're more costly, and the work schedule, when you're having face-to-face meetings, that's more effort on the part of -- With travel for everybody and all that.

MS. MCCAWLEY: Yes, I'm certainly willing to try -- I like the idea of two meetings a year, and I'm certainly willing to have them try to do a webinar, even if it's a multi-day webinar, and see how that works, and then they could give us feedback on whether they thought the webinar process was adequate for them.

MR. BELL: Something to keep in mind too is we have a tendency, with the APs, to kind of tell them, well, here's all the stuff going on. If we kind of focus specifically on what has a law enforcement component, and there may be things that we're doing that it really doesn't kind of -- Certainly, the things that end in regulations, they have to enforce them, but, if we could maybe

focus our questions or focus our areas that we really need their input on, then you could bring it down to perhaps a shorter meeting, or a one-day webinar, or something like that.

MS. MCCAWLEY: I completely agree, and that's just like we were talking about earlier this week about making clear lists and clear directions for what we want various APs to look at. This week alone, we identified all over that best fishing practices amendment, between the descending devices and circle hooks and the line for the regulation, and I felt like there were at least ten things in that amendment that we need help from that Law Enforcement AP on, and I think we just need to keep thinking about that as we look at the different items.

DR. CHEUVRONT: Okay. I think that's probably enough direction. We'll get something in the report that you will be able to review and modify if it's not what you thought.

MS. MCCAWLEY: Thanks, Brian. Okay. We have two items listed under Other Business, and I'm going to turn it to Gregg.

MR. WAUGH: Thank you. The first item is in terms of timing of review of health insurance. When Jessica and Charlie came into the office and did my in-person review in December, one of the points that I made with them is staff is stressed about another look at the benefits package. You made significant changes to the benefits package in June, and Jessica asked me what can we do to try and address that, and I suggested that if you could consider postponing the additional look at the medical coverage from December to the next time you do your comprehensive review of the benefits package, that would give a period of stability with the changes that you've already made to the staff benefits package.

We talked about, well, how can we do that, because we don't have a Personnel Committee meeting, and I said, well, we're only -- We're not getting into the specifics of what we're going to do. We're talking about when you do that additional review, and so I suggested that we discuss it in Executive Finance, and so that's the issue here, whether you feel you want to continue to look at the health insurance package in December, and, if so, give me a little more specifics on what you want to look at, or could you consider deferring that discussion until the next time you review the benefits package?

MS. MCCAWLEY: I will go to you next, but just a reminder. Remember when the Personnel Committee did the review, and so we sort of ran out of time a little bit, and there were two items that the rest of the council identified that we didn't get all the way through. The rest of the council members identified two main things that they wanted to look at, and I know one of them off the top of my head, and I have to go look up the other one, and so this was a review not of everything all over again, but of these two remaining items.

The Personnel Committee is going to meet anyway in December to do Gregg's evaluation, if we wanted to start looking at this again, or if we want to wait until next time, and so I'm going to look up -- I am going to go to Doug, and I'm going to look up what those two remaining items were.

MR. HAYMANS: Thank you, and this is without prepared remarks, but from the heart, to staff, because 95 percent of the council staff is in this room, I regret terribly that you guys feel stressed over the fact that the council, the Personnel Committee, and the leadership is looking back through the benefits package. Those of us on the Personnel Committee feel as though that's the role of the

Personnel Committee, and it hasn't been done in a number of years, and so this particular review of the package seems a bit more thorough than perhaps some would like, but it hasn't been done in forever.

I understand, from a personal standpoint, how it can stress you out, and I apologize for that. I sincerely apologize for that, but I think you'll see that what we've done to this point, as a committee and as the council, hasn't had a tremendous bottom-line impact on you, but, from a council standpoint, from a responsibility to this council, I think it falls to this committee and to this council to continue over time to look through how we operate.

From that, there were some pieces that we didn't finish back in March and previously, and the plan was to try to finish that in March, and chief among them is the medical package as it relates to your families. I think you will have to agree that the package that you have is extremely beneficial, extremely helpful, and, I mean, you will be hard pressed to find a medical package anywhere else that compensates as well, and it's not that we are wanting to cut anything, but I think that we need to look at it from a cost perspective to the council, and so, from that, I would like to keep it on the December agenda and finish the work out, but, again, from the heart to staff, I sincerely apologize that you guys feel stressed over this process, but, quite honestly, we all go through it, but we just don't see it to this public level. Our HR department is constantly evaluating our benefits packages, but we just don't see it as publicly as it's seen in this realm. Again, that's what I've got.

MS. MCCAWLEY: I looked back to the minutes, or, actually, I was looking at the motions report, and it's not very specific. One of them was, just like you mentioned, the benefits paid for the spouses, I believe, was one of them, and I don't see the other one listed on here. I need to comb through it a little bit more, to figure out what the other one was. In our report, we just said addressing overall healthcare costs, and so I can't glean exactly what the other specific was at this time.

I too would like to just finish these discussions. They are challenging and difficult discussions, and, like Doug, I feel like it is the role of the council to look into those things. I think that the council, even though we know we're level funded, have historically picked things other than anything from the benefit package to try to look at ways to cut costs, whether it's travel for AP members or council members, et cetera, before looking into this package, but the package, as we found out as we delved into it, it had not been looked at in at least twenty-plus years, and so I do feel like that's one of the roles of the Personnel Committee, and maybe it hadn't been done in some time, but I am looking around the table to other folks about how they feel about this.

MR. BELL: In terms of the package itself not being looked at, I mean, council staff, senior staff, have made adjustments in how they were working healthcare to save money. I mean, they did that on their own, and so there have been cost savings achieved in just how they were packaging things or who they were working with or how they were going, and so, I mean, some of that was already being done by senior staff, the ED and Mike, already.

This comes down to -- You're right that this is the first time ever, as far as I know, the Personnel Committee has kind of gotten involved in discussions about these sorts of things, but I guess where I have been kind of having a cognitive disconnect in this is in the effort to achieve additional cost savings, and so, if you're trying to achieve cost savings, it's always good to do things in an

economic and viable way, thinking long-term, but what was sort of the driving budgetary issue that we were kind of trying to save towards, I guess.

We didn't really have a specific goal in mind or a specific direction from Executive Finance, this group, to Personnel to achieve a particular level of savings or something, and so that's where I have -- In terms of, yes, we did some things, and we saved some -- There is some savings in there, and we've done other things, like it was the first time ever, as far as I know, that we have actually touched the handbook, I mean in terms of kind of getting some things codified in there and all.

I don't remember ever doing that before, and so that was a beneficial outcome of that, I think, but, in terms of trying to achieve additional cost savings, I would feel more comfortable if we had sort of a directive from this group, and this is Executive Finance, of a goal or something of what are we trying to achieve, what are we trying to save, I guess, and it gives us something to work towards.

MS. MCCAWLEY: All good points. I kind of see this review as multi-pronged, and I think you hit on two or three of those factors, one being if you're actually trying to achieve some type of cost savings to a particular amount, and that's one role, or one way to look at it. One is just to do an overall review of the package and then compare that to the handbook, to make sure that we're in good shape and that all of those things are codified in the handbook for if there were some type of legal action taken here, and so just kind of a comprehensive overview, comparing to the handbook, and then possible cost savings.

We talked earlier in this committee about how there were a number of items that have been kind of hanging out there that were brought up, a lot of them brought up by Ben Hartig and Michelle Duval and Charlie Phillips about some items that we might want to do, like have an additional SSC meeting or have a Mid-Atlantic Council liaison, and there were some other items on our wish list, and some of them had significant cost.

There might be a need for additional cost savings somewhere, and it looked to be, for some of those items, more than just shaving off a little here or there, like if we're going to have a Mid-Atlantic liaison, but I guess I'm looking around, first at the committee members of the Executive Finance, but also to other council members, especially those that were involved in this review, if you want to finish up this current review that we're on right now, because we didn't actually really complete that. We had a couple of outstanding things we wanted to look at, and then Mel and Doug are right that we'll be looking at the whole package again in a year or so, but the Personnel Committee will be meeting if you do want to finish up these two remaining items.

MS. BECKWITH: I'm okay finishing the discussion. I am not sure that we'll take any particular action on it, but I think it's worth having the discussion.

MS. MCCAWLEY: All right, and so I'm looking around the room and to our new Personnel Committee Chair, Chester.

MR. BREWER: Thank you, Jessica. Yes, I think we ought to go ahead and try to get it finished up.

MS. MCCAWLEY: Okay. It seems like we're looking at reviewing these couple of remaining items, and we're already going to be meeting the Personnel Committee at the next meeting, and,

just like Anna said, we might decide that we don't even want to take any action on those items, but let's just go ahead and talk about them and finish that process.

MR. HAYMANS: Timing-wise, if it's possible to have that Personnel Committee meeting on Thursday, I would appreciate it. I'm not quite of sure of my attendance Monday through Wednesday at the December council meeting.

MS. MCCAWLEY: Okay, and so you're wanting the Personnel Committee maybe to meet in closed session on Thursday morning?

MR. HAYMANS: If that's possible.

MS. MCCAWLEY: Okay. All right. If you have what you need, Gregg, then I'm going to turn it back to you for the Whale Take Reduction Team.

MR. WAUGH: Yes, and we need to identify a representative for the Take Reduction Team. Charlie has been doing this in the past, and he has agreed to -- We have agreed to send him to the next one, and I think it's maybe like next week, or this month, but we need to figure out how you want to handle this going forward after that.

Generally, it's a council member, and there is no requirement that it has to be. In the past, the council considered, when David Cupka rotated off the council, putting David in that position, and so it's up to you all. If it's a council member, and a paid council member, then we would pay for that individual to go. Right now, we are covering any of Charlie's travel expenses that are not covered by the Take Reduction Team folks.

MS. MCCAWLEY: So the Take Reduction Team actually pays for the travel for one individual that comes from our region?

MR. WAUGH: Yes.

MS. MCCAWLEY: Just a little bit more about it, and so Mel and I had talked about this before we got to this meeting, because we had to make a decision about who to send. I think that the Whale Take Reduction Team has been working really hard on line-less trap gear, and Charlie seemed to be the most knowledgeable about that gear, and I think is even going to be testing it, and so I felt comfortable sending him to that meeting, and I'm fine to send him to future meetings as well.

MR. CONKLIN: I'm not on the committee, but I appreciate the time. Charlie has expressed explicit interest in keeping his job as the whale man, and so, in the interest of budget and stuff like that, and continuity, and maybe he will come and give us a little update every now and then, and I think it's good that we keep him on.

MS. MCCAWLEY: Chris made a good point. I would like to get some updates back from him after he has these meetings, and so maybe he could come and give us updates, kind of like what the AP folks did.

MR. BREWER: **I want to make Chris's motion, and I am on the committee.** I spoke with Charlie briefly about this yesterday, and he is very much interested in it. He is also the perfect person to do it. I mean, he knows everything that is going on at this council, and Lord knows he knows our concerns and all of that, and I can't think of a better person to do it, particularly since we don't have to pay him, except for his expenses. Come on.

MS. MCCAWLEY: **All right, and so your motion is going on the board to appoint Charlie Phillips as the South Atlantic representative to the Large Whale Take Reduction Team.** Is there a second to that motion? It's seconded by Mel. Any more discussion on that? **Any objection to that motion? Seeing none, that motion stands approved.**

MR. HAYMANS: With Charlie being installed as a TRT member, his travel costs will be covered, and that's if he comes here to give us a report? I mean, what would the travel costs be?

MR. WAUGH: No, that would just be -- I think they cover a part of his travel costs to attend Large Whale Take Reduction Team meetings. Mike, do we cover all of it, or do they cover all of it? Do you know?

MR. COLLINS: I believe they cover the travel costs.

MR. WAUGH: Okay, and so, if we bring him to a council meeting, that would be on our dime.

MR. BREWER: I don't see a reason why Charlie couldn't give us a written report. I mean, most of us know very little of what goes on in that group and organization, but Charlie is pretty -- I mean, he could give us a one-page report about what went on.

MS. MCCAWLEY: All right. Any more discussion on that? Another item under Other Business, and so I don't think we officially have a council representative to the SSC. Mel and I have agreed to cover that, tag-team that, in a week or so, and I don't know if you guys want to have a discussion about who the council representative is for the SSC.

We can also take this up at another meeting, but I thought you might want to discuss it now. Even if we pick someone, the meeting is not next week, but the week after, Monday and Tuesday and I think part of Wednesday, which is why Mel and I agreed to go ahead and cover that, between the two of us, and so is there someone that is dying to be the council representative to the SSC? Otherwise, we can talk about this at the next council meeting.

MR. POLAND: I would like to volunteer to do that, but, just so I'm clear, you and Mel are going to cover the one in two weeks?

MS. MCCAWLEY: Yes, we're good for the meeting that's a week or so from now, but this would be the future meetings, and I love that you volunteered.

MR. POLAND: Well, you don't have to pay me, and so, if you all will cover the one in two weeks, that would be great, because I still have a hole in my roof.

MS. MCCAWLEY: All right, and so why don't we make a motion? Mel, would you like to make a motion?

MR. BELL: Yes. **I move that we appoint Steve Poland as the council SSC representative, or liaison.**

MS. MCCAULEY: All right. It's seconded by Spud. Is Spud on the committee? I don't know if Spud is on the committee, and I'm going to go with Chester. Chester is on the committee. All right. Any more discussion? **Any objection to that motion? Seeing none, that motion stands approved.**

Any other Other Business to come before the Executive Finance Committee? Seeing none, we will go ahead and adjourn this committee.

(Whereupon, the meeting adjourned on October 4, 2018.)

- - -

Certified By: _____ Date: _____

Transcribed By:
Amanda Thomas
October 17, 2018

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Wednesday sign in sheet - 10/3/18

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Bill	Kelly					Industry Representative
Walter	Bubley					SCDNR
Dean	Foster				NGO	
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September council mtg webinar - Day 4 - 10/4/18

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