

# **SOUTH ATLANTIC FISHERY MANAGEMENT COUNCIL**

## **EXECUTIVE FINANCE COMMITTEE**

**The Beach House Hilton Head Island  
Hilton Head Island, South Carolina**

**September 17, 2015**

### **SUMMARY MINUTES**

#### **Committee Members:**

Ben Hartig, chair  
Mel Bell  
Charlie Phillips

Dr. Michelle Duval, Vice  
Jessica McCawley

#### **Council Members:**

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

Zack Bowen  
Mark Brown  
Jack Cox  
LTJG Tara Pray

#### **Council Staff:**

Bob Mahood  
Kim Iverson  
Roger Pugliese  
Dr. Kari MacLauchlin  
Dr. Brian Chevront  
Mike Collins

Gregg Waugh  
Amber Von Harten  
Dr. mike Errigo  
Chip Collier  
John Carmichael  
Julie O'Dell

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

Erika Burgess  
Dr. Bonnie Ponwith  
Dr. George Sedberry  
Monica Smit-Brunello

Dr. Jack McGovern  
Roy Williams  
Tony DiLernia  
Sean Meehan

Additional Observers Attached

The Executive Finance Committee of the South Atlantic Fishery Management Council convened in the ballroom of The Beach House Hilton Head Island, September 17, 2015, and was called to order at 1:30 o'clock p.m. by Chairman Ben Hartig.

MR. HARTIG: We're going to start the Executive Finance Committee. The first item of business is approval of the agenda. Are there any changes to the agenda? Seeing none; the agenda is approved. The next item is approval of the June 2015 minutes. Are there any changes or corrections to the minutes? Seeing none; the minutes are approved. That brings us to status of the Calendar Year 2015 budget expenditures behind Attachment 1; Bob.

MR. MAHOOD: If you look at it, you will see we're pretty much on track even though we're pretty much three-quarters through the year. It is shown we're spending at about a 50 percent level to date. There are a couple of reasons for that. We have some large expenditure that have not been paid out yet from the state liaison grants and some of the other contracts we have.

Also we have been spending at a rate to try to create some carryover into next year; and if you look at the bottom line on the first column on the left and the bottom line on the column on the right, we are looking at a carryover of about \$326,000, plus or minus a little bit. I think we're in pretty good shape; and we hope to be in good shape going into the next year, Mr. Chairman.

MR. HARTIG: Questions for Bob about the budget? I don't see any; so moving along to council follow up and priorities, and I believe Mr. Waugh will be taking us there.

MR. MAHOOD: While, we're waiting for Mr. Waugh, let's skip along to the next item.

MR. HARTIG: The webinar format used in recent hearings.

MR. MAHOOD: As many of you know, this past year we've been looking at a different format for holding some of our public comment sessions and to gather public information. In the past when we've gone in the field, we've expended considerable funds in certain locations only to have a couple council members, two or three staff members, and nobody from the public show up. Then we get complaints about, well, you don't meet where we are.

We looked at a new format this year; and, of course, Amber was very much involved in this as well as the rest of the staff. We set it up to where we would have a station that people could go to in a particular area and council members would be there but yet staff would operate remotely via webinar. I think it worked pretty well. We had more participation from the public.

Some people did go there and the people that showed up at the site had the opportunity to talk one on one with the council members that were there, which was good. I think a lot of the public liked that. Other people that couldn't make it to the site were able to tune in on the webinar and have their input through the webinar. Mike did some dollars-and-cents calculations, and it looks like the average on-site public input session costs somewhere between \$1,500 and \$1,600; yet conducting it through the webinars with a site that people can go to and interact with council members ran about \$500. It is about a third cheaper overall to operate like that.

Now obviously there are some issues that are so sensitive that I think we do need to get out in the field and hold a number of hearings; but for a number of things that we do I think this is a good

way to address it. Mr. Chairman, that is kind of what we are asking, I guess, is what is the wish of the council? Should we continue with some of this or should we do it differently?

MR. HARTIG: Well, I have my views, but I'll go around the table if anybody wants to chime in, and I'm looking at Charlie first.

MR. PHILLIPS: Mr. Chairman, it seems to be working well; and as Bob says, there probably are some times when we need to try to meet face to face. I know in Georgia, meeting at those fishing clubs, Doug made sure that we've got people there and that worked very well. I think we might have a sweet spot here.

MR. BELL: Yes; I think from South Carolina's perspective we had some good results out of that and I felt comfortable working with that. Part of it was we found some good places I think, particular in Murrells Inlet, which is more of a kind of ground zero for a lot of the snapper grouper fishery and all.

That in part was taking it sort of to them, so that helped; but I mean the overall format and how we did that seemed to work. We spend a lot of time dealing with snapper grouper issues. If it is a different fishery and we need to kind of change the center of gravity in terms of the location, we can do that. But I liked it; I thought it was much more successful than the previous couple years.

MR. COX: I think the same; I think it is has worked very well. I like the format we're doing now so I would say continue.

DR. DUVAL: Yes, I thought it worked well, also. I think fishermen appreciated the more informal style of what we did; particularly when we were doing the vision comment stations. It was less intimidating I think for them to be there with us instead of also having multiple rooms and staff tables and whatnot.

I agree with Bob that there are some issues for which you definitely are just going to need to have an in-person meeting, and we also did that as well. I was unfortunately disappointed in the turnout that we had in North Carolina for one of our public meetings, the one for Regulatory Amendment 16. We had that in an area that was very close to the heart of that fishery. Sometimes you hit and sometimes you miss.

MR. HARTIG: To follow up on the Regulatory 16 thing, we used Kari to go out and interview fishermen and get some really, really great input; and that frees up a little bit of our funding I think to be able to do that in special circumstances where we need to do that. I really think that is a great benefit to that.

I think in the process of the listening stations, I really like the people from the other areas being able to chime in on the webinar and being able to interact with fishermen in other areas. I think that is critical. That doesn't happen very often, and now that is going to be a part of our process moving forward, I think. Charlie, to that?

MR. PHILLIPS: Yes, to that point, when we're listing our comments from each of these public hearings, it would be nice if we can kind of make sure we're not double-counting comments and we're doing state-by-state kind of comments and things like that. That will be helpful.

MR. HARTIG: Erika, you were at all of these that we did in Florida; do you have some observations you would like to share with the council?

MS. BURGESS: I thought the combination having staff in Charleston presenting and then having yourself there to talk, and I was there to answer questions, we were able to have law enforcement at a few meetings to answer enforcement questions; I thought it was very valuable. I would encourage the council members who maybe haven't been able to make it out yet to attend these, because the interaction is great.

As far as for the folks that are in the room listening, it would be helpful for us to know how many people are on the webinar listening and maybe where those folks are from. I think council staff has an advantage to know how many people are there, who they are, and the council members in the room may not have that same advantage.

MR. HARTIG: The only other thing I would add is that at one location in particular, maybe it was two, we had a microphone that you could hand around for people to talk into. Believe it or not, just trying to move someone from a chair to another chair to speak makes a difference. You all realize that.

If we can have a microphone that we can pass around at these things where people don't have to get up, they can stay in their chair, it works well. The one problem we had was some of the venues were too small. The one in Key West was, my gosh, it took us a half an hour to get enough chairs in there and we still never did get enough chairs for all the people that showed up, which was great. I mean they all showed up.

Of course, there will always be some glitches in the technology that we deal with from time to time and unfortunately we had that at that meeting. But, all in all, I think moving forward this is definitely the direction we should go; and that is the sense I am getting from around the table as well, lots of heads nodding.

MR. MAHOOD: Mr. Chairman as we get this kind of input, I think it will only get better. Electronic glitches will get better as we learn better how to do it and how to work it.

MR. HARTIG: And I agree. Gregg.

MR. WAUGH: Yes, one thing we noticed – and we included the Q&A session from Murrells Inlet. Sometimes you do the presentation and then you tell people, okay, we'll handle questions. Well, it is a fine line between questions and comments. Sometimes you get a great exchange; then you get to the formal comment session and there is radio silence. I think one thing we should try to do is also record the Q&A part and have that available, because I think that way we won't lose some of that input.

MR. HARTIG: Everyone who has run one of these knows what happens. Many times you get some of the best input up front and after the darned meeting in some cases, but at least at the

Q&A Gregg's got a great point. I neglected to mention that; and I mentioned it to Erika that I think we should be taping the Q&As as well, and I think we should do that moving forward. Because you are absolutely right, there are a lot of good points that come out in the Q&A and they are not captured as well in the hearing process.

MR. WAUGH: It will cost a little bit more, but I am assuming then that we would get them transcribed, too, because I think we routinely record them, but we may or may not transcribe them. I think there is a utility in having them transcribed as well.

MS. BURGESS: Ben, I think you mentioned having the microphone. Not having council staff travel to the meetings is saving some money. I would recommend that there might be a one-time purchase per state to purchase microphones or a speaker. I happened to purchase speakers for my computer to use for this purpose out of my own pocket; and they were a cheap pair for twenty bucks. If it is important enough to make sure you hear the audience, well, a microphone may be a worthwhile investment and a speaker depending on which location you're at.

MR. HARTIG: The other thing the microphone does, it focuses on that one person. That is the person who is talking and has the microphone. You know how some of these things can kind of get away from you. But overall I think as people evolve into this concept, it will get better and better. As long as they know that they can have the interaction, they can work off of what someone else said. Wait, we're going to give you the microphone, you're going to be able to talk about it; I think it will work.

MR. BROWN: Well, our last meeting that we had in Mount Pleasant, we had it at the Water Department. It worked out pretty well there, because there you could sit in your chair in the room and talk, and it went through their speaker system and everything worked well. That meeting actually worked really well. Amber said she could hear us real well and people didn't have to get up and move, and that was a good thing.

MR. BELL: That place was set up as a really nice kind of boardroom, but, yes, you find places like that. That is a good one to keep in mind.

DR. DUVAL: Again, the clarity of the discussion for both the webinar participants and for staff who are trying to hear what the folks in the room are saying really depends upon how outfitted the place is. All three of our locations had conference phones, so we had that ability. Fortunately, the number of participants we had was sufficient for that.

We had some technical difficulties at one of our sites, but that was because of an area-wide internet outage that was through no real fault of the technology. I hear what Erika is saying and you in terms of a microphone. If you're in a place that is less wired and you are thinking about a microphone, I just don't know how that is going to work with the webinar especially if you're having to plug it into your computer in order for that to be coming through the webinar. I don't know if Amber can maybe answer some of that.

She and I talked about potentially me purchasing like a little USB microphone or something that I could plug into my tablet that might help in situations where you don't have like a tripod conference phone; but I don't know how well that is going to work. I don't know how well it

would work with the webinar system. We can try it, but I'm just saying there might be some limitations to that depending on where you are.

MS. VON HARTEN: Yes; I think it just depends on the connection, if we're using a phone versus the microphone on your tablet or computer. You said you had a microphone that you passed around?

MS. BURGESS: At our meeting in Stuart we were meeting in the City Hall and they were fully wired in their public meeting room where they had speakers all around. They had a microphone that was wireless that they passed around. If you didn't realize that was what we were doing, that's great.

We did the pretest before the meeting. I didn't think we needed the microphone, because we had used my laptop for every other meeting and the rooms were small enough, and it was fine. But in the pretest with Mike, Mike couldn't hear us when we stood on the other side of the room talking, which is actually where a lot of people sat. Without that microphone, we would have had to either move the audience or move my computer, so we lucked out that time.

MS. VON HARTEN: Okay, I think it just depends on – also that room was obviously wired for that purpose. Mike and I can like look into some options and see if there are some wireless microphones that don't require amplifiers and they can be integrated. We'll look into it.

MR. BOWEN: I would just like to emphasize that we don't need – I mean we're talking about what is going on, but for Georgia we need to figure out how to get more people at these things. It's just our turnout. Yes; we have some people and they're good when they're there, and we get great comments; but it is just not enough of them, and I don't know how to reach out to any more people than what we're doing or how to go about it.

But let's just keep that in mind that the more comments – it's like the sample size. The more sample size, the more accurate we feel like the numbers will be. Well, the more sample sizes we can get from the people; the better it is going to be. I just wanted everybody to keep that in mind.

MR. HARTIG: I appreciate that; that is an age-old question that we continue to struggle with. Every year we bring it up, and Amber and Kim and everybody else who works in I&E continue to try and find innovative ways to mobilize the public to get them out to these hearings. I hope that this new way we're doing things will garner some more people to the audience, so they don't know that they're going to be put on the spot.

It is going to be much more informal and that may help. Only time will tell. I am glad Mike raised his hand, because the question I wanted to ask him was on the number of venues in Florida, they weren't in hotels, per se, that I remember, so all of these government centers, the FWC; do we have to pay for those?

MR. COLLINS: Some you do and some you don't; it just depends on the venue. The one thing that I would like to add is the one thing I was disappointed about was a lot of people texted their questions in instead of getting on the microphone and actually doing it through the microphone, particular the ones on the webinar.

I think I'll get with Kim and Amber; and maybe once we have the ones that register, we can reach out to them and offer some sort of training or something like that so we know who is registered, because some of them were reticent and they didn't feel comfortable on talking and they didn't have the microphone hooked up or whatever. There were all sorts of different things, so I think we could reach out to those. Once we have the registration, we have their e-mails, and we can reach out to them and maybe improve that.

MR. MAHOOD: That is true, but that did allow people that feel uncomfortable talking a way to get their question in.

MR. COLLINS: I think there will always be those, but I think that you lose a little bit when you don't have the two-way conversation and one of the staff members has to read what they say and then they're busy typing and that type of thing.

MR. HARTIG: I think Brian; he was the question reader for one of ours. Brian, I give him credit, he was pretty insistent; we've got some people here that need to be heard. But that is the other side of this coin that we haven't talked about. If you have a whole lot of people like we did in Key West, it makes it hard to make it work.

Somehow we need to try and actually have a schedule or something we try and stick to where at X point of the webinar this is when we're going to stop the questions locally and take some of the remote questions. I think if you can break it up like that, I think that would help.

MS. VON HARTEN: One thing back to trying to get people comfortable using the webinars; one of the thing that we had talked about doing was the council has a YouTube channel now, in case you don't know; but doing like a little video of how you register for a webinar, and then people could just watch the video on the website and know what to do. Julia Byrd actually put together this really nice, detailed kind of manual of how to register, so we do have that available.

MR. HARTIG: Great; anything else? I think you got pretty clear direction which way we're going, Bob; so that is a good thing. Now we need to circle back to Gregg on our priorities.

MR. WAUGH: What I've done – and Mike sent this around to you – I've taken what was approved and what was included with the follow-up document, our regional operation schedule and deliverables. I've updated that with actions as we discussed them here and continuing from September through December in 2015 and then starting to look in 2016.

If you remember, the idea is to get a list of any items you all would like to see us work on in 2016 at this meeting and then we prioritize those at the December meeting. In terms of our list of what we had to do; that is this top portion here. Snapper Grouper Amendment 35 is complete, so that was submitted just before this council meeting. We're on schedule. If we start on the top, Amendment 37, we have modified the timeline to where we're going to approve for public hearing in December and then do the public hearings January/February, approve and submit it in March, because that is under a statutory deadline.

Snapper Grouper Amendment 41, we're going to talk a little bit more about that when we get to Snapper Grouper in full council; but the idea was to perhaps defer approving that for public

hearing until March or June. I am going into a little bit of detail on these just so you can see what sort of the carryover from items this year is to next year before we get to our newer items.

Amendment 36, we're scheduled to approve the actions at this meeting, finish that up in December, and submit that in early January; the System Management Plan, the same thing. There will be an appendix within Amendment 36 that is a System Management Plan for Amendment 36.

The Joint Charterboat Reporting Amendment, we now have split that out as a separate amendment. The timing is roughly to approve it for public hearings at the December meeting, do the public hearings January and February, review hearing comments, approve all actions in March, final approval in June and submit in July. That will have some carryover work.

The Black Sea Bass Pot Amendment, we're scheduled to finish that up in December and submit that document in December, so that there won't be any carryover there. The FEP work will continue into next year. Amendment 36, Coastal Migratory Pelagics, we're scheduled to approve that for public hearing at the December meeting and do hearings in January and February. We'll see if we can keep on that same schedule.

The Joint South Florida Amendment, we're going to talk about that again some more in the Snapper Grouper Portion of full council; but there is some interest in pulling out of that actions to look at combining the ABC and ACL for yellowtail snapper, Gulf and South Atlantic ABCs and ACLs, and that would require us to do the AM.

When you talk about that, we're going to talk about doing that; and since yellowtail is in the majority in the South Atlantic side, we would likely be lead on that. If we were to do that, you are looking at options here. We could approve that for public hearings in December, hold the hearings and finish it up in March, depending on how fast you want to move along with that.

And like I said, we'll have some more discussions in Snapper Grouper. Then Regulatory Amendment 23, we were scheduled to approve that for public hearings in December. We've got three new regulatory amendments that were on the table for discussions at this meeting, and our guidance has been if we add those; that we defer Regulatory Amendment 23 to next year.

Doug was very slick in taking the action. He wanted out of Regulatory Amendment 23 and putting it in the blueline tile amendment or at least suggesting that. That is something we have to resolve here, just what will go in this. But we've got a blueline tilefish framework. There is an issue of changing the yellowtail snapper commercial fishing year and then possibly adding black sea bass to that.

I think realistically we would look to you to approve those items for public hearing at this meeting. We hold public hearing in November, and that would be done via webinar; final approval in December of all actions; and then finish that amendment up in March and submit in March. I just don't see how we could get all of that done by the December meeting. While the committee did not approve a dolphin framework, that is going to be discussed more in council.

If the direction is to go forward with a framework for a commercial trip limit in order to affect next year's season, we would have to finish that in December. Again, that is starting a regulatory



amendment from scratch; and Brian still has to finish up black sea bass. That is why I don't see – if we do dolphin, I don't see how we can also get blueline, yellowtail fishing year and if we add black sea bass done for final action in December. It will likely go over to March.

Then the one we haven't talked at all about yet is red snapper framework, whether you want to try to do anything to affect next year's season. Then what is on the list for next year, assuming some of those may slide over, but there was Snapper Grouper Regulatory Amendment 24 dealing with multiple species.

We've got CE-BA 3, which is bycatch; whether it stays as CE-BA 3 or whatever document that is, picking that up; a generic commercial logbook amendment, which we would probably talk about perhaps separating that as well; a snapper grouper amendment to update the wreckfish ITQ; a coral shrimp amendment to look at modifying the golden crab and to establish a rock shrimp fishing area.

Shrimp closure work; there is not a lot there; Joint South Atlantic/Gulf Amendment 24 to deal with Atlantic Spanish mackerel allocations. I guess the Gulf will be dealing with allocations as well. We were carrying this Calico Scallop FMP, but haven't heard any interest in that. But then items we moved from 2015 was an amendment to deal with short-term visioning, items from the visioning process that we want to deal with short term; then an allocation amendment coming out of the visioning.

Amendment 38 to deal with blueline tilefish; a dolphin amendment which was approximately seven actions, so that is a major amendment; presumably starting a red snapper amendment to deal with whatever comes out of the stock assessment. Needless to say, that is a lot and probably can't squeeze all of that in to the funnel for next year. It is contingent on what you decide here in terms of these additional frameworks.

DR. DUVAL: I'm a little concerned about the blueline tilefish framework, I'm sure nobody is surprised, potentially not being submitted until March mostly because even though the fishery will reopen in 2016, it will still be under that incredibly low 35,000 pound ACL, and that is going to go quickly.

If we don't have – I mean, what can be jettisoned from that? If we don't adjust the black sea bass bag limit; would that help it move along faster? In terms of the dolphin framework to implement a trip limit, my preference would be if there is something that has to be shoved off a little bit, then I think the dolphin framework could wait an extra meeting, because you're going to get the ACL increase.

And then if the trip limit is the only action that is in that dolphin framework, then presumably we could get that done in between from one meeting to the next. I would prefer to see the blueline framework approved in December so that we can get that ACL increase in there and not be dealing – I mean, my phone blows up with the discard issue.

There have already been multiple calls from fishermen wondering when would this ACL increase come in. It was my understanding that even if we approved this in December, it wouldn't get through the process until, I don't know, at least April or end of April. Maybe Roy

can speak to some of that and you can speak to some of that in terms of staff workload and how we make that work.

MR. WAUGH: When we came into this, we said we could probably deal with the blueline tilefish/dolphin and get those two done by December if we deferred Snapper Grouper Regulatory Amendment 23 to next year. It is really adding the black sea bass bag limit that makes this difficult to get all of that completed by December.

MR. HARTIG: The one thing I would say, Gregg, is don't we have an expedited process to put ABC/ACL changes in the –

MS. BECKWITH: Yes, framework.

MS. HARIG: No; don't we have a quicker framework?

MR. WAUGH: Yes, but that is only if you change the ACL and the ABC and don't change anything else.

MR. HARTIG: In blueline are we changing anything else?

MR. WAUGH: Yes, trip limits and bag limits.

MS. McCAWLEY: I was just going to say based on what I just heard, if we have to jettison the black sea bass bag limit out of the blueline tilefish/yellowtail fishing year so that it can move faster, then that might be what we have to do; put it in something else.

MR. PHILLIPS: I would be inclined to not work on this commercial trip limit for mahi and let's see what happens, because we're either going to have to do it really fast and keep everybody just nose to the grindstone and possibly drop some stuff off that we really don't want to drop off. If we don't get it done now, then it is not going to be in effect for the 2016. I would rather see what happens in 2016 and be ready to change something if necessary after that.

MS. BECKWITH: Charlie, in terms of timing for the dolphin, I actually do think it is a priority. One of the discussions that we sort of had and what we heard from the industry was out of 70 percent of the ACL doing a step-down as to not close, to assure that it is not going to close for the small boat hook-and-line fishery. I think that is a priority.

I think if we close two years in a row, it would be really unfortunate. In terms of timing, I agree with Michelle that with that extra 400 plus thousand pounds, maybe it is slightly less time-sensitive and we can push it back one meeting. I'm trying to think about the timing if we did that one in December and had it submitted in March, then approval might come in by June, Roy? Well, we have an extra 400,000 pounds coming in, right, because the new ACL would have kicked in. That is why I need some feedback from Jack and Roy, if it was submitted in March, would we be able to get that 70 percent in.

MR. BROWN: What I thought I heard was the additional 400,000 pounds would help them get through the season; since it was such a short season, that they would be able to get through the

main part of the season. We discussed working on the framework just in case something was to maximize itself next year and that we did need to go in that direction.

MR. HARTIG: I think you could use the landings now; they are probably pretty much – it has been how many months now since we haven't had any dolphin landings, Jack?

DR. McGOVERN: Dolphin closed on June 30.

MR. HARTIG: Okay, so it closed on the 30<sup>th</sup>; outstanding landings, Bonnie, from dealers? Do you expect anything out of the ordinary on that compared to probably landings in previous years? I know I'm asking you something cold. It would be nice to know that the council could look at a number and say if 400,000 pounds was added to the number that we closed it at this year, would that have worked is what I'm getting at?

DR. PONWITH: Yes, projecting that into the future is going to be pretty challenging. If you know what you want in terms of triggers in the landings that are collected, we can build those triggers in. The thing that becomes more difficult to build in is when we're missing reports. It just creates uncertainty in hitting that trigger correctly.

MR. BOWEN: I have to step in. When I hear several members of this council wanting to delay our raising of the bag limit of the sea bass, I have to voice my concern. My recreational fishermen in Georgia have suffered long enough. We're at 57 percent of the ACL. That does not need to be postponed. We need to address that situation as fast and as soon as possible to give our recreational fishermen some fish back.

MR. BREWER: I guess just further with what Anna was saying; we've had a closure of commercial dolphin for half the year this year. I think that there have been some drastic economic impacts as a result of that. Those economic impacts are not just in Florida or in our area. They are up and down the eastern coast of the United States, because that fishery is closed all the way up to Maine.

I know that there is now an additional 400,000 pounds that for whatever reason the secretary's office has not approved; don't know when they are going to approve it. They may or may not approve it in time for this next fishing year. Also, you've got to remember the economic incentive right now it is open season, baby. There is not permit requirement; it is open access.

For those guys that were bringing in 20 and 30,000 pounds at a whack; that is 80 and 120,000 at a whack. There is going to be a big incentive for a lot of folks to jump into that fishery. There is not going to be anything to constrain them. I think that we are running a very big risk if we don't put some sort of constraint in place before the beginning of the 2016 fishing year. For that reason, I agree with Anna that that needs to be looked at; and I think we need to do a framework amendment at this meeting so that it can be in place, hopefully, by 2016.

MR. HARTIG: I think one thing I've been thinking about through this whole process, when we sit down and do our priorities, you may disagree with me, but some kind of decision tree approach and how we rank these things in my eyes would be helpful. Others may not see the value in that. I don't know, just throwing it out there.

MR. BROWN: I was actually kind of thinking the same thing since I'm going to be going through that next week at the ACCSP. The only reason I brought that up is that I thought that that was what we were doing was we were trying to prioritize. One of the things I wanted to ask Gregg is about the red snapper since we are still going through the assessment.

I guess somebody brought it up that you can possibly do the ACL or change the ABC at the last minute or something. Can we make the adjustment later – can we do it later into 2016 before the start of the summer season, to go ahead and get an annual seasonal bag limit for recreational in place after the SEDAR?

MR. WAUGH: We can definitely take the ABC and your determination of ACL that comes out of the new stock assessment and implement that. But the issue we're trying to figure out how we deal with is the discards that are taking place would likely eat up the majority, if not all of that. That is what happened this year. The harvest from last year and the discard mortality exceeded the ABC.

Right now the discards and the limited harvest is killing almost the MSY. It is a bit of a box we're in with red snapper and the discards as far as opening a season. But, yes, we can implement the new ACL; and then the existing framework that we have in place could be used to determine whether there would be a season or not; and that would look at the discards for all of this year and see if that exceeded the ACL.

MS. SMIT-BRUNELLO: To that point, I've been looking at Amendment 28 and what the council said in that amendment; and that is where you dealt with red snapper and how to set up an annual process every year; and I looked at the proposed and final rules. You implemented via a plan amendment formulas and a process that you said was going to be used each year to determine whether you're going to have a red snapper harvest.

Now if you want to change that formula and that process, I think you're going to need to do it with a plan amendment; or if you don't, then you will take the information from the SEDAR assessment, like Gregg said, but you need to plug it into the formula that you implemented in Amendment 28 and use that process.

What that means is if you want to change that, I think – I'm still looking at it with other attorneys in my office, but we think you need a plan amendment to change that formula and that process. That means a longer comment period. That means a 60-day comment period on the amendment and then a 30-day comment period on the proposed rule, so it just takes a little bit longer. That affects the speed with which you can get it in place.

MR. BELL: I was just going to say your discussion of a decision tree kind of thing; I'm looking at these as competing needs. One thing to ask yourself, I guess, is if we fail to take action on a particular thing at a particular time, is there a negative consequence. In other words, if you are kind of weighing black sea bass bag limit versus the dolphin framework issues.

I really want to see the black sea bass bag limit addressed, but is the negative consequence of not doing that greater than or equal to the negative consequence of not moving on the framework and having the fishery shut down or something. You kind of look at it that way is if you fail to take a particular action, it kind of helps.

If you prioritize towards trying to prevent something potentially bad from happening; that is one way to kind of weight the decision process, I guess. I would say that between those two, I would lean towards the dolphin framework needing to be addressed prior to the black sea bass although I really believe that needs to be done. That is how I would kind of weigh those two out.

MR. HARTIG: Yes; and everybody has got their own ideas about what their priorities are for their different jurisdictions. The thing I would do is circle back to Gregg, and, Gregg, we have all these additional items. Are we going to weigh in on this today? If we sit here at the table and just continue to talk, we could talk for the rest of the meeting about what we think should go or not.

But to get where the rubber meets the road, I think we're going to need to deal with this. To me, I think you all need to be brutally honest and go this is what we can do. These are the slots you have, just like the assessment, this is what we can do and here is the list of what you have and then plug those in.

MR. WAUGH: The priority we have from last year is shown here; that is what these numbers are; but where we need action is what to do about these new possible frameworks. It is obvious that there is a lot of interest in finishing the blueline tile by December. There is also a lot of interest including the black sea bass in that.

If indeed we are looking to defer action on the mutton amendment to where we would approve that for scoping in December and then do scoping in January and February; that frees up staff time to where we could work on the black sea bass bag limit, blueline tile and the fishing year, and could get that done by December.

These are some of the discussions we didn't get to have in snapper grouper before we got here. If you are willing to hold off on mutton, approving that; instead of us having to get that document ready for you to approve for public hearing in December, we just basically take the document that we have now, bring that back to you at December for you to approve to go out to scoping, maybe get a little bit of guidance.

Then that frees up staff time that we could put more staff time on this framework and get that done in December and still do the dolphin framework. The one sort of outlier there is red snapper for next year. That is starting from zero; it is a huge lift, and it is a whole new process. We haven't even had discussions about that yet.

MR. HARTIG: No' and I mentioned that earlier. I'm going to get to Jessica next, because I know she wants to chime in on muttons; and I haven't forgot about you, Anna. Based on what Monica said, we have a process that we're going to have to stick to even if we get the assessment results, and I don't think that makes intuitive sense to me. If that is what we have to do based on the law; that is what we'll do; but that doesn't seem to make a lot of sense to me. I don't know if we can go back on the record of when the council said what they were going to do when we got the assessment results, I don't know that we even have that; but maybe we do.

MS. McCAWLEY: One of my suggestions would be that we revisit this after we finish with the Snapper Grouper Committee; because one of the things I was going to ask for was for the mutton

document to be slowed down. I don't want to get into why right now, but that was one of the things I wanted to talk about.

I have a lot of things to say about the South Florida Amendment where that is basically going to kind of go away and that is taking up a couple slots right now. My suggestion would be if we could come back to this after we get through the rest of snapper grouper.

MR. HARTIG: I'm going to get Anna and then I am going to take your suggestion.

MS. BECKWITH: I'm good. I was going to bring up the points of Mel and have Jack sort of finish the timing explanation on if we had actually pushed the dolphin, but I am going to wait. We don't have to push dolphin forward; so we'll wait.

MR. HARTIG: Okay, I think that is a fair appraisal, because some things will change during snapper grouper and we'll get some information on some other things that will have bearing on our priorities.

MR. WAUGH: Ben, if I could answer your question about red snapper, because I think this is important for people to think about this; we have a process in place that is using the rebuilding ABCs and comparing that to the mortality last year. If the ABC was not exceeded, then there is a season. Well, that same process is what would be used with the new ABC from the stock assessment. That is in place now.

I think the point Monica was making if you want to change how you do that, to do something differently, then you would have to amend the plan; and that is why on the list we've got a snapper grouper amendment to deal with red snapper for next year. You get a new ABC; our ACL is equal to the ABC. You compare that to the mortality from this year. If there is enough left over, then there could be a short season next year. That is the process that is in place. If you want to change that, then you have to amend the plan.

DR. CRABTREE: The problem I see is we're going to get projections that come out of this assessment that are already going to account for these discards and everything; and if we then apply the process we have in Amendment 28, you get into double-counting things. I always viewed Amendment 28 as intended to just get us to the next stock assessment, but I guess that didn't get written into it somewhere.

It does seem to me that we could do an amendment relatively quickly that just removes that process in Amendment 28. I've read the idea in the briefing book about red snapper, but I don't see much future in that until we get this new assessment. I'm not sure that voluntarily asking fishermen to do things is going to really get us anywhere.

I think all this really hinges on the new assessment and getting an ABC that is enough fish that we can work with it. It does seem to me that I guess we need to come in, get rid of the process in Amendment 28, then the new assessment drives this year. Then if we need to put in some other kind of process to fill in the gaps, we can figure out what that is. But I think we've learned from Amendment 28, and I don't think we would do it exactly like that again.

MS. SMIT-BRUNELLO: I'll give you my opinion when I see the amendment that removes Amendment 28. I guess that is an option; you just need to have justification for it and all those sorts of things. That is one way to do it, I guess. That is kind of new grounds, but I'm not willing to say that wouldn't work until I saw what it looked like and the analyses in it and that sort of thing.

MR. HARTIG: Zack, you want the last word; I'm not going to go much farther.

MR. BOWEN: I completely agree with Dr. Crabtree. As bad as I want to be able to keep red snapper, I think we're putting the cart before the horse and what we've got in our briefing book can be postponed until the results of the assessment. I completely agree.

MR. HARTIG: All right, that was the last word, unless Gregg has something additional. Okay thank you, Gregg. You need to be brutally honest with us and we're getting to the point – we were pretty good for a while and then we had all these different things. The statutory things will always throw monkey wrenches into the process.

There are a number of issues that came up that blindsided us between the last two meetings; and that is difficult. All right, that was the last item I had on the agenda. Is there any other business to come before the Executive Finance Committee? Seeing none; that committee is adjourned.

(Whereupon, the meeting was adjourned at 2:30 o'clock p.m., September 17, 2015.)

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

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October 2015

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*(Continued)*



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**South Atlantic Fishery Management Council -  
September 2015 Council Meeting  
Hilton Head Island, SC**

**Date:** Thursday, September 17, 2015

**Committee:** Executive Finance

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