

# **SOUTH ATLANTIC FISHERY MANAGEMENT COUNCIL**

## **EXECUTIVE FINANCE COMMITTEE**

**Savannah Hilton DeSoto Hotel  
Savannah, Georgia**

**MARCH 6, 2012**

### **SUMMARY MINUTES**

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

David Cupka, Chair  
Robert Boyles  
Duane Harris

Ben Hartig  
Mac Currin

#### **Council Members:**

Tom Burgess  
Dr. Michelle Duval  
Doug Haymans  
Jessica McCawley  
Tom Swatzel

Dr. Roy Crabtree  
Lt. Robert Foos  
Dr. Wilson Laney  
Charlie Phillips

#### **Council Staff:**

Bob Mahood  
Kim Iverson  
Roger Pugliese  
Anna Martin  
Dr. Kari MacLauchlin  
John Carmichael  
Julie O'Dell

Gregg Waugh  
Andrea Grabman  
Myra Brouwer  
Dr. Mike Errigo  
Dr. Brian Chevront  
Mike Collins

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

Monica Smit-Brunello  
Martha Bademan  
Dr. Marcel Reichart  
Phil Steele  
Andy Strelcheck  
Dr. Bonnie Ponwith

Anna Beckwith  
Scott Sandorf  
Dr. Jack McGovern  
Otha Easley  
Bob Gill

Other observer names at end of document

The Executive Finance Committee of the South Atlantic Fishery Management Council convened in the Madison Ballroom of the Savannah Hilton DeSoto Hotel, March 6, 2012, and was called to order at 3:25 o'clock p.m. by Chairman David Cupka.

MR. CUPKA: The first order of business will be approval of the agenda. Are there any changes to the agenda? Seeing none, then the agenda is approved. Next is approval of the December 2011 committee minutes. The executive director has a change.

MR. MAHOOD: I've got one change. I don't know if I found a Joe mistake or whose mistake it was, but in the first paragraph it says, "The Law Enforcement Committee of the South Atlantic Council," and it should say the "The Executive Finance Committee of the South Atlantic Council convened in the Roosevelt Room of the Holiday Inn Brownstone Hotel."

MR. CUPKA: Other corrections, additions or changes to the minutes? Seeing none, is there any objection to approving them? Seeing none, then the minutes are approved. That brings us down to status report last year's council final expenditures, and I'm going to turn it over to Bob.

MR. MAHOOD: If you'll look at Attachment 1. There is a correction on this, also, that Mike and I picked up on as we were looking at this. We didn't actually pay the state of Florida an extra \$38,000 on their liaison contract. That \$38,250 should be up under administrative expenses. It was a contract with the Florida Marine Research Institute.

That also explains a little bit why we had so much administrative expense money left over. That's one change on there. As you can see, if you look at the bottom right-hand corner, it looks like we're going to be carrying about \$594,000 forward. As you go through each category, you'll see we did not expend all the money we budgeted during the year.

Primarily we were bracing for budget decreases during this five-year grant period. We had \$82,000 I think in staff comp. That had to do with two things; one, we had some salary lapse when people had resigned and left the council. We also had one of our staff that's on the coral grant included in the budget originally because we didn't have the coral money yet. The coral money came through so that is reflected there also.

We actually saved some on health insurance this year, too, because of that and retirement. You'll see the bulk of the carryover comes from travel. We were pretty frugal and pretty tight on our travel this year. We did more in the SEDAR Program with the webinars. That resulted in savings of travel money. We always budget for a hundred percent participation and we obviously didn't have a hundred percent participation this year. It resulted in a fairly good amount of money to carry forward out of the travel categories, which is I think five travel categories. We didn't buy any new equipment. We were very tight on the supplies. That pretty much is it. You can see meeting room expenses have gone up.

It used to be that we could get the meeting rooms thrown in if we had a certain number of sleeping rooms. That doesn't happen anymore and that has driven our meeting room expenses up. Other than that, Mr. Chairman, that's kind of the synopsis of how we finished the year.

MR. CUPKA: Okay, thank you, Bob. Questions for Bob on 2011? Doug.

MR. HAYMANS: Mr. Chairman, I'm not on your committee but I did have a question. How did Florida come about exceeding its state allocation?

MR. MAHOOD: What I pointed out Doug is that was actually a contract with FWRI. It wasn't part of the liaison grant. It should have been recorded under the administrative expenses.

MR. CUPKA: Other questions for Bob? Seeing none, then we'll go down to our current year activities schedule and budget.

MR. MAHOOD: There is a series of attachments here, A through F, that deal with our budget. The first is Attachment 2A, and this is the proposed budget. It shows the 2011 budget and our proposed 2012 budget. The budget is based on the two activity schedules that follow. Both the administrative or council activities schedule and the SEDAR activities schedule are combined in there. You can look at the separate activities and see how the money is generated from each activity that is proposed relative to our 2012 operations.

You can see we're looking at just a tad over \$4 million in operation expenses this year. Mike, pull up the Draft NOAA Allocation Table, if you would. It's 2B. Okay, it's hard to read up there but if you look on your screen at Attachment 2B, when we went to the CCC meeting this past January this was provided to the councils. We actually faired pretty well.

Our council is looking at a reduction of a little under 5 percent from last year in our basic line item, which amounts to about \$83,000. The top line there, the \$2,450,000, is our share of the actual council line item that's appropriated by congress. The other line items, well, the National Environmental Policy Act is a line item with the National Marine Fisheries Service budget as is the ACL Regulatory Streamlining; SSC stipends; council peer review; expanded stock assessments, which is the SEDAR money; the National Catch Share Program, which there was not any included this year.

That brings our total funding from our council line item and other line items within the National Marine Fisheries Service to about \$3.58 million. To the \$4 million, we will have money that carrying forward to make up that difference in this year's budget. One of the things I would like to point out in this year's budget is in talking with the chairman I was recommending that we increase the base for each state liaison contract.

It has been at \$45,000. We're depending on states more and more for working with us in a number of areas, on the SSC, on the SEDAR, and a number of specific areas. We're recommending putting the base up to \$50,000 and then the additional amount is based on their actual activities for participating on the SSC primarily and also in the SEDAR and other activities that require activities above the base level. That's how we come up with those numbers and you can see each number is different for each state, depending on the amount of activity. I guess it turns out there are actually two states that are the same.

Mike generates that based on the anticipated amount of personnel time on the SSC, SEDAR and that type of thing, and that comes out of our administrative budget. That's the only change from the previous budget relative to the liaison grants. Also, one of the key things is the activities schedule. Now, the SEDAR Activities Schedule is generated based on the SEDAR Coordinating Committee's decisions relative to the assessments, updates and so on and so forth for that year. That is put together by our SEDAR folks.

The administrative or the council operational activities schedule is put together by staff based on input from the council where we'd like to go during 2012 and the amount of work. Before we get into any specific questions on any of them, I think one of the key tables to look at – Mike, if you'd put up the amendment and timeline. Now, I hope you have this on your screen because it's hard to see up there.

MR. WAUGH: What we've done here is map out – and if you look just at 2012. I think if you scroll over to the right it should freeze Column A, and you'll be able to see the other columns. We've finished 18A. There is one issue that needs to come back. We've got 18B. We were anticipating approval here at this March meeting was our optimistic projection. That would allow us to focus on our other amendments for June; but if it carries over to June, then that would be final approval of 18B.

We have the new regulatory amendment, golden tilefish, that has been put together. I must say Karla Gore in the regional office was very instrumental in working with myself and Myra in putting that together. We wouldn't be anywhere near where we are without her extensive help. Jack helped with that as well. We're anticipating taking final action here and submitting that after this meeting.

And then 20B, which deals with the Wreckfish ITQ, again our staff recommendation is to defer action on that until next year and let's see what happens under this very low ACL. Then golden crab we anticipate finalizing here at this meeting. Again, that would allow staff time to be available to work on these other amendments. It could carry over to June.

The Comprehensive Ecosystem-Based Amendment 3, we've streamlined the items that are going to be covered in that some more. We've done the scoping. This timeline that we've mapped out for our CE-BA documents is to do scoping in January/February, review those comments at March, approve for public hearing at June, hold the hearings in August and then finalize either at the September or December meeting.

Shrimp Amendment 9, that has two items in it. We've done scoping on that and we would hope to approve that in June and go out to those same public hearings in August. Then we've got our two mackerel amendments and we need some guidance from you on the timing for those, but right now we've mapped out approving them for public hearing and taking advantage of the round of public hearings that are already scheduled for August. The Joint Dealer Amendment, the same thing, we scoped that in January and February, mapping out approval for public hearings in June, public hearings in August and finalizing in September or December.

You can see June is shaping up to be very busy and then we've got a round of public hearings and then finalizing your documents at the September and December meetings. Also, the other

item that doesn't include; remember I said the Wreckfish Amendment we're deferring, and this also doesn't account for any regulatory amendments that might be necessary to adjust ACLs.

Hopefully they would be small, short, categorical exclusions; hopefully much less than what we have for Regulatory Amendment 12. We'll talk about that later in the meeting, I guess, and see what is the potential timing for those activities.

MR. CUPKA: Thank you, Gregg. Questions for Gregg on our overall time schedule. As he indicated the workload does not seem to be letting up any. Gregg.

MR. WAUGH: Let me just clarify that we've only mapped this out. The core is the timing dealing with our CE-BA process where, again, we scope January/February, you approve for public hearing in June, we do the public hearings in August, and then you finalize in September or December. That's sort of the core timing.

We've just hung everything around that so that we don't have to try and squeeze in another round of public hearings that are expensive, time consuming for staff and council members. We're looking to you to give us your guidance on what you want to try to accomplish this next year. There are no statutory requirements that we're dealing with. The last statutory requirement was Amendment 24 that has already been submitted for review.

MR. CUPKA: Thank you, Gregg. I think earlier today we pared it down somewhat on taking some of those items out of CE-BA 3 and moving them ahead so we've started down that path. Bob, you had something?

MR. MAHOOD: I have had several council members approach me and wondered why the staff was pushing so hard to do all this stuff. Believe me, it's not the staff or either the council or the region that are pushing hard to do all this stuff. What I think happened is we got going so fast with the mandatory stuff when we had to meet those deadlines and we haven't slowed down.

Everything we're taking on now; we're just going a hundred miles an hour, and it results in the documents not being in as good a shape as they could be and problems with some of the actions in the documents and this type of thing. What we would like to see is – and I think to give you an example is golden crab.

I know Andy has been working with Brian and there has been a lot of last-minute stuff. I'm not even sure how much time Monica has had to weigh into that amendment. I don't see any way we should try to approve at this meeting and move forward from there. I think we need to try to reach some conclusions at this meeting as far as preferred alternatives. I think we're lacking about 50 percent of our actions on preferred alternatives.

These are things that we would like to get in place for certain seasons and stuff, but there is certainly no statutory reason to do it. I think we don't do as good a job as we could if we slowed down and really looked at this stuff a little bit harder. I think it gives the fishermen a little bit more time to be involved in the activities that are going on. I know not only the staff's head is swirling but I get comments from fishermen all the time that we're regulation mills and we're

just turning them out and turning them out and turning them out. I think, Mr. Chairman, we'd like to go through some of these and get some specific guidance on what you all think.

Obviously, I think one of our major things we have to look at is Warsaw grouper and speckled hind and moving that forward. I think to me that's our number one priority. After that I think we need to move as we can on these things but not to the detriment of how well we do the document or the decisions that are made. With that, Mr. Chairman, I'll turn it over to you.

MR. CUPKA: Well, I agree with you on that, Bob; and as chairman of the Golden Crab Committee I don't see any way we could finish that at this meeting. I've had some real concerns about that. There is still a lot of work to be done on that, and I think we only hurt ourselves and create problems if we try and move this stuff too fast without devoting sufficient time to consider all our actions.

I kind of feel the same way about 18B, the golden tilefish. I think it would be a lot more important to get our Regulatory Amendment 12 in place and take more time on the golden tilefish stuff. I don't think all that has been thought out completely either. I'd be interested in hearing from some of the other chairman on what they think about some of these activities.

I agree that we've got to do something on Warsaw and speckled hind, and obviously that's very important. I'd ask any of the other committee chairmen if they want to chime in on how they feel about some of these things to work on relative to this schedule. I told you how I felt about golden crab. Mac.

MR. CURRIN: I agree with you, David, regarding golden crab and 18B as well. There are still some things up in the air regarding golden tilefish and hopefully we'll get some input at this meeting that may give us a little more direction. Clearly, I agree that the priority has got to be the three items in – well, the main item in CE-BA 3 and the other two, assuming that they can move along at the same pace.

After that I'd probably prioritize Mackerel 19 from my perspective as a step below that on a priority. I think golden crab we can move along as we go. I don't feel the urgency there because of the amount of quota that's available to these guys. I know they've probably got some concerns about additional people jumping in and that sort of thing, but the fishery seems to be relatively stable and they're not under an ACL crunch that affects their operation and timing. Those are my thoughts on it.

DR. DUVAL: Mr. Chairman, I would echo a lot of what Mac has said. I spoke earlier today that I thought our first priority should be the speckled hind and Warsaw grouper work that needs to get done very closely followed by some of the work of the Ad Hoc Data Collection Committee particularly with regard to the dealer reporting. I think that's critical for us to be able to track our ACLs sufficiently and not disadvantage the fishermen.

DR. CRABTREE: Well, the other high priority need that we've got to get done is we're going to have to go in and modify most of our ACLs at least recreationally to reflect MRIP numbers. We really need to get that done this year because MRFSS is not going to exist after this year. We're

going to run into some substantial problems I think for some species if we don't get that done next year. That is more than just specifying the ACLs again, but for some species the shift in the MRIP values changes the allocations, so we're going to have to go in and look at those things.

MR. CUPKA: Yes, we don't want to lose sight of that, Roy, because that's obviously important and it's really not built into this, but it's something that is again going to take a lot of staff time to work through that. I guess I would ask Gregg at this time if you need any additional input on that.

MR. WAUGH: I'd be more comfortable if we put up a list because we've got speckled hind and Warsaw. Several people have said that's number one and then some support for the other items that are now in CE-BA; then finishing up golden crab at June. We do Regulatory Amendment 12 here at this meeting.

So then Amendment 18B can take longer; does that mean June that you're looking or even longer beyond that. Then Mackerel Amendment 19 was mentioned and so we would deal with that and try and approve that at the June meeting for public hearings; not that fast, longer? And then the one that's really open-ended is this idea of addressing ACLs and allocations. My understanding of the timeline for getting revised ABCs from the SSC is more likely to be October of this year; is that still the plan, John?

MR. CARMICHAEL: It's probably a realistic plan.

MR. WAUGH: So John said that's probably a realistic plan. I think it would help to have a list so we're clear on what we're working on and the timing.

MR. CUPKA: Well, based on the discussions here, I wonder if staff couldn't come up with something by the time of the full council meeting. I guess one of the things that kind of confuses this whole thing or it makes it hard to really plan completely is the fact that we really don't know at this point or don't have a very good feel, or least I don't, for what is going to be involved in this ACL work. I know we've got a Calibration Workshop coming up and some discussions are going to be held on it, but I don't have a very good feel for how much work is going to be involved. I know there are some presentations slated at this meeting, but we haven't gotten to them yet. Mac.

MR. CURRIN: I'm uncertain, as you are, David, but one thing I am certain of is that we're going to at some point – hopefully within the next 12 months – get the re-estimations back to 1998. I think it would be a terrible mistake to move forward with adjusting ACLs and dealing with allocations based solely on the data from 2004 onward, which is available now.

We can't command or influence that timeline. It's going to have to come from the folks that are dealing with those MRIP numbers. I've heard a couple of people say they're going to have it done within this calendar year. My old drunk brother again; I don't know whether he is going to show up or not. I hope he does, but that's going to dictate our timeline as far as I'm concerned on dealing with the adjusted ACLs and the allocations. I think it would be a mistake to have to do it twice.

DR. CUPKA: Roy, I was going to ask for your thoughts on that.

DR. CRABTREE: We will have a presentation and I think it's in the SEDAR Committee on that. Right now, Mac, the plan is to do it one time, but what you're going to see for most of the species that we manage, there aren't big differences between MRIP and the ACL overall. The changes to the values of the ACLs in many cases aren't going to be that great.

Some of the timelines we have, though, go back before 1998. I think in the allocations with Boyles' Rule we went back to 1986, so there are a lot of issues that we can deal with and we need to start figuring out what are we going to do about this sooner rather than later. I don't think we have to wait until – if we get final ABCs in October I don't think we wait until December to really start putting all this together.

My view is we start laying out what we're going to do, alternatives where we are or what the magnitude of the differences look like, how are we going to handle all this so that when we do get those new ABCs in the fall we pretty much have it laid out and just plug those numbers in there and correct all this.

The problem is going to be if we get into 2013 and start hitting these ACLs and we don't have this done, we're going to have ACLs that don't jive up with the new catch estimates. That's going to be a problem for us, particularly for some species like yellowtail snapper, there is a big difference between MRIP and MRFSS, and it's consistent in every year.

The MRIP numbers are substantially higher than the MRFSS numbers are; so if we don't get that fixed and make some sort of adjustment there, they're going to hit those ACLs way too soon because the ACLs are scaled down. Then we've got the issue that we've got some stocks that have assessments and the ACLs are based on stock assessments; and with that we're going to have to figure out with the SSC some interim strategy as to how to handle that until we're able to redo all of these assessments.

There is a lot of work and a lot of decisions here and I think we need to get moving on them; and then when we get those numbers – and I'm like you, you know, they're telling us October but you remember with the last round of MRIP estimates there were problems. I hope there won't be this time but who knows, but we need to get as far along as we can.

Then if we do get those numbers delayed, we don't have the option of doing nothing or we're going to have some real problems so we'll have to figure out some sort of temporary fix to get us into next year without closing fisheries down sooner than they ought be closed, because I don't think that's going to be acceptable to anybody.

MR. HARRIS: I guess that begs the question in my mind as to which is the top priority, whether it's speckled hind and Warsaw or whether it's this adjustment of these ACLs based on these new MRIP numbers. Can we then do both of those? Are they so cumbersome to do that we might not be able to do both of those action items this year?



MR. MAHOOD: I think, Duane, we can do both and I think you're on a different track with those two different things. To me I guess, Roy, what it's going to take is designate some of your staff and some of our staff to get together and start looking at how we're going to deal with this. I've got a lot of questions about what is going to be the threshold of where we do make some changes. Is it 2 percent difference of 10 percent difference?

Like you said, from what I've seen it's not all the species but several of the species have quite a bit of difference. Like Mac brought up, we've got things based on time series that go back further than the time series we have in MRIP, so we're going to have to figure out some way to deal with those types of things.

DR. CRABTREE: Yes, I agree and I don't know what the threshold is. I do think, Duane, that we can get both of these things done and we'll put as many people on it as it takes, but it's going to just be another difficult year with a lot of things that we've got to do. And then, Bob, I'm confident it's going to slow way down after that.

MR. MAHOOD: The fact that we're talking about taking more time on some of these, it doesn't mean we're going to stop doing them. I'm not saying we're going to stop doing all these things. When we set a priority, I think that just sets a priority of how quickly we do that compared to how quickly we do the other things we're working on.

We're certainly just not going to stop. We'll continue on. We just may not get it done in June and it may be December on some of these, this type of thing. By no means did I mean that we're going to stop and only do two things. One of the things we could do is before full council staff could come up with a basic list based on what we've heard here.

The list may be the top five; and if people want to switch them around or whatever, but I think what Roy is talking about is going to be an ongoing thing separate from how we deal with the things that we have in the pipeline right now. That's going to take some planning. I know Andy is going to talk a little bit about some of the species that are most affected, so we'll have more of an idea I think when we hear that.

DR. CRABTREE: And I think Andy is going to lay out some conceptual way or process that we could follow to get some of these things done. I assume we'll have a good discussion of that in the SEDAR Committee.

MR. CUPKA: Yes, and that's another reason I was suggesting that maybe staff could come up with a list before the full council and that would give us an opportunity to hear Andy's presentation and maybe factor that into some of the suggestions. Bob.

MR. MAHOOD: And with that, Mr. Chairman, we can wait until we get all this laid out to approve the activities schedule and the budget. Obviously, we'll have to go back and potentially adjust the activities schedule, and, of course, that will affect the budget. I'm not real worried because we didn't approve a budget until September last year. I thought we might approve one earlier than we had in the last five years, but certainly we have a budget we're working from and we can do that at full council or we can wait and do it in June.

MR. CUPKA: Yes, and it's important to make some of those decisions because we have a regional operations agreement, which some of you may not have seen before, that basically lays out the responsibilities of the council staff and the NMFS staff as to who is going to do what. We obviously need to know what we're going to be working on so all this ties in together.

DR. DUVAL: Mr. Chairman, just really quick, I don't want it to sound like the council members are punting on trying to come up with a list. I think it's more like we see what the priorities are from our perspective, but you guys have so much better of a sense of exactly what the workload is going to be, so you coming up with a list for us to consider at full council is the reason that we're asking that, I think.

MR. HARTIG: One of the things to look at as you're trying to prioritize these things is some of the impacts that we're going to see in the future if we don't complete something. Like 18B, if we don't complete that by January of next year, you don't have a suite of fishermen – you know, if we don't do the endorsements, you're opening the whole thing up to many more fishermen getting involved again. Like we've seen every year, there have been more fishermen involved every year in that fishery. You gave got to impact something when you don't act on certain amendments that I think you need to take into consideration as you prioritize these.

MR. CUPKA: All right, Bob, do you want to go over the President's Proposed 2013 Budget.

MR. MAHOOD: If you look at Attachment 3, it's kind of a generic outline of what NOAA is getting and what the National Marine Fisheries Service is getting. There are not any real specifics relative to the council. We had a conference call about a month ago and it involved the NOAA leadership and the CCC, which is the executive directors, the chairmen and the vice-chairman of each of the councils.

We were pretty much told in the President's 2013 budget that the councils were slated for about a 14.5 percent cut. That's fairly significant for us, and our share comes out to a little over \$300,000. It's something that we were pretty much expecting. Obviously, that's the President's budget and we don't know if the congressional budget will be lower or higher.

Congress has generally treated us a little bit better than the presidential request, but in this day and age you just know what is going to happen relative to federal budgets. Even though it's a 14 percent cut, because we have kind of planned for it in this five-year grant, we'll still be in decent shape and be able to operate pretty much full scale.

Now, we couldn't take too many of those kinds of cuts in a row without having problems, but I think for 2013 we'll be okay. I think most of our councils in the southeast will be okay, and I really think most of the councils overall have been kind of planning for this and being pretty careful of how they spent their money in this new grant that we're in.

Roy may know more about their budget; I don't know a whole lot about NMFS budget. I know that there are some big cuts in certain parts of it. It seems that data collection and stock assessments fared better than most lines in the budget, which is good relative to us at least

moving ahead in those areas. Other than that, Mr. Chairman, unless Roy has got more information or Bonnie or maybe somebody else, that's all I have.

MR. CUPKA: Any questions regarding this? As Bob said, it is the President's budget and it often ends up being changed obviously before it is passed. I think our council along with the other councils have been seeing this coming and have tried to prepare for it. That's one reason why we have the carryover we have. We were kind of anticipating this, but like Bob said, if it goes on for many years I don't know what we're going to do, but hopefully it won't. Our next agenda item is a report on the January CCC meeting.

Bob and Ben and I attended the last CCC meeting that was held at the end of January up in Silver Spring. That used to be primarily our budget meeting and this year's discussion centered a lot around budgets, the current budgets and the budget next year. All the councils reported on the status of where they were in terms of implementing the ACL provisions and other things they were working on.

As I said, there was a lot of discussion on budget issues and budget matters, and that was probably the bulk of our discussions or certainly as far as I was concerned some of the most important part of the presentations and discussion that were held. We did get an update on the National Ocean Council Coastal Marine Spatial Planning.

As we indicated earlier today, it looks like there will be an opportunity for the councils to participate at the regional planning body level, but there were some constraints in that they had to be either a state agency council member or federal council member because of FACA concerns, but I'm sure we'll hear more about that as time goes on.

We got an update on the MRIP Program from Gordon and we'll be getting another update during this meeting. George Lapointe gave an update on a report he is working on that deals with allocation of fishery resources. George hadn't finished that yet, but he has interviewed a number of people to find out and get some input from them on the whole allocation process and it is handled and what some of the problems are.

We got a report on the 2011 National SSC Workshop that was hosted by the Mid-Atlantic Council. As all of them, I think it was a very good SSC Workshop Meeting. We had further discussions on another large national meeting on "Managing our Nation's Fisheries." There have been two of them so far.

The Pacific Council has taken the lead on that and they're planning on Managing our Nation's Fisheries III Conference that will be held in the Washington area some time in May. I'm sure we'll all be hearing more about that as that is developed. That is about all I want to bring up. I'll Ben or Bob if they have anything they want to add to that?

MR. MAHOOD: Well, I was impressed sitting next to Ben. He took copious notes and I think he had a notebook full of minutes, probably better than what exists anywhere else. He said he would say a little bit about what went on.

MR. HARTIG: I was impressed with the meeting and the people that were there and seeing some old faces and a lot of new. One of the things I did take back from the Mid-Atlantic Council was their Visioning Quest to see what their fishermen want their fisheries to look like in the future, and I think if we can get something from what they've done.

They have a pretty good framework on how to proceed for that and we've about it, David, and all of you around the table know we wanted to do this. I think now that we have a model that we might look at on how we move forward, that was one of the neat things that I got out of the conference.

MR. CUPKA: Thank you, Ben. Bob, did you have anything you want to add?

MR. MAHOOD: There was one interesting thing when the National Ocean Council folks were selling us we would be included, they also informed us that they are forming technical committees to help support these regional boards, and they had decided they would use the councils' SSCs.

We all were kind of smiling like, well, you know, you might have wanted to ask us about this. Our SSCs are pretty busy. I think there is a lot of lack of perspective there about what our SSCs are. I talked to one of the fellows afterward and said, "You know, our SSCs are mainly geared towards fisheries expertise; not land use planning or water flow or oil drilling or anything like that." He said, "Well, I guess we'd have to add some new people." I didn't really get into with him, but I'm not sure what they have in mind, but we'll see as it progresses.

It was a pretty good conference. I think one of the things that was very interesting is that each of the councils were pretty much congratulated by Jane Lubchenco relative to the work they've done. They specified certain areas. Our council was pretty much called out on our work with habitat and coral protection and ecosystem-based management.

All the councils were congratulated on the work they had done with getting the ACLs in place in a timely manner. It was pretty nice. I think she was sincere about it and we each got a nice plaque. It's the first time I remembered anybody in NOAA ever giving us anything other than maybe some money every once in a while. It was a nice ceremony and I think it was much appreciated by the councils to get some recognition in the NOAA family. That's all I have, Mr. Chairman.

MR. CUPKA: All right, thank you, Bob. Is there any other business to come before the committee? Bob.

MR. MAHOOD: Yes, I did have one. Mike just reminded me that we've also been rewarded in another way. The Inspector General is going to come down and do an audit of how each council and each NMFS region does its rulemaking to make sure it's an open and transparent process. We had a conference call with the Inspector General of the Department of Commerce and some of his staff.

They laid out in the conference call exactly what would happen. They'll be working I guess with the regions first and then ultimately with the councils to look at the rule-making process, how we develop our plans and the rules that float from those plans that are ultimately implemented in the fisheries.

I don't know of any more open and transparent process in rulemaking anywhere in government than what we have. I think it will be a good exercise for them. I think as Monica said maybe they'll get our SOPPs approved, but I don't know about that. I asked a couple of questions and we have some questions relative to obviously the standing of council staff relative to are they federal, are they ever federal, and the same for council members.

We've had some interesting developments here lately about requests for council members' e-mails in any kind of context of sending e-mails to Roy or Bonnie, and the question is are council members FOIAable? If you're home with your own computer and you send an e-mail to Bonnie ask her a question or whatever; is that a FOIAble thing?

There is really not a clear context of what the council members are either;, and that's one of the things I said when you're looking at all of this, that's one of the things you might want to look at to give us – you know, because the councils forever have been trying to find out which round hole or square or round peg or wherever we fit.

There has been a decision in the past that the councils are a federal instrumentality, and we basically said, "Tell us what that is". I think it's going to be an interesting process. Like I say, we have such an open and transparent process in our rulemaking, I don't see them finding anything wrong with what we do.

I think most of the councils are like that. I obviously know more about the councils in the southeast than I do in the other part of the country. There are some things that are different in the other councils, but I think we'll fair quite well through that. We're interested to see how that goes. We feel like it might be an opportunity to get some good things done. Other than that, Mr. Chairman, unless somebody has some questions.

MR. HARRIS: I was going to suggest, Bob, you might want to tell the council a little bit about this IG's experience.

MR. MAHOOD: Mike really studied up on him. Mike knows more details I think.

MR. COLLINS: I looked at his biography and he came from the Department of Transportation. He ran the IG investigation on the Department of Transportation response to Katrina and then the bridge collapse in Minneapolis. I think we're probably small potatoes compared to some of the things he has done before.

MR. CUPKA: All right, thank you. I think he estimated that was going to take probably a year process and there will be a lot of contact in between, so we'll keep you updated on what is going on. All right, any other business? Seeing none, then the Executive Finance Committee is adjourned.

(Whereupon, the meeting was adjourned at 4:15 o'clock p.m., March 6, 2012,)

- - -

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

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April 2012

# South Atlantic Fishery Management Council

## 2011 - 2012 Council Membership

### COUNCIL CHAIRMAN:

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

**Dr. Michelle Duval**  
 NC Division of Marine Fisheries  
 3441 Arendell St.  
 PO Box 769  
 Morehead City, NC 28557  
 252/726-7021 (ph); 252/726-0254 (f)  
 michelle.duval@ncdenr.gov

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

### VICE-CHAIRMAN

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

**LT Robert Foos**  
 U.S. Coast Guard  
 Brickell Plaza Federal Building  
 909 S.E. First Avenue  
 Room 876/ DRE  
 Miami, FL 33131-3050  
 305/415-6768 (ph)  
 305/415-6791 (f)  
 Robert.W.Foos@uscg.mil

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

**Robert H. Boyles, Jr.**  
 S.C. Dept. of Natural Resources  
 Marine Resources Division  
 P.O. Box 12559  
 (217 Ft. Johnson Road)  
 Charleston, SC 29422-2559  
 843/953-9304 (ph)  
 843/953-9159 (fax)  
 boylesr@dnr.sc.gov

**Charles Duane Harris**  
 105 Demere Retreat Lane  
 St. Simons Island, GA 31522  
 912/638-9430 (ph)  
 seageorg@bellsouth.net

**John V. O'Shea**  
 Executive Director  
 Atlantic States Marine Fisheries  
 Commission  
 1050 N. Highland St., Suite 200 A-N  
 Arlington, VA 20001  
 703/842-0740 (ph); 703/842-0741 (f)  
 voshea@asmfc.org

**Tom Burgess**  
 P.O. Box 33  
 Sneads Ferry, NC 28460  
 910/327-3528  
 tburgess@embarqmail.com

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

**Charles Phillips**  
 Phillips Seafood / Sapelo Sea Farms  
 1418 Sapelo Avenue, N.E.  
 Townsend, GA 31331  
 912/832-3149 (ph); 912/832-6228 (f)  
 Ga\_capt@yahoo.com

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

**John W. Jolley**  
 4925 Pine Tree Drive  
 Boynton Beach, FL 33436  
 561/346-8426 (ph)  
 jolleyjw@yahoo.com

**Tom Swatzel**  
 P.O. Box 1311  
 Murrells Inlet, SC 29576  
 843/222-7456 (ph)  
 tom@swatzel.com

**Benjamin M. "Mac" Currin**  
 801 Westwood Drive  
 Raleigh, NC 27607  
 919/881-0049 (ph)  
 maccurrin@gmail.com

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

*MONICA SMIT-BONNELLO  
 ANNA BECKWITH  
 MARTHA BADEMAN  
 SCOTT SANDORF*

*MARCEL REICHAERT  
 JACK MCGOVERN  
 PHIL STEELE  
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# South Atlantic Fishery Management Council

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Staff contact: Roger Pugliese- FEP  
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Representative  
Staff contact: Gregg Waugh

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### PROTECTED RESOURCES

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Michelle Duval  
Duane Harris  
John Jolley  
Jessica McCawley  
Vince O'Shea  
Tom Swatzel  
Staff contact: John Carmichael



# South Atlantic Fishery Management Council Staff

## ✓ Executive Director

Robert K. Mahood  
robert.mahood@safmc.net

## ✓ Deputy Executive Director

Gregg T. Waugh  
gregg.waugh@safmc.net

---

## ✓ Public Information Officer

Kim Iverson  
kim.iverson@safmc.net

## ✓ Assistant Public Information Officer

Andrea Grabman  
andrea.grabman@safmc.net

## ✓ Senior Fishery Biologist

Roger Pugliese  
roger.pugliese@safmc.net

## ✓ Fishery Scientist

Myra Brouwer  
myra.brouwer@safmc.net

## ✓ Coral Reef Scientist

Anna Martin  
anna.martin@safmc.net

## ✓ Fishery Biologist

Dr. Mike Errigo  
mike.errigo@safmc.net

## ✓ Fisheries Social Scientist

Dr. Kari MacLauchlin  
kari.maclauchlin@safmc.net

## ✓ Staff Economist

Dr. Brian Chevront  
brian.chevront@safmc.net

## ✓ Science and Statistics Program Manager

John Carmichael  
john.carmichael@safmc.net

## ✓ SEDAR Coordinators

Dr. Julie Neer - julie.neer@safmc.net  
Kari Fenske – kari.fenske@safmc.net

## ✓ Administrative Officer

Mike Collins  
mike.collins@safmc.net

## ✓ Financial Secretary

Debra Buscher  
deb.buscher@safmc.net

## ✓ Admin. Secretary / Travel Coordinator

Cindy Chaya  
cindy.chaya@safmc.net

## ✓ Purchasing/Adm. Assistant

Julie O'Dell  
julie.odell@safmc.net

## ✓ SEDAR/ Staff Administrative Assistant

Rachael Silvas  
rachael.silvas@safmc.net

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**EXECUTIVE FINANCE COMMITTEE MEETING**  
 March 8, 2012  
 Savannah, GA 31401

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 ADDRESS**

**AREA CODE &  
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**NAME &  
 ORGANIZATION**

NAME & ORGANIZATION	AREA CODE & PHONE NUMBER	EMAIL ADDRESS	P.O. BOX/STREET CITY, STATE & ZIP
Mike McCall		mike.mccall@bankofamerica.com	
Howard Sporn	508-269-2378	rahobell@earthlink.net	4501 SW 44th Ave. Ft. Lauderdale 33314
Brad Winkler		whipz@hotmail.com	
Dave Danner	PEL	shrewsbury@peltrucks.org	28713
Lea Danner	910 885-5705	Morehead City NC.	
Sara Danner	PEL	shrewsbury@peltrucks.org	
Anna Beckwith		Charleston, SC	
Kate Quigley	-SAFA	spartan@saconconservancy.org	
Annmarie Hester		Annmarie@saconconservancy.org	

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

# PLEASE SIGN IN

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Savannah, GA 31401

P.O. BOX/STREET  
CITY, STATE & ZIP

NAME &  
ORGANIZATION

AREA CODE &  
PHONE NUMBER

EMAIL  
ADDRESS

32120-9351

*Richard Johnson*  
*Caribbean Marine*

*386-239-0948*

*rsf2009@aol.com*  
*gmachi@edf.org*

*Morehead City, NC*

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