



SOUTH ATLANTIC FISHERY MANAGEMENT COUNCIL

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Charlie Phillips, Chair | Captain Mark Brown, Vice Chair
Gregg T. Waugh, Executive Director

AGENDA

Executive Finance Committee

Westin Jekyll Island
110 Ocean Way
Jekyll Island, GA

Thursday, March 8, 2018 – 4:00 P.M. to 5:30 P.M. (Times subject to change)

Approval of Agenda – Charlie Phillips

Approval of December 2017 Committee minutes – Charlie Phillips

1. Magnuson-Stevens Act Reauthorization (*Attachments 1a – 1h*)
 - a. Overview – Gregg Waugh
 - b. Committee Action: Review and provide guidance to staff – Charlie Phillips
2. Final CY 2017 Expenditures and Draft CY 2018 Budget (*Attachments 2a – 2e*)
 - a. Overview – Gregg Waugh/Mike Collins
 - b. Committee Action: Review and provide guidance to staff – Charlie Phillips
3. Council Follow-up and Priorities (*Attachments 3a and 3b*)
 - a. Overview – Dr. Brian Chevront
 - b. Committee Action: Review and provide guidance to staff – Charlie Phillips
4. Regulatory Reform (*Attachments 4a and 4b*)
 - a. Overview – Gregg Waugh/Dr. Brian Chevront
 - b. Committee Action: Review and provide guidance to staff – Charlie Phillips
5. Atlantic Coast-Wide Group Discussions (*Attachments 5a and 5b*)
 - a. Overview – Gregg Waugh
 - b. Committee Action: Discuss and provide guidance to staff – Charlie Phillips
6. Council Training/Webinars (*Attachment 6*)
 - a. Overview – Gregg Waugh
 - b. Committee Action: Discuss and provide guidance to staff – Charlie Phillips

Other Business – Charlie Phillips

- a. Report from CCC February 27-28, 2018 meeting – Charlie Phillips, Mark Brown, and Gregg Waugh
- b. Committee Action: Discuss and provide guidance to staff – Charlie Phillips

Adjourn – Charlie Phillips

Committee Members

Charlie Phillips, Chair
Chester Brewer
Jessica McCawley

Mark Brown, Vice Chair
Michelle Duval

Attachments

Attachment 1a: CCC Working Paper (November 2017)

Attachment 1b: Status of Amendments Under Review (excel)

Attachment 1c: HR 200 Text

Attachment 1d: HR 200 Section-by-Section Summary As Reported

Attachment 1e: S. 1520 Text

Attachment 1f: Comparison of Bills with SAFMC Comments

Attachment 1g: SAFMC Letter to Chris Oliver on Reauthorization

Attachment 1h: SAFMC Letter to Senator Graham on Reauthorization

Attachment 2a: Final CY 2017 Expenditures

Attachment 2b: Draft CY 2018 Budget

Attachment 2c: Outreach Expenses

Attachment 2d: Council Activity Schedule

Attachment 2e: SEDAR Activity Schedule

Attachment 3a: Council Follow-Up

Attachment 3b: Council Priorities (excel)

Attachment 4a: SAFMC Letter on Regulatory Reform

Attachment 4b: Draft Recommendations – Regulations to be removed

Attachment 5a: NRCC Final Report

Attachment 5b: NRCC Fall 2017 Summary-Final

Attachment 6: Council 2016 Orientation Agenda

Attachment 7: CCC February 27-28, 2018 Meeting Report (available at meeting)

Staff: Gregg Waugh/Mike Collins

OVERVIEW

Executive Finance Committee

The Committee will approve minutes from the December 2017 webinar meeting and agenda.

I. MAGNUSON-STEVENSON ACT REAUTHORIZATION

A number of hearings have been held and that portion of the reauthorization process is likely complete; testimony from Council-related folks is available from the U.S. Regional Fishery Management Councils Website (<http://www.fisherycouncils.org>). Should the South Atlantic Council be asked to provide input, we will use the regional perspectives and consensus positions in the CCC Working Paper as the basis of our comments. Note: Senator Graham's office asked for comments and the letter is included as **Attachment 1h**. The CCC was asked to send the working paper to the Secretary of Commerce and this was done (**Attachment 1a** and letter available at link above).

1. Council Coordinating Committee (CCC) Working Paper – (Attachments 1a and 1b)

Description: The Legislative Workgroup has completed revisions to the working paper and the CCC has approved the latest version dated November 14, 2017 (**Attachment 1a**). This document was posted to the U.S. Regional Fishery Management Councils Website (<http://www.fisherycouncils.org>) after it was sent to the Secretary of Commerce.

Major items are as follows:

- A. **Introduction** (pages 5-12) – this section includes the consensus positions for all topics.
- B. **Topic 1 (Stock Rebuilding)** (pages 13-18)
- C. **Topic 2 (Ending Overfishing)** (pages 19-20)
- D. **Topic 3 (Annual Catch Limit Requirements and Exceptions)** (pages 21-25)
- E. **Topic 4 (Resources Available for Additional Mandates)** (pages 26-27)
- F. **Topic 5 (Transparency Requirements)** (pages 28-30)
- G. **Topic 6 (Climate Change & Regional Action Plans for Climate Science)** (pages 31-34)
- H. **Topic 7 (Forage Fish)** (pages 35-37)
- I. **Topic 8 (Catch Share Programs)** (pages 38-40)
- J. **Topic 9 (NEPA)** (pages 41-43)
- K. **Topic 10 (Other Federal Statutes)** (pages 44-46)
- L. **Topic 11 (Recreational Data)** (pages 47-51)
- M. **Topic 12 (Commercial Data)** (pages 52-55)
- N. **Topic 13 (Exempted Fishing Permit (EFP) Authority)** (pages 56-58)
- O. **Topic 14 (Data to be Used in Stock Assessments)** (pages 59-61)
- P. **Topic 15 (Deeming/Transmittal Process)** (pages 62-67) – the Council works with the SERO and NOAA GC to have each document reviewed for completeness prior to sending the document for formal review. The Council Chair reviews and signs off on the amendment document and the codified text before they are sent for formal review. The timing for Council amendments currently under review is shown in **Attachment 1b**.
- Q. **Resources & Documents** (pages 68-70)

The CCC intends to continue using the working paper as a source document when the CCC is responding to a request for comments. The lead Council will draft a response for review by the other Councils. The working paper can also be attached to a comment letter to provide more

details. The regional perspectives and examples are an excellent way to describe how requirements could affect Councils differentially. New topics will be added as they are identified. The working paper will be updated as needed and will be used to inform individuals new to the Council process. Individual Councils are responsible for their regional perspective and should provide updates to the lead Council in any year. The lead Council will be responsible for updating the Working Paper. Lead Councils by year are NPFMC (2018), **SAFMC (2019)**, WPFMC (2020), MAFMC (2021), and GMFMC (2022).

Status of Actions: Topics 1 through 15 are complete. The South Atlantic Council's input has been added. Any future SAFMC suggestions will be added as needed.

Required Committee Action: none until we are requested to comment, or new items are identified.

2. MSA BILLS – (*Attachments 1c-1h*)

Description: On December 13, 2017, the House Natural Resources Committee marked up and ordered to be reported H.R. 200 (as amended), the “Strengthening Fishing Communities and Increasing Flexibility in Fisheries Management Act” and H.R. 3588, the “Regionally Empowered Decision-making for Snapper, Noting the Angling Public and the Preservation of an Exceptional Resource Act” or the “RED SNAPPER Act”. The markup and other additional information can be viewed at:

<https://naturalresources.house.gov/calendar/eventsingle.aspx?EventID=403567>

H.R. 3588 applies to the Gulf of Mexico only; H.R. 200 is the main House bill that would amend the MSA. The amended version is not available; the original version is included as **Attachment 1c**. Dave Whaley, Council Consultant, prepared a section-by-section summary of H.R. 200 as amended (**Attachment 1d**).

On October 24, 2017, the Senate Commerce, Science and Transportation Committee's Subcommittee on Oceans, Atmosphere, Fisheries, and Coast Guard, held a hearing titled “Reauthorization of the Magnuson-Stevens Fishery Conservation and Management Act: Fisheries Science”. S. 1520 – “Modernizing Recreational Fisheries Management Act of 2017” is the Senate's bill that likely will be used to amend the MSA (**Attachment 1e**).

Dave Whaley, Council Consultant, prepared a comparison of the House bills, and Council staff used that document to add the provisions of S1520 and SAFMC input (**Attachment 1f**).

S. 1520 is a companion bill to H.R. 2023 and so is very similar in content with several differences. All items in H.R. 2023 and S. 1520 are compared with H.R. 200; however, there are additional items that are only in H.R. 200.

Status of Bills: The South Atlantic Council provided written comments on MSA Reauthorization to Chris Oliver (**Attachment 1g**) and to Senator Graham (**Attachment 1h**).

The Councils are prohibited from lobbying; however, when requested, the Councils can provide input on how such a bill would affect the way the Councils' do their job. When requested (as we were by Senator Graham's staff), a response will be developed from the CCC Working Paper and from any guidance provided by the Committee/Council. The NPFMC, as lead Council this year, would prepare a CCC response for review and input by the other Councils.

Required Committee Action: review, discuss, and develop any additional recommendations, as appropriate, on items in the H.R. 200 and S. 1520 using **Attachment 1f**; the Council can also use the information in the two letters.

II. Final CY 2017 Expenditures and CY 2018 Draft Budget and Status

Description: Mike Collins, Administrative Officer, will give the committee an overview of the status of the final CY 2017 Expenditures (**Attachment 2a**). Gregg Waugh and Mike Collins will review the Draft CY 2018 Budget/Status (**Attachment 2b**) and explain how the cost savings items were incorporated. The draft budget is based on the activity schedules (**Attachment 2d/2e**).

Cost savings items approved by the Council in December 2017, and incorporated into the draft 2018 budget, were:

1. Council Member Travel Policy

- A. Advisory Panel Meetings – Committee Chair and Vice-Chair approved to attend; if one will not attend, open to another Council member. Two Council members attending.
- B. SSC Meetings – SSC Liaison and Council representative on any SEDAR Assessments the SSC is reviewing are authorized to attend; if one will not attend, open to another Council member. Two 2 Council members attending (usually).
- C. Council Chair & Vice-Chair – authorized to attend any AP & SSC meetings given they have to represent the Council on CCC and other events/meetings.
- D. Total Council member attendance at any meeting should not normally exceed 4 individuals.

2. Loosen AP policy on voting to allow voting via webinar and conduct some AP meetings via webinar.

3. Reduce travel to “Other Meetings” by 10%.

4. Scoping and Public Hearings – use webinars and listening stations.

5. Reduce State Liaison Grants by 10%.

6. Reduce Council Staff Retirement Match by 10%.

Council staff continues to search for ways to reduce costs and by switching to a new provider for Group Life Insurance, Dental, and Voluntary Vision, costs were reduced by \$6,000/year beginning in December 2017. In addition, changes to health coverage beginning February/March 2018 will save an estimated \$12,000/year.

Council staff was asked to break-out Outreach Costs. Outreach staff salary cost is included in the general budget as is some level of equipment/travel. Printing and other costs are shown in **Attachment 2c**, and staff will review some potential changes to how these funds could be spent to allow for more outreach.

Status of Action: We do not know what our allocation of 2018 funding will be at this stage; the Council is being asked to provide guidance on the level of activities, add/remove activities as needed, and provide any other guidance. We will use the draft CY 2018 budget as a guide until we get our budgeted amount for 2018 from NMFS. Hopefully, the Council will be able to approve the budget at the June 2018 Council meeting.

Required Committee Action: discuss and provide guidance on the draft CY 2018 activities and budget.

III. COUNCIL FOLLOW-UP AND PRIORITIES

Description: Dr. Brian Chevront, Deputy Director for Management, will give the committee an overview of the Council Follow-Up (**Attachment 3a**) and the Council Priorities (**Attachment 3b**) as approved at the December 2017 meeting. The Follow-Up contains the detailed steps for each

active amendment and amendments under formal review. This allows any Council member to see where each amendment is in the process. The Follow-Up is updated after each Council meeting after review and input from the SERO and Council staff. In addition, draft agendas are included for the next two upcoming Council meetings. This allows Council members to see what is on the agenda and make any suggestions to the Chair and staff.

Status of Follow-up & Priorities: The Committee/Council reviewed this material at the December 2017 meeting and made changes to the Council Priorities.

Required Committee Action: discuss, modify/provide guidance, and approve the revised priorities.

IV. REGULATORY REFORM

Description: NMFS has requested the Councils identify a process to review/evaluate existing regulations by the end of December 2017 with the goal of identifying regulations to be removed, thereby reducing the regulatory burden on the public. Then each Council is to conduct the review/evaluation and provide recommendations on rules to be removed by the end of June 2018. The South Atlantic Council approved the following approach and timing at their December 2017 meeting and a letter was sent on December 20, 2017 to Chris Oliver (**Attachment 4a**):

- Continue to request public comments at the March and June 2018 Council meetings
- Each technical staff review the regulations for their FMPs – January/February 2018
- Coordinate with the SERO on potential regulations to remove – February 2018
- Bring draft list to Executive Finance Committee in March 2018
- Public Input during public comment session at March 5-9, 2018 Council meeting
- Council reviews and provides input at March 2018 meeting
- Have Advisory Panels (Species and Law Enforcement APs) and SSC/SEP review between March and June 2018 Council meetings; mail to APs not meeting in person
- Coordinate with SERO and NOAA GC between March and June 2018 Council meetings
- Bring revised list to Executive Finance Committee in June 2018
- Council reviews and approves list of regulations to be removed at June 11-15, 2018 meeting
- Council sends list of regulations to be removed to NMFS by June 22, 2018

Status of Action: The Council sent a letter to Chris Oliver on December 20, 2017. The Council needs to review the list of draft regulations at the March 2018 meeting, provide guidance, and give final approval at the June 2018 meeting.

Required Committee Action: discuss and provide guidance on list prior to AP review.

IV. ATLANTIC COAST-WIDE GROUP DISCUSSIONS

Description: This issue was discussed at the Fall NRCC meeting (**Attachments 5a/5b**). Based on discussions among the 3 Councils, it was agreed that a group comprised of each Council's Chair, Vice-Chair, and Executive Director would meet periodically to coordinate on an approach to address stocks as they move northwards. This group can meet via phone, webinar, and in conjunction with Council Coordination Committee (CCC) meetings. The first such meeting is being scheduled during the February 2018 CCC meeting. This Council group would also meet periodically with the Commission to coordinate State action where appropriate.

Status of Action: The Council group will meet during the February 2018 CCC meeting.

Required Committee Action: discuss and provide guidance.

IV. COUNCIL TRAINING/WEBINARS

Description: The Council asked staff to explore orientation/training opportunities for new and current Council members. Here are our suggestions:

1. SAFMC Internal Orientation for new Council members (see agenda from 2016; **Attachment 6**) – bring new Council members to the Council office (September 5-6, 2018) for a 2-day intensive training covering:
 - a. Council – overview of how works (Committee→Council, etc.); how to prepare for a meeting (briefing book materials, talking to constituents, motions, talk with staff and other Council members, etc.); and enabling legislation (MSA) and other important legislation
 - b. Overview of Current Issues/Active Amendments
 - c. Staff – who we are and what each of us does; how staff works with Council members and how Council members work with staff
 - d. Advisory Panels and SSC – their function and how to interact
 - e. Briefing Book – would be available and we can explain how to use
 - f. NMFS Run-thru – 2 pm on September 5th; new Council members can see how this is done
 - g. Amendments – brief overview of how they are developed, reviewed, and implemented
 - h. Habitat and Ecosystem Activities
 - i. Data – overview of recreational, commercial, and fishery independent; what’s available and what’s not
 - j. Stock Assessments – MREP and SEDAR reference documents
 - k. SEDAR – what it is and how it works; opportunities to participate
 - l. Partners – NMFS SERO/SEFSC, States, ACCSP, MREP, Commissions, Other Councils, etc.
 - m. Robert’s Rules – basics of motions and voting
2. NMFS Training – each year NMFS hosts a formal training session for new Council members and staff. The last meeting was held October 31 – November 2, 2017. It would be beneficial for Council members to review the materials, and here is the link to materials:<http://www.nmfs.noaa.gov/sfa/management/councils/training/training.htm>
3. Data –we can put together a good presentation on the following sources and how they are collected:
 - a. Recreational
 - b. Commercial
 - c. Fishery Independent
4. Stock Assessments – we can give Council members an overview; we will check on appropriate training opportunities for Council members
5. Mentoring by Past Council members – identify past Council members who would be willing to talk with and guide new Council members and officers based on their experience; bring them in for our in-house orientation for new Council members
7. Robert’s Rules – another formal training session in late 2018 or early 2019
8. Administrative Staff

- 9. Social Media
- 10. Others

Status of Action: Draft materials prepared for the Council's review.

Required Committee Action: discuss and provide guidance.

Other Business

1. Report from the February 27-28, 2018 CCC meeting

Description: Charlie, Mark, and Gregg will give an overview of major items from the CCC meeting (**Attachment 7**; available at meeting). Some of the information will be discussed under other topics above (e.g., budget).

Status of Action: The CCC meets February 27-28, 2018; a report will be available at the Council meeting.

Required Committee Action: discuss and provide guidance.