



SOUTH ATLANTIC FISHERY MANAGEMENT COUNCIL

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Jessica McCawley, Chair | Mel Bell, Vice Chair
Gregg T. Waugh, Executive Director

AGENDA

Executive Finance Committee

Westin Jekyll Island; 110 Ocean Way
Jekyll Island, Georgia

Wednesday, March 6, 2019 – 3:45 P.M. to 4:00 P.M. (Times subject to change)

1. Ranking of Amendments for work schedule:
 - a. Overview – Dr. Brian Chevront
 - b. Committee Discussion and Guidance – Jessica McCawley

Thursday, March 7, 2019 – 1:30 P.M. to 3:45 P.M. (Times subject to change)

Approval of Agenda – Jessica McCawley

Approval of February 2019 Webinar Committee minutes – Jessica McCawley

1. Status of 2019 and 2020 CCC Meetings (*Attachment 1*)
 - a. Overview – Gregg Waugh
 - b. Committee Action: Discuss and provide guidance to staff – Jessica McCawley – **ACTION**
2. Magnuson-Stevens Act Reauthorization (*Attachments 2a – 2b*)
 - a. Overview – Gregg Waugh
 - b. Committee Action: Review and provide guidance to staff – Jessica McCawley – **ACTION**
3. CCC Working Paper (*Attachment 3*)
 - a. Overview – Gregg Waugh
 - b. Committee Action: Discuss and provide guidance to staff – Jessica McCawley – **ACTION**
4. Draft Calendar Year (CY) January-December 2019 Operational Budget (*Attachments 4a-c*)
 - a. Overview – Gregg Waugh/Kelly Klasnick
 - b. Committee Action: Review and approve draft operational budget – Jessica McCawley – **ACTION**
5. Council Follow-up and Priorities & Tiering (*Attachments 5a – 5d*)
 - a. Overview – Dr. Brian Chevront
 - b. Committee Action: Review and provide guidance to staff – Jessica McCawley – **ACTION**

Other Business – Jessica McCawley

6. Proposed Rule: Financial Disclosures & Voting Recusals (3/6/19 deadline) (*Attachment 6*)

Adjourn – Jessica McCawley

Committee Members

Jessica McCawley, Chair
Chester Brewer
Steve Poland

Mel Bell, Vice Chair
Doug Haymans

Attachments

Attachment 1: Status of 2019 and 2020 CCC Meetings

Attachment 2a: Modernizing Recreational Fisheries Management Act of 2018

Attachment 2b: Senate Staff Working Draft

Attachment 3: CCC Working Paper (January 11, 2019)

Attachment 4a: Draft 2019 CY (January-December) Operational Budget

Attachment 4b: General Activity Schedule (2019)

Attachment 4c: SEDAR Activity Schedule (2019)

Attachment 5a: Council Priorities with Tiering (Excel)

Attachment 5b: Amendments Summary

Attachment 5c: Council Follow-Up

Attachment 5d: Impacts of Government Shut-Down

Attachment 6: Proposed Rule: Financial Disclosures and Voting Recusals

Staff: Gregg Waugh/Kelly Klasnick

OVERVIEW

Executive Finance Committee

The Committee will approve minutes from the October 2018 meeting and the agenda.

I. STATUS OF 2019 AND 2020 CCC MEETINGS

Description: The February CCC meeting was postponed to November due to the government shutdown. The South Atlantic Council is host Council for 2019 and the duties are shown in Attachment 1. The dates, times, and hotel information for 2019 are fixed and shown. The Executive Directors are proposing new dates for 2020 to provide more spacing between the meetings; this has been discussed at previous CCC meetings.

Status of Actions: The 2019 dates, times, and location are set. The CCC will discuss the 2020 dates on a conference call in late March.

Required Committee Action: review the material and provide guidance on the 2020 dates.

II. MAGNUSON-STEVENSON ACT REAUTHORIZATION

Description: Testimony from Councils and other background information 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. Comments thus far are available from the website above.

The Modernizing Recreational Fisheries Management Act of 2018 (Modern Fish Act) (**Attachment 2a**), which aims to provide more stability and access to recreational anglers, was signed into law by the President on December 31, 2018. The Act includes improving recreational data collection (through avenues such as smart phone apps), allowing additional management tools that are more appropriate for recreational fishing, and requiring studies of allocations in the South Atlantic/Gulf of Mexico mixed-use fisheries and limited access programs in mixed-use fisheries for all Councils except the Pacific and North Pacific Councils.

The South Atlantic Fishery Management Council began work on management activities for the recreational fishery that align with items outlined in the in the Modern Fish Act as it was being developed. These include:

- **MyFishCount** – a recreational reporting website and application for smart phones designed to allow anglers to voluntarily report their fishing activity, including numbers of fish harvested, numbers released, depth fished, and other information helpful for management. The pilot project, developed in partnership with the Angler Action Foundation and Elemental Methods, is funded through NOAA Fisheries and has over 800 users to date.
- **For-Hire (headboat & charter vessel) Electronic Reporting** – federally-permitted headboat captains are currently required to report electronically; expected to begin in 2019, federally permitted charter captains in the South Atlantic region will be required to report trip-level data for all trips and all species electronically on a weekly basis, improving the timeliness and accuracy of data used for fisheries management.

- **Collaboration** – In 2018, the Council collaborated with and participated in a Recreational Fishing Workshop with the American Sportfishing Association, Coastal Conservation Association, and Yamaha Marine during the October Council meeting. The workshop is part of a 3-phase project to explore approaches for innovative management of the private recreational sector of the South Atlantic Snapper Grouper fishery. Results from the workshop and additional stakeholder meetings will be presented to the Council during its March 2019 meeting on Jekyll Island, Georgia. The Council will consider the results and discuss how to develop a new approach for managing the recreational fishery that aligns with items identified in the Modernizing Recreational Fisheries Management Act.

The new Congress will be working on new bills to reauthorize the MSA. The Council briefly discussed the Senate Staff Working Draft (**Attachment 2b**) at the December meeting, however, we have not sent them our comments yet. Council staff are working with the Council Chair to prepare a draft comment letter for review at the March meeting.

Status of Actions: The Council may be asked to provide comments on other bills to reauthorize the MSA. Should that happen, Council staff will develop comments based on the CCC Working Paper and any other Council guidance.

Required Committee Action: the committee and Council should review the Senate Staff Draft Wording and the draft comment letter (available at the meeting), provide guidance, and approve the comment letter.

III. CCC WORKING PAPER

1. Council Coordinating Committee (CCC) Working Paper

Description: The Legislative Subcommittee completed revisions to the working paper and the CCC has approved the May 24, 2018 version. The latest version dated January 11, 2019 (**Attachment 3**) has been updated to incorporate wording from the SAFMC and other Councils on their Regional Perspectives sections. This document is also available from the U.S. Regional Fishery Management Councils Website (<http://www.fisherycouncils.org>) and as it is updated, the latest version will be posted.

Major items are as follows:

- A. **Introduction** (pages 6-13) – this section includes the consensus positions for all topics.
- B. **Topic 1 (Stock Rebuilding)** (pages 14-19)
- C. **Topic 2 (Ending Overfishing)** (pages 20-21)
- D. **Topic 3 (Annual Catch Limit Requirements and Exceptions)** (pages 22-26)
- E. **Topic 4 (Resources Available for Additional Mandates)** (pages 27-28)
- F. **Topic 5 (Transparency Requirements)** (pages 29-31)
- G. **Topic 6 (Climate Change & Regional Action Plans for Climate Science)** (pages 32-35)
- H. **Topic 7 (Forage Fish)** (pages 36-38)
- I. **Topic 8 (Catch Share Programs)** (pages 39-41)
- J. **Topic 9 (NEPA)** (pages 42-44)
- K. **Topic 10 (Other Federal Statutes)** (pages 45-47)
- L. **Topic 11 (Recreational Data)** (pages 48-52)
- M. **Topic 12 (Commercial Data)** (pages 53-56)

- N. **Topic 13 (Exempted Fishing Permit (EFP) Authority)** (pages 57-59)
- O. **Topic 14 (Data to be Used in Stock Assessments)** (pages 60-63)
- P. **Topic 15 (Deeming/Transmittal Process)** (pages 64-69) – 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.
- Q. **Topic 16 (Cooperative Research)** (pages 70-71)
- R. **Topic 17 (Cooperative Data Collection)** (pages 72-73)
- S. **Topic 18 (Mixed-Use Fisheries LAPP Moratorium)** (pages 74-75)
- T. **Topic 19 (Aquaculture)** (pages 76-80)
- U. **Resources & Documents** (pages 81-83)

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 **SAFMC (2019)**, **WPFMC (2020)**, **MAFMC (2021)**, and **GMFMC (2022)**.

Status of Actions: The committee and Council should review the regional perspective language and offer any modifications. The Committee and Council reviewed this material in October and provided some guidance to staff; all suggestions have been incorporated into the latest version.

Required Committee Action: the committee and Council should review wording for the South Atlantic Council's regional input and consider providing guidance to staff on any suggested changes/updates.

IV. Draft 2019 CY (January – December) Operational Budget

Description: Kelly Klasnick and Gregg Waugh will review the draft Calendar Year (CY; January-December) 2019 Operational Budget (**Attachment 4a**). There are two major inputs: (1) fixed costs – staff, office-related, state liaison grants, and some contracts; and (2) variable costs – driven by the activity schedules. The activity schedules (**Attachments 4b & 4c**) have been drafted to reflect Council priorities and this determines Council compensation, meeting related expenses, and travel expenses. The Operational Budget will be used as a guide until we know actual funding, likely by June. The numbers usually start out high and then by the March and definitely the June meeting, we refine them based on guidance and expenditures. We also refine them to meet the actual funding we will be receiving. The Council will approve the actual 2019 budget at the June or September meeting once we have final funding figures.

Status of Action: The Executive Finance Committee met via Webinar on February 9, 2019 and their meeting report is as follows:

Agenda Topics

1. **2018 Calendar Year (January – December) Budget Review** – Council staff reviewed the expenditures and a new summary table tracking the categories in the 5-Year Grant. The Committee discussed the expenditures materials and approved a motion directing staff to use the new summary table and also attach the detailed table. The Committee requested staff add a column in the summary table showing the previous year’s final budget figures and to add a column showing percentage expended.
2. **2019 Activity Schedules** – Council staff walked the Committee through the activity schedules and the linkage of the totals from the activity schedules to the budget table.
3. **2019 Calendar Year (January – December) Budget Review** – Council staff reviewed the 2019 tables and the Committee discussed the categories. The Committee approved the 2019 Calendar Year (January – December) Operational Budget. The Council will operate under this Operational Budget until we receive our 2019 funding. Once we have our final 2019 funding figures, the Council will approve the 2019 budget; this is expected by the June or September 2019 Council meeting.
4. **Future Executive Finance Webinar Schedule** – Council staff reviewed the need for 2 additional webinars this year:
 - a. **Annual Executive Finance Webinar** – plan for this each year in late October/early November. The Council will set priorities for the following year at each September Council meeting. Staff would prepare a draft Operational Budget based on this guidance and provide it for review. The Executive Finance Committee would review, modify as appropriate, and approve during the Webinar meeting. The Council would then approve the Operational Budget at each December meeting.
 - b. **Every 5-Year Executive Finance Webinar** – plan for this every 5-years to prepare the 5-Year Grant. NMFS requests a draft grant document in August and the final in September. Staff will begin working on this after the March Council meeting. Documents from each State will be circulated to State Directors in mid-March for any further input. Staff will prepare a draft 5-Year Grant for review by the Executive Finance Committee in late July/early August; the grant document will be revised based on this input and sent to NMFS to meet their deadline for a draft grant document. A Doodle Poll will be distributed to set the dates. If desired, the Council can provide additional review/comments at the September meeting as long as the deadline for final submission of the grant is after our September Council meeting.
5. **Other Business**
 - a. **Staff attendance at Council meetings** – Council staff reviewed the issue of staff attendance at Council meetings; we can achieve increased efficiency with staff working at the office and cost savings if not all staff attend each Council meeting. Outreach staff would be present for all of the meetings. The Committee agreed with this approach and directed staff to try it for several meetings and we will evaluate. Council staff not attending the Council meeting would be listening via Webinar and able to make short presentations, respond to questions, etc.
 - b. **Government closure impacts** – Council staff reviewed the impacts to FMP-related and SEDAR schedules/deliverables. NMFS SERO, SEFSC, and Headquarters, and NOAA GC, have done an excellent job of getting things moving again after the closure. In some cases, there will not be much of a delay; however, other activities will be delayed. The Federal Register notice for the March Council meeting was processed very quickly and will publish on February 12th.

6. **Adjourned** at 11:26 a.m.

Motions

Motion #1. Provide detailed table in the briefing book and only review the summary table.

Approved by Committee

Intent: add previous year's final budget numbers and % expended to the summary table.

Motion #2. Approve the Calendar Year 2019 Operational Budget.

Approved by Committee

Required Committee Action: review materials and motion approving the draft 2019 CY (January-December) Operational Budget.

V. COUNCIL FOLLOW-UP AND PRIORITIES

Description: Dr. Brian Chevront, Deputy Director for Management, will give the committee an overview of the Council Priorities spreadsheet (**Attachment 5a**) and the Amendments Summary (**Attachment 5b**) to be used for setting future Council and staff work priorities. The Council will review the Follow-Up document (**Attachment 5c**) as approved at the December 2018 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. **Attachment 5d** provides a summary overview of the federal government shutdown impacts to Council amendments and other projects.

Status of Follow-up & Priorities: The Committee/Council reviewed this material at the December 2018 meeting and made changes to the tiering methodology and Council Priorities.

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

Other Business

1. Proposed Rule: Financial Disclosures and Voting Recusals (**Attachment 6**). The Committee briefly talked about this at the December meeting and a presentation was scheduled at the February CCC meeting, however, that was postponed. Council staff checked with NMFS and the deadline is still March 6, 2019. NMFS checked with the Councils most affected by this and those Councils did not need extra time to comment, so NMFS did not extend the comment period. Council Staff will work with NOAA GC to raise the most critical items for our Council and have a draft letter ready to go so we can send on March 8th. Council Staff informed NMFS that the South Atlantic Council's comments will be sent on March 8th.

Required Committee Action: discuss and provide guidance for the comment letter.