

SOUTH ATLANTIC FISHERY MANAGEMENT COUNCIL

EXECUTIVE FINANCE COMMITTEE

**Town & Country Inn
Charleston, SC**

September 28, 2017

SUMMARY MINUTES

Committee Members

Dr. Michelle Duval, Chair
Chris Conklin
Doug Haymans

Charlie Phillips, Vice-chair
Ben Hartig
Jessica McCawley

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Tim Griner

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Erika Burgess
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Other Observers and Participants attached.

The Executive Finance Committee of the South Atlantic Fishery Management Council convened at the Town & Country Inn, Charleston, South Carolina, Thursday afternoon, September 28, 2017, and was called to order by Chairman Michelle Duval.

DR. DUVAL: I would like to go ahead and bring the Executive Finance Committee meeting to order. We have a pretty packed agenda, and, just to remind everybody, the committee members are myself, Charlie Phillips, Chris Conklin, Ben Hartig, Doug Haymans, and Jessica McCawley. The first item on our agenda is Approval of the Agenda. I have only one slight modification to the agenda, and that has to do with the Regional Operating Agreement, and so are there any other modifications to the agenda? Seeing none, the agenda stands approved. The next order of business is Approval of our July 2017 Committee Minutes. Are there any modifications to the minutes from July 2017? Seeing none, the minutes stand approved by consent.

The next thing we're going to move into is the recommendations from the Executive Finance webinar meeting that we had in July, and this was -- As you all recall, this was focused mostly on Magnuson-Stevens Act reauthorization. There are a number of different attachments here that deal with MSA reauthorization. I think we're going to be focusing on a couple of them, and so Attachment 1a is the Council Coordination Committee meeting working paper, and so Gregg is going to walk us through that and point out areas where our council has submitted draft comments and let everybody weigh in those. We discussed this on the July webinar.

Then, also, we'll be using Attachment 1h, which is a comparison of the various Magnuson -- The various bills that impact the Magnuson-Stevens Act with the Executive Finance Committee's comments, and we're going to be mostly using those two different documents to walk through things. I would just note that the remaining attachments are the various bills that have been introduced.

There are some documents in there that the Gulf Council put together, which include a comparison of different bills and how they impact the Gulf Council operations. There is testimony from folks who have provided testimony, including Nick Wiley, who is Executive Director of the FWC, as well as Spud Woodward, and so those are all in there as background information for you, and so I'm going to turn things over to Gregg to walk you through the CCC working paper and point out areas where were need to comment.

MR. WAUGH: Thank you, Madam Chair. Again, this is Attachment 1a. It's the working paper. I am going to go through quickly topic-by-topic, and I will point out the spots where our Executive Finance Committee asked that some additional information be added. The first topic is on page 9, and that deals with Stock Rebuilding. Again, just to remind people, most of these topics have a consensus statement position, and that's the position that the CCC, the representatives from each of the councils, have reviewed and approved. Certainly, if you have some strong concerns about any of those, we'll take them to the group, but we would rather focus in on our regional perspectives, and those are added by each council, and that wording is up to each council.

The first item for us is on page 10 of that document. That shows our position, and we added some new wording. I added some new wording from the Executive Finance Committee, that first paragraph there. Under the requirements of Magnuson-Stevens, the regional management councils develop rebuilding plans for overfished stocks. The law requires rebuilding plans to end overfishing within two years and attempt to rebuild stocks within ten years, if biologically possible.

These arbitrary deadlines can be unnecessarily disruptive to fishing communities and local economies. In some cases, if longer timeframes were allowed, fisheries could be rebuilt or overfishing could be eliminated without devastating the economic livelihood of fishermen and negatively affecting fishing communities.

Is there any comments on that wording? I am sorry, but let me point out first that the councils cannot lobby, and you will see the wording in here is very carefully constructed to indicate how the proposed language in various bills might affect how we do business. We don't say that we support or don't support anything, because that could be construed as lobbying.

DR. DUVAL: This is consistent with testimony that this council provided previously, and so that was just a little extra frosting on the cake, and so any -- I am not seeing any hands around the table looking to wordsmith here. Okay.

MR. WAUGH: The next topic is Ending Overfishing, on page 15, and our regional perspective starts near the bottom of page 15 and carries over to page 16, and we didn't make any changes in the Executive Finance Committee. Are there any questions or interest in changing or modifying that? Okay.

Then Annual Catch Limit Requirements and Exceptions are on page 17. Our language is on page 18, and we did have a number of additions here, which are highlighted in yellow on the screen. We inserted some language, some draft language, about spiny lobster being exempt from an ACL. Then, in the third paragraph, a question here. Do we want to -- This is where we talk about the council believes an ACL should not be required for unassessed stocks or for assessed species that have not been reassessed in five years. That is just posing a question of do we want to say that ACLs should not be required, or should it say that really ABCs should not be required, and then the council could use your informed judgment and knowledge to establish an ACL, in the absence of an ABC, or a current ABC.

MR. HAYMANS: Doesn't Magnuson speak to the ACL requirement? Wouldn't this comment address ACL rather than ABC?

DR. DUVAL: This document is referencing potential changes that have been brought up through various Magnuson bills, and so some of those suggested changes are that the councils will not need to set annual catch limits for stocks for which an assessment, an approved assessment, has not occurred in five years or more. Basically, it would remove a requirement to have an ACL for a stock that hasn't had an assessment for a period of time. Sorry if I'm being dense and not understanding your question.

MR. HAYMANS: The obvious answer is I am being dense and not you, but I agree that that's what it's trying to do, and the question then is why would you switch then to an ABC in that position, that, in addition, the South Atlantic Council believes that ACLs should not be required. That's what we want, I thought, and not necessarily ABCs, and maybe I am thick on that.

MR. WAUGH: What we were trying to clarify in here -- For instance, if you think of red snapper that we dealt with, the issue of a current ABC, but you all used your informed judgement to set an ACL, and is that the approach that you would rather take, or would you rather leave it the way it is and say that we would not have ACLs for our unassessed stocks or for species that haven't been

reassessed in five years, and we would just manage them in some other way? That the question that is being posed to you, is which way do you want to go?

MR. BREWER: I am going to go back to something that Roy said on Monday, and the problem goes a little bit beyond just, quote, setting an ACL and the problems that we're facing, and that is we are trying to, in many instances, manage with hard annual ACLs. I am not talking here about the commercial sector, because that's not a problem, I don't think, in the commercial sector. Where it is a problem, and has been a problem, is in the recreational sector, and maybe some language could be suggested which the catch level would be monitored over a two or three-year period, to see what -- That ACL, what effect that seems to be having on the stock. Is the stock declining, or is the stock improving?

Based on that information, perhaps the ACL could be adjusted, but you wouldn't have the situation where, as Roy described it, you've got a hard annual ACL in place, and you've got a great year class that comes through and there are a lot of fish out there, and it's a good thing, but, because you've got a hard ACL, you've got to shut the fishery down.

Conversely, if you have a fishery perhaps that is in trouble, and people aren't catching nearly the ACL, because your ACL isn't being met, we say, well, we don't need to do anything, and so the flexibility that I have always thought of anyway, at least in my head, that would be granted, hopefully granted, to the councils would be to monitor the situations, and maybe you do still set ACLs, but, at least on the recreational side, you're still taking a look at your seasons and your bag limits, et cetera, but you don't, like in-season, close down a fishery because people are catching more of that fish. I mean, that's an overriding concern that I think, I believe anyway, is going to be considered in the reauthorization. I think it will be, but I don't have a magic ball.

MS. MCCAWLEY: I think I might have a way to solve this. I don't disagree with what Chester is saying, but, to the specific question about what's in parentheses there, I think we would want to change that to "ABC". To me, that kind of dispenses with that paragraph, but then I think Chester is going a step further, and I think part of what you're talking about is allowing flexibility for recreational fisheries, and also I believe there's a bill out there that allows multi-year ACLs.

I can't remember exactly how this is written, but so I am wondering if actually what you're saying is an additional paragraph about the problems that we have encountered with the lack of flexibility in ACLs for recreational fisheries, but part of it has to do with the way the data is, and it's not real time. I was just looking in the recreational data portion of this document, to see if some of that was in there, but it's not exactly in there like that, and so I would suggest that what you're saying is actually an additional paragraph.

MR. BREWER: Yes, it would be, and we have talked about this before today, and I was provided with a transcript of Roy's comments from Monday, and they pretty well -- In fact, more eloquently than I, they express the thoughts that I am putting forward, and maybe those thoughts could be condensed and put into an additional paragraph here.

DR. DUVAL: It sounds like, instead of a little bit of a combination of what's in this in this section with what's in the recreational data section, if we make mention of the difficulties in the way the recreational data streams come in, and we provide several examples in there, with regard to I guess estimates that we would consider to be outliers, unnaturally high or unnaturally uncertain, and the

challenge that poses for ACL management, but it's not exactly addressing sort of flexibility and adhering to ACL management in that section.

I agree with Jessica that it would probably require an additional paragraph, or at least a few sentences, where you could note that ACL management poses a special challenge for recreational fisheries, due to the management paradigm and the data collection systems are simply mismatched, or something along those lines.

MS. MCCAWLEY: Perfect.

MR. BELL: Obviously, if you're just dealing with a lower number of commercial fishermen, and you have a system in place to basically inventory everything that's coming out of the system fairly easily, but the recreational realm, where millions or hundreds of thousands or whatever it is of people, it's just not the same critter, and so it's a challenge. That's just the way it is.

DR. DUVAL: Okay, and so is everyone in agreement that we would like to go ahead and include a few sentences just indicating this won't match, the ACL management paradigm with the way recreational harvest estimates are produced and the way that recreational data is projected? Okay.

MR. WAUGH: We did agree to change "ACL" to "ABC"? Okay. We will also talk about this a little bit when we get into our discussions of the companion bills. We have some language in there where we're responding to the suggestion for more flexibility for recreational, and so I will draft up some language to go in there.

DR. DUVAL: It looks like we're done with Topic 3, and we can move on.

MR. WAUGH: Okay. Topic 4 is Resources Available for Additional Mandates. This is on page 21, and we did not propose any changes to our regional perspective there. Topic 5 is on page Increased Costs for Meeting Transparency Requirements. Our original comments are on page 24. We did not have any changes to that. Topic 6, Climate Change and Regional Action Plans, on page 26, our regional perspective starts at the bottom of page 26 and carries over to page 27. We weren't proposing any changes there.

Topic 7, on page 29, is Forage Fish, and our regional perspective is on page 30, and we are proposing to add a short paragraph in between what we have there saying that the council intends to address forage fish as needed through the Fishery Ecosystem Plan. The council has some concern that the consensus statement is not as fully reflective of the South Atlantic Council's position as it could be.

DR. DUVAL: I am just giving folks a few minutes to chew on that a little bit. I am not seeing anybody with suggestions or modifications.

MR. WAUGH: Topic 8 on page 32 is Future Catch Share IFQ Programs. Our regional perspective starts on page 32 and goes all of page 33 and the top of page 34. We are adding a new sentence on the top of page 34 that reads: The South Atlantic Council would like to maintain the maximum flexibility to use a referendum if the council considers catch share programs.

DR. DUVAL: I am going to go first. I think, if we go back to the bottom of page 32, that paragraph that says, "Prior to the requirement for ACLs", and that second sentence in that paragraph that says, "The fishery was landing considerably less than two-million pounds, around 250,000 pounds," I think maybe we should add a little bit of verbiage in there that indicates that the fishery has been landing considerably less than two-million pounds because of market conditions. It was more profitable to go for other species, just to clarify that, if folks are okay with that. Okay. I am seeing heads nodding around the table.

MR. HAYMANS: The addition of that sentence for maximum flexibility, we don't have to conduct a referendum now. This simply would allow us to conduct a referendum if we so choose, yes?

DR. DUVAL: Yes, and so several -- There are a few of the bills that would require councils to conduct a referendum before they consider any new catch share programs. There is also some additional language, I think in a couple of those bills, that is prescriptive, and we had some discussion, and I think Jessica will probably elaborate on this a little bit. I know Florida's position is that they would like to see a referendum no matter what, and, as we discussed on the call, the sense of the group was that, if the South Atlantic Council were to implement a catch share program, that we likely would conduct a referendum to get the appropriate input. I think I am just going to ask Jessica to articulate Florida's position, because I think you also had some concerns about including ensuring that only participants in the particular fishery under consideration would participate in said referendum.

MS. MCCAWLEY: Yes, and so let me say that I think that I can live with the way that this is worded, because I feel like that's most reflective or the biggest thing that the council agreed to on that webinar. However, our position is that we would like to see the referendum be required, and it is listed that way in a number of the bills, and you're right that we would like the referendum, if there is one conducted, or if there is one required, that it would specify that only the people who have been substantially fishing for that particular species be the ones that could participate in the vote, and so I think that this covers that, but just to let you know that our position is stronger than this, but I think you guys know that already.

MR. BREWER: I don't think this is covered, but I know a situation has arisen in the Gulf where they are looking at changes in their red snapper IFQ program, their catch share program, and some of the things that they're looking at changing would lessen the ability of the current participants to hold catch shares that they merely lease out. In other words, they don't fish them.

As it stands right now, between 30 and 40 percent of the shares for red snapper are held by people that do not even have a reef fish permit. They solely hold them and lease them, and I don't think that was the intent of that program when it was put in place, but, now that they're trying to change it, the argument is made that, well, okay, but you're going to have to have a referendum. You've already got 30 or 40 percent of the participants there who are going to say, what? They are absolutely going to vote no, and so you get locked into a situation where you can't make change, because those people who were the winners under that system don't want it changed.

The people who were the losers don't even have a voice, and some consideration, I think, needs to be made here that the council should have maximum flexibility with regard to requiring

referendums when it comes to changing the requirements or the -- I guess you would say the requirements under an existing catch share program.

MS. MCCAWLEY: To speak to that point, I feel like this language allows that, and I think that, if the council were to set something up, they would learn from other IFQ programs that are set up, like the red snapper, which was an early IFQ program for the Gulf Council, but I would argue that this language that's here would allow all of that.

MR. HAYMANS: I was actually going to go down that line, not recognizing that Chester was in front of me, but I sort of look at the referendum, specifically when it's to participants only, as sort of like the fox voting on who gets to go in the henhouse. With regard to commercial fisheries, or the commercial sector, or certain fisheries, it's one thing. You've got a certain number of participants, but we're heading down a different road, on the recreational side, and, if we ever got to a quota program on the recreational side for certain species and we only allowed those participants, and of course we know which way the vote is going to go, when, to me, that entire recreational component should be voting. To have this blanket statement that, if we have a referendum, it's only for those participants, I am against that. I mean, I am all for the flexibility of having a referendum, but, when we get further down the road, I am very cautious as to how it's applied.

DR. DUVAL: I think that's why Jessica was saying it's good to have sort of a big house, because the statement reflects that, and I think the devil is in the details of any referendum that the council would consider of how to consider it.

MR. BELL: I was just, in my mind, fine-tuning how that was worded, and so you could read that to mean what we were looking for was flexibility to use it or not use it, but I think what we're saying is that we would like some flexibility if we use it and how we use it, and for that to be prescriptive, like you must -- If you're satisfied with that wording, but I think what we're trying to achieve is, if we use it, then we would like some flexibility in how we use it, as opposed to just flexibility to use, to me, meant either use it or not. If it's prescribed in a particular way, then we would have to do it in whatever way it's prescribed, if they're that prescriptive, but it's just a wordsmithing thing.

MS. MCCAWLEY: To respond to Doug's comments, our comments are specific to thinking about how these work in the commercial fishery, when you think about people that have a reef fish permit, and I use the example with yellowtail. I can tell you that, even though a referendum is required in the Gulf, and they're working on those recreational IFQs for charter and headboats right now, it's not as prescriptive on those recreational programs like it is in the commercial. This would be one of the first recreational IFQ programs, and so it's not prescriptive like that, and I agree with you on those recreational things. If you were going to do that, I agree that I think that you should canvass a broader group of people that could possibly be in that fishery, but our comments were specific on the commercial side, to things like yellowtail.

DR. DUVAL: Just to respond to what Mel was saying about fine-tuning this, what we can do is say the council would like to maintain the maximum flexibility in applying a referendum if the council considers catch share programs, and that might solve what may appear, upon first looking at it, that the decision is use or not use versus maximum flexibility in application of a referendum, if the council considers catch share programs, and that might clear that up.

MR. CONKLIN: The only way I could see a referendum working would be to have a pool to pull from, and that would be to use the permit holders. In the Gulf, they just split their sector, and so it's not really recreational anymore. Those guys have charter permits, and so they're actually permitted and you can pool them, and so I see it as impossible to do the recreational without some sort of a permit.

MR. BREWER: We could consider another couple of words at the end of that sentence, which would be, "if the council consider catch share programs or changes thereto".

DR. DUVAL: All right. Everybody take a careful look at this. The language reads: The South Atlantic Council would like to maintain the maximum flexibility in applying a referendum if the council considers catch share programs or changes thereto. Are people okay with this? I am seeing nods around the table. Okay. Can we move on? Okay.

MR. WAUGH: The next topic is Topic 9, NEPA, on page 35. Our comments start on the bottom of page 35 and carry over to page 36, and we're not proposing any changes there. Topic 10 is Other Federal Statutes, and our comments are on the bottom of page 38 and onto 39, and we're not proposing any changes there either.

Topic 11 is Recreational Data, and our regional perspective starts on the bottom of page 40 and carries over to page 41, page 42, and page 43, and so you can see here where our council certainly has a lot of issues with recreational data, and the other councils see that different. On page 41, in the middle of the paragraph, we've added, where we're talking about the recreational hogfish fishery, and we would add a sentence that says: "Hogfish are primarily harvested by spearing, and the spearfishing sector is not sampled well by MRIP."

MS. MCCAWLEY: I think this is the section that I had asked to be rearranged a little bit, and I couldn't tell, because it's not highlighted in yellow, if the section was rearranged.

DR. DUVAL: Yes, we started it, because this was based on the letter that we put together that we sent after the March council meeting, which had actually started with what is currently the second paragraph, I think, which says, "Requirements to manage fisheries with specific annual catch limits" at the top of page 41. We had moved that other paragraph up to the top that talks about the importance of recreational fishing, right at the outset, and highlights what those are. I assume everyone is okay with this addition of the sentence with regard to hogfish and spearing? Okay.

MR. WAUGH: Then, on page 42, the first full paragraph, we added, at the end of there, "and management outcomes.", and so, "Even more importantly, the lack of public confidence in such values undermines confidence in the entire assessment product and management outcomes."

Then, finally, on page 43, we added a paragraph talking about how the council is committed to improving stakeholder involvement and supplementing data collection efforts through our Citizen Science Program, and so we added some verbiage there.

DR. DUVAL: Is everyone okay with those additions? Okay.

MR. WAUGH: Topic 12 is Commercial Data on page 45. Our comments are on page 45 and 46, and we are not proposing any changes there. Topic 13 is Proposed Changes to Exempted Fishing Permits, and our regional perspective is on page 49, and we're not proposing any changes to that.

MR. BREWER: This is one that has been near and dear to my heart for a number of years. The one that got me all riled up most recently, I am happy to report, has been taken care of. The plug got pulled on the longlining EFP. 99 percent, if not more, of the exempted fishing permit applications are for science, but, every once in a while, and it seems to be in the longline industry in the closed areas off of Florida, and so it's important to me, and important to the State of Florida.

You get what I want to call outliers, whereby it's clear that what is being proposed is not science, but rather it's a commercial enterprise being dressed up in sheep's clothing as science. It seems like, try as much as we can, the final decision on those rests with two people within the National Marine Fisheries Service, both of whom really care, but, if it's one of these outliers and there is a lot of political pressure brought to bear on those one or two key individuals, these things can get granted, and there is no recourse. It turns out that there was recourse, but it was -- Well, I can get into that, if anybody wants to know, but there is no formal recourse.

We already have -- There is a provision in Magnuson that says, if there is an EFP application that is considered controversial, then it's supposed to go up to -- At the time, it was Sam Rauch, but now I guess it's Chris Oliver, to that level for review and consultation, but I have seen it at least three times now, where there was an attempt made to get around or to subvert the EFP process. Twice it was successful, and once it wasn't, and I just -- I don't even know what to suggest, Gregg, to begin there, but maybe some thought that there be a greater level of review and more public input when an EFP application is considered controversial, without getting into the specifics of what that needs to be.

Like I said, it's something that I have been concerned about for really ten years now, and I think there is liable to be some language, perhaps, in the MSA, because I am not the only one who is -- Maybe we could give them some sort of guidance that you're really only talking about those one or two or three instances that are these outliers. For the most part, I think the EFPs need to remain within Magnuson. They are a very valuable data resource tool, and it's to be applauded. That's all.

DR. DUVAL: So, Chester, you're looking for some wording to just indicate that, if -- Can you provide some suggested words? I just want to make sure that we're capturing what it is that your concern is that you're raising, I guess. Gregg is putting some language in there indicating that there should be a greater level of review and public input when an EFP application is considered controversial.

MR. BREWER: Yes, because that's not the answer here, to overcomplicate. If a NMFS boat is going out and they're going to be running a couple of longlines to take samples, fine. That's great, but, when you're talking about 3,000 or more longline sets within a closed area and calling that, quote, research driven, that's just not correct, and that language right there I think handles it really well without -- We don't need to get into specifics, because we don't know for sure what is down the pipe on this thing, but, Gregg, I thank you very much for putting that up there.

DR. DUVAL: My concern is that who decides what is controversial, because that's in the eye of the beholder.

MS. MCCAWLEY: I am concerned about adding this, and the reason I say that is because there is a bill out there that is very prescriptive about how the EFPs should be reviewed, and it doesn't speak to whether it is or isn't controversial, but it's just all, and so I am concerned. I see where you're going, but I think that this leaves it too open-ended. People don't have the benefit of our discussions or knowing what we've been talking about here.

I think that we've made those changes inside I guess it's the SOPPs, but we've been talking about it at this committee that says that the EFP would be reviewed by the council prior to public input, and then the public can comment on it, and then the decision would be made later in the week, at Full Council, on the recommendation. I just don't think that this is helpful as a piece that's inside the CCC document that gets submitted as where the councils are nationwide on this. Do you see what I'm saying? I don't want to indicate that we are for that crazy language in that one bill.

MR. BREWER: I am well aware of what Jessica is referencing, and I hesitate to say this on the record, but that thing is crazy. It has a level of review that is far, far higher, and it applies across the board.

MS. MCCAWLEY: Right.

MR. BREWER: If a NMFS research vessel is going out and they're going to take some otoliths on a fishery that that particular fishery might be closed at the time, we don't need that. That's ridiculous, but what you do need is a higher level of scrutiny for what I am calling these outliers, because we have seen it now, and it may be that it's just specific to the State of Florida and specific to the closed area off of the State of Florida. It may be that it's very specific to that, but it is just something that has been, I guess, upsetting a lot of people for a lot of years that that crap is going on.

MS. MCCAWLEY: I know of take offense that now you want all Florida EFPs to get a special level of scrutiny.

MR. BREWER: Only if you want to put longline boats in the closed area.

MS. MCCAWLEY: Maybe this ought to be about longlines, because I feel like we have this covered, because I think it talks about the procedure that we approved or are working on that's going in the handbook and for SOPPs. I just don't see a way to capture what you're talking about that's meaningful to councils around the nation without saying unless it's about longlines, and then we want to go through some different procedure. Do you see what I'm saying? I just don't see the utility or how we help people understand that.

MR. BREWER: I have vented, and I am willing to withdraw. I mean, I just -- I have vented.

DR. DUVAL: We get it, Chester, and we appreciate it.

MR. BELL: I guess if this is settled, I will just -- I was going to agree with Jessica, and I see, in that particular example, what you were probably worked up about, but one person's outlier is not

necessarily another person's outlier, and where do the outliers come in? I will take this down to a state level. We use cooperative efforts and work with commercial fishermen to get stuff done for us, and, when you talk about a NMFS vessel going out, we didn't have vessels, and we have to work with commercial people, or we would never get things done, and so it's a valuable way to get data sometimes, but what's an outlier and what's not? It worked out in our case.

MR. PHILLIPS: I think, if this went in there, it would be hijacked and used against us more than it would help, and especially when you try to write it general, and so that would be my fear, and I think, as we just saw, things kind of are working out, and so I think they're getting the attention, or probably more attention than they want now, and so thank you.

MR. BREWER: I will say though that this one did not get worked out through the normal channels.

DR. DUVAL: Okay, and so, if we have dispensed with that, I want to go back to the commercial data section for a minute, and so our stuff is on page 45. I think, Gregg, in looking at this, I think the version that we saw in July, at the Executive Finance Committee, just had that first paragraph talking about logbook reports and providing logbook data at the time of renewal, and I think the rest of the language under here is new, because I am recalling that we talked about bringing in some of the language on our discussions with the Law Enforcement Committee, and so I just wanted to draw folks' attention to that.

I went back and pulled up what we were talking about and the version of the document that we saw in July, and it only had that first paragraph, and so I just want to make sure that everybody is aware of this. So we put in the language with regard to coordination between management and law enforcement and suggestions for notifying individuals via email if their logbook reports are late, in order to improve timing and compliance, and just improving data collection through our Citizen Science Program, which is similar to what we added under recreational data. Now we can move on. Thank you.

MR. WAUGH: The next item is on page 51, Topic 14, Data to be Used in Stock Assessments, and Dave Witherell from the North Pacific Council provided me their regional perspective language that I added, and that's on page 53, but he also has provided some suggested language for a consensus position, and we don't have a consensus position now, and, since we were going through this, I thought I would give you all the opportunity to look at that and see if you all are okay. Since the Legislative Workgroup will be meeting in a couple of weeks and we'll be looking at it, I would like to have you all's guidance if this is okay or not.

MR. HARTIG: I certainly like the background statement. I have had a problem with that all along.

MR. WAUGH: Okay.

MS. MCCAWLEY: I see something in there that concerns me a little bit. The sentence that says that we have some serious concerns with the provision to incorporate information from a wide variety of non-governmental sources and potentially require that information to be considered the best information available.

I have looked at some of those bills, and I don't necessarily think that that statement is bad, and so I don't -- It wouldn't be my position that this needs to be in this overall CCC consensus position.

Then, as you go later into this paragraph, it talks about the concern about complying with the provision would increase burdens on council staff and the SSC and invite potential litigation. I think that this is going too far, in my opinion, on what's in those bills.

DR. DUVAL: I think we can raise this at the Legislative Workgroup call. I think maybe we should scroll down to the language that we have in this section that says that -- We do state that we're concerned that some of those legislative provisions would be time consuming and burdensome for the SSC and the staff and that it would appear to duplicate existing avenues of review for information from non-governmental sources into the SEDAR process, which invites information from anyone that has it. I mean, working papers have been sent multiple times to SEDAR with information, and so I just want to make sure that we're not duplicating something, and I think some of those bills have like an NRC study on incorporation of this, which I think personally is going way too far, but --

MS. MCCAWLEY: I am fine with our statement, and especially since we explain that our SEDAR process allows for that, but, when I look at this big, overall statement, it just seems a little like we don't want that. I mean, if you're going to put stuff in there about it, those two sentences are concerning to me.

MR. PHILLIPS: I worry that, and how do I phrase it, that the best information available still may not be good enough for management purposes. They are still two different things.

DR. PONWITH: I obviously have no say in this whatsoever, but, when it comes to data, what I would say is that, for me, as a federal scientist, to be able to incorporate something that has management implications into a science process, we're governed by the Information Quality Act, and that Information Quality Act cover me and what I do, but it also covers if I were to take data from you, you're obligated to meet it, because, by inference, if I use your data in my work, I am vouching for those data, and so, because I am using it, it has to meet the Information Quality Act as well.

That doesn't mean that it's perfect, but it means that you know its quality and you know the uncertainty has been characterized and the methodology has been carefully documented, so that it's repeatable, all those best scientific practices, and so, if it's hinging on if you want to use data, that is something that gives me permission to say, no, I can't use this and it's unusable, but it does require that the data that is offered to me -- I must -- I am obligated to go through that process in order to incorporate data of unknown quality into a product that is going to influence your decisions.

MR. CONKLIN: (Mr. Conklin's comment is not audible on the recording.)

MS. MCCAWLEY: I have a suggestion, because I agree. I want to be inclusive of citizen science, and I also agree that there is already processes -- I agree with what Bonnie is saying. There is already processes out there that kind of quality control this, and there is even a statement that we haven't deleted that says you can already use a bunch of this extra information, and so I'm wondering if the statement that gets added that doesn't look like anti-government, because that statement that is up there makes it look like we only want government data and that's all we're taking, but I wonder if maybe there is a broader statement that could be added that says something to the effect of that there is processes already in place to quality control the data that the councils

use in assessments or something like that. That's just my suggestion. Maybe add "data collection and quality as used in stock assessments", since that's what this section is about?

DR. DUVAL: Is everybody okay with that? So, I want to go back to our statement here under the South Atlantic, to make sure that folks are okay with that. We don't specifically note citizen science, but I do want to make sure that we are not saying anything that would preclude the use of data coming through our Citizen Science Program. If there are comments about that, we can address those.

MS. MCCAWLEY: I see some sentences that maybe we should delete. If I think more about the citizen science stuff, maybe this does go a little bit too far.

DR. DUVAL: What we might be able to say is --

MS. MCCAWLEY: Like the last sentence, I think.

DR. DUVAL: I think that last sentence was meant to address the proposed legislation that requires that there be like an NRC study to develop how you would -- How you would develop a list of people who are collecting data throughout the region, and then we have to provide a report on it within a year of how those data are being used and all that stuff.

MS. MCCAWLEY: Then call that out. Just say we don't think an NRC study is needed to blah, blah, blah, because this statement almost makes it sound like it's not welcoming of the citizen science process that we might want to use, and so maybe, if it's specific to NRC studies to do specific things, then maybe call that out.

DR. DUVAL: I am fine with deleting it. Maybe we could just delete that last sentence. Are folks okay with the first sentence?

MS. MCCAWLEY: I think it's okay.

DR. DUVAL: Okay. All right. We deleted the last sentence, and, if there's nothing else on this, we're almost done.

MR. WAUGH: The next topic is 15, and it deals with the Deeming and Transmittal Process, and our regional perspective is on page 55. It starts on page 55, and, at the Executive Finance meeting, you asked that we insert some examples, which we have done. You asked us to work with the Southeast Regional Office and NOAA GC to identify bottlenecks and potential solutions, with the goal of determining how many major documents can be handled each year in a timely manner.

I have had some discussions with the Gulf and Caribbean Executive Directors and with NMFS Southeast Region and NOAA GC staff, and we do have a spreadsheet that starts this discussion process. What I did was I asked the other EDs what is your approximate plan to schedule deliverables, so we could talk about how many documents the Southeast Region would be receiving to review, and so think of this in terms of how we used our analysis of our staff workload and for SEDAR planning, the proposed slots, and so we have to recognize that the Region is under the receiving end of plans and amendments from three councils, plus they have other responsibilities as well.

In terms of looking ahead, for instance, at our workload for 2018, our schedule at the time had us submitting, in terms of amendments, CMP Amendment 31 for cobia after the March meeting, and so we had Snapper Grouper Amendment 46 after the September meeting, and then, after the September meeting, a spiny lobster amendment that is joint with the Gulf, and you're going to see those two down for the Gulf as well, showing that they are joint. We also, in terms of frameworks, would have, this year, Vision Blueprint Regulatory Amendments 26 and 27, and so, in terms of discussions with the Region, that is our anticipated workload that we would be providing to them.

We will deal with the Caribbean first, and then we'll come back to the Gulf. The Caribbean, they have three FMPs that they plan on completing and submitting, and these are island-based FMPs that they plan to submit. Then the Gulf, at the time, what Doug had told me is that their schedule for 2018 has them completing seven amendments and three framework actions, not including CMP Amendment 31 and Spiny Lobster Amendment 13. I thought we were busy, but that's a huge workload, Leann.

I have had some initial discussions with Rick and Jack and Monica and Roy about this, and they were going to bring some thoughts here to start this process. We certainly don't intend to try to resolve this here today, but to have some discussions. The impetus for doing this is that we -- Our Attachment 1b looks at tracking our plans and our amendments and when we submit them, when you approve them, when they go to NMFS, when they get in place, and how long that process takes. We have got some, on average, where it's taken us about a year to get actions through the process, and, again, this is Attachment 1b, if you want to look at it. It's hard to get it all on the screen.

We talked some about New England, and their process is they use a preliminary submission, which is more than just staff sending a document back and forth. They sort of send it in semi-official, if you will, and get a review, and that seems to help. They certainly have an outlier or two, but the bulk of their documents get in place sooner, and this isn't meant at all as a criticism to our process down there, because they've got two councils, a lot fewer FMPs, and, as I understand it, a lot of their amendments are similar to Amendment 43. They are one action or two actions and not like our multiple-action amendments.

If we were interested in exploring with our region whether or not this preliminary submission process might be something that would help smooth the flow of documents and approval -- What happens is we submit a document and, a year later, it gets approved and implemented, and people have forgotten what was in it, and they're not sure why we're doing this, and there are some instances, and we have some of this information in the document now, where these delays are costing our fishermen dearly. They are suffering an economic impact. Again, from the Region's perspective, with this heavy amount of workload coming in, it makes it very difficult for them to process documents in a timely manner.

DR. DUVAL: Is there any input on this section, other than we need fewer amendments?

MR. WAUGH: I don't know if Jack or Rick or Monica have any input at this stage.

DR. MCGOVERN: Well, you know we do have a lot that comes to us, and constraining the workflow is a good thing, from that perspective. I had a performance review, and I looked, and I

had to come up with how many rules and things we did, and we did fourteen final rules in Fiscal Year 2017, and ten proposed rules and like seventy-one Federal Register notices, in addition to all of the amendments that all of our people are working on.

Something like this has pros, possibly, from constraining workload, but I think there are also possible cons with trying to do this, because not all amendments are the same, and to say that we're going to do X number of rules each year, some amendments are complex, and they have a lot to them and they take a long time to do, and some are pretty simple, like the spiny lobster bully-net is probably going to be a simple one to do.

I think it's difficult to say that we can do this many rules each year, and I also feel like, if we're doing something like a SEDAR process, that there could be competition between councils, where we only have this many slots we have to do, and one council is going to want to have this rule done, and another council says this one is legally-mandated and we have to do this, and so I think there could be potential problems there.

I don't know what the best thing to do is here, but I do like what this council has done under Gregg's direction, where you go into Executive Finance and you say this is what the staff can do and this is all we can do, and I think that helps us at the Region in constraining the workload. Even with processing rules and everything, it's not just with us. We have things that are taking a long time at Headquarters too, with DOC, like Amendment 37 was there for a really long time, and there was a Caribbean amendment that was up there for four months or something like that, and it wasn't really that complex, and so it's not just that things take a long time to get through the Region, but there are other things too, and so those are my thoughts on that.

DR. DUVAL: Thank you, Jack. We appreciate, or at least I appreciate, that you all have other processes to deal with beyond when something leaves your shop and goes forward through the APA for notice and rules, et cetera.

MR. HARTIG: Jack, I know some things got stuck in the new administration, but, overall, has that improved, as far as timelines in D.C.?

DR. MCGOVERN: I think, in general, things are taking longer than they used to in getting through there, and some specific rules are taking longer than other ones, depending on the nature of them, I think.

DR. DUVAL: I guess I am not sure that we're going to come to a firm resolution on this, but I appreciate that Gregg has put this spreadsheet together sort of illustrating what everything is that could come forward to the Region in an upcoming year, and it's a lot, and so I guess, Jack, I would ask you all that, if there are things that we can do here, obviously beyond fewer amendments, to try to ease the burden for you all in getting things through the process -- I mean, if there are hard and fast statutory deadlines, then we certainly understand that, but please don't hesitate to let us know, because we want to make sure that it's as smooth as possible, and we have to explain to fishermen that there is a process.

Just because the council puts through something, it doesn't mean that it goes into effect right away, and I think that's probably one of the most difficult things for stakeholders to understand, is that

there is another process beyond the council. Are there any suggestions on the language in this section? Are people okay with that and with the examples? Okay. I am seeing heads nodding.

MS. SMIT-BRUNELLO: I think this has also been a useful exercise, but a useful document that Gregg has put together too, because I know we can go back and talk on our side, and, with the hurricanes and everything else, we just haven't had the opportunity to just think about this and talk together, at least from my office, but it could be useful for a number of things, including ways that we could figure out to streamline certain things.

DR. DUVAL: I think we recognize that not all amendments are alike, and certainly there are some that have multiple stages that are going to be required, and those are simply going to take longer. Okay. What do we have left?

MR. WAUGH: That's the last item for the working paper, and I think it would be helpful if we had maybe a motion approving the working paper as modified, or something to that effect.

MR. BELL: Before you do that, back on page 41 -- I kept my mouth shut until I verified this, but it says hogfish, you know the hogfish statement, that hogfish are primarily harvested by spearing and the spearfishing sector is not sampled well by MRIP, but we do -- They are covered. Spear is a designated gear type within the MRIP survey, but maybe they aren't adequately sampled, but they are sampled, or at least our MRIP surveys.

MS. MCCAWLEY: We talked about hogfish a lot, and this was taken from a letter that we wrote on hogfish that talked about their low sampling, and part of the reason that MRIP wrote back was because they were primarily a spearfishing species, and so I think hogfish might be even more unique than some of the species that -- I would love to keep it in there.

MR. BELL: That's fine, but it is a gear designated in the MRIP survey. We do catch some, but we don't do anything like you guys do down there.

DR. DUVAL: I think some of the conversation we had about this was based on things like if you have a dive boat that is going out and people are licensed individually and maybe some of those dive boats aren't sampled, and so they're not necessarily getting the gear from that, and it's not as accurate as it could be. Okay.

MS. MCCAWLEY: Are you ready for a motion?

DR. DUVAL: Yes.

MS. MCCAWLEY: **I move that we approve the CCC document as modified.**

DR. DUVAL: There's a motion by Jessica, and it's seconded by Chris. Is there discussion on the motion? **Is there any opposition to the motion? Seeing none, that motion stands approved.**

The next thing that we're going to go through involves the legislation that's been introduced, and I have already referenced that the attachments that are contained within the briefing book that have the different pieces of legislation that have been introduced that either reauthorize or impact Magnuson, and so the easiest thing for us to do, as I mentioned earlier, is we're going to walk

through some of these things and just highlight the input that we had on our Executive Finance webinar, using Attachment 1h, and so this is the big spreadsheet that was put together that Gregg added to, just in trying to compare and contrast all of those bills. I am going to turn things over to Gregg to walk us through that.

MR. WAUGH: Thank you, and so this is Attachment 1h. The first section deals with the process of allocation review. The bills propose a National Academy of Science study, and those cost NMFS about \$1 million each, and so, if you look in our comments, for this, we were -- There was some feeling that some members were okay with the National Academy of Science study and some were not in favor of the study, because of the impacts on funding and don't need a prescribed timeframe. We talked about this, and the agreement was to refine this position here at the September meeting.

The reviews in five years could impact the council's workload, and there was concern about duplications with the CCC procedural directives. There are directives already in place whereby the councils look at allocations and revising our allocation policy, and we have that scheduled already in workload.

There was concern about the \$1-million impact on other work, because that comes out of the NMFS budget. Can we coordinate reviews the same time assessments are being conducted? It may be too often if we get stock assessment frequency where we want it. The National Academy study could aid the councils in discussing allocation reviews and trigger periodic reviews. The CCC documents are in the background documents folder.

DR. DUVAL: I will say the CCC developed those documents over the 2014 and 2015 years, and so the CCC approved what is the criteria for initiating fishery allocation reviews at its May 2016 meeting, and so, as mentioned previously, this document just establishes different triggers that councils could consider in setting up allocation reviews.

It does not reference an allocation action or tell councils how to allocate or anything like that. It just describes different categories of triggers that could be used, and those are time-based triggers, public-interest-based triggers, and indicator-based triggers, and it involves -- The document is pretty general. It goes through and defines what is an allocation review, and then, subsequent to the review, that is where a determination is made, based on the review, of whether or not a reallocation action needs to be initiated.

It's not at all about how do you allocate, but it outlines three approaches for triggering reviews of allocations, and these are based on adaptive management and whether or not you're meeting the goals and objectives of your fishery management plan. There is also a complementary or companion document from the Fisheries Service that outlines factors to consider when making allocation decisions, and so these very closely mirror some of the indicators that the CCC was using when looking at triggers for review of a particular allocation decision.

The recommendation from the CCC was the councils all establish, within three years, or as soon as practicable, the triggers that they are going to be using for allocation review, once that procedural amendment was final, and so that's where we are. We actually have this on our spreadsheet of items to be addressed on our workload, and I think it's actually next year, if I'm not mistaken, and this is under Brian's slot under there, and so I just say that by way of introduction,

and so this is the conversation that we had on the webinar. I will just be blunt and say I'm not really in favor of an NRC study. I don't think it's necessary, but this isn't all about me, sadly.

MR. HAYMANS: I will join the group. I'm not in favor of a study either. I think it's a waste of resources to do something that we already do, effectively.

DR. DUVAL: Others? I mean, this is an issue that we need to tackle. It is on our agenda, and we will do it, and I think some of the things that I have discussed in allocation is that we're actually right at a five-year timeframe this year for the bulk of most of our sector allocations. The bulk of those were implemented in 2012 through the Comprehensive ACL Amendment or the companions to those through the PFMP, and so it's timely for us to take up these formulas. What's your pleasure? Like I said, are you guys okay with us removing support for an NAS? How do others feel?

MR. PHILLIPS: I agree with Doug. Resources are tight, and so --

DR. DUVAL: Jessica is good. Okay. Thank you.

MR. WAUGH: In the interest of time, I don't know if we want to go through each of these positions. That was one where we had a question. The other is on page 29, and certainly if people have questions about any of these intervening positions, we can talk about them, but, if you look on page 29, that deals with Section 202, recreational data collection.

We do talk about this in our Topic 11. We indicated that we support state and federal partnerships, and we're concerned about moving money from MRIP and reducing the accuracy of MRIP estimates. We do not support removing any money from MRIP, and we support additional funding for state/federal programs, but not money from MRIP or S-K. We need additional funding for recreational data collection. There was some interest to see if we could consider prioritizing where resources are targeted at this meeting.

DR. DUVAL: I guess, if we were interested in providing some input on how resources are used to improve recreational data collection, what would we want to do, besides fall asleep after lunch? This may not be something that we can necessarily answer today, but one thing that I will throw out there is that we have had a considerable amount of discussion about our rarely-intercepted and pulse fisheries, and so sort of a list of six species of problem-children, I guess I would say, and that might be one avenue that we could comment that there be some resources focused, and I think we've sent some letters in that regard, and we can certainly reference those.

MS. MCCAWLEY: I like that for now. I don't know what else to put there for right now, and that's why I'm just kind of stumped, and so I like that for now.

DR. DUVAL: Is everyone else okay with that, in terms of recreational data collection and prioritizing resources? I am seeing a thumbs-up from Doug, a thumbs-up from Mel, two thumbs-up from Chris, and two from Charlie. Then we will include support for that.

MR. WAUGH: So the intent here is to -- We have our input on all of these bills to talk about the new discussion draft that was just introduced, but the intent is that I will draft up a letter with our various positions, and we will circulate that to everybody, for them to review and comment on, all

council members. We want to have something ready to go, in case we do get a request to comment, but certainly that letter will be up for discussion at the December meeting as well. We can modify it there, regardless of whether we have sent it or not, but we may get additional requests, and so that would be the intent, and so it won't be our last opportunity to comment on this.

Just about a week or so ago, we got a new discussion draft of a bill introduced by Representative Jared Huffman, a democrat from California, and this was the subject of testimony at the hearing this week on Tuesday, which is why Chris couldn't be here. We didn't send that out, because it's too much to dump on you all at this stage, but the Legislative Workgroup is going to be looking at this in a couple of weeks, but there was just a couple of items that I wanted to raise with you all, to see if you had any guidance that you wanted me to take to this group. Like I said, this is not distributed, and so we'll have to follow along on the screen, and I will make it as big as I can.

I pulled some of the important issues out. It revises the "overfishing" and "overfished" or "otherwise depleted", and we have comments on that. The index of the appropriations to carry out MSA provisions to the percent change of the consumer price index, I don't know how that would work out.

It requires audio, video, or written transcripts of council and SSC meetings to be posted to our website, and we do that already, and that's not a problem. It requires recorded votes on all non-procedural matters, and it's unclear whether this means a roll call vote on every motion, but we think that was the intention, and we would just put out that we record all of our meetings, and we produce verbatim minutes, and so you would see how each vote was conducted. We conduct a roll call vote for all final actions for documents going to the Secretary for formal review, and so I think that covers that.

This is one that I wanted you all to weigh in on in particular, and this, to me, gives some concern that they are considering putting a requirement in that, to the extent possible, councils minimize the amount and cost of member and staff travel by using electronic means for remote participation during meetings, including voting. "Including voting" implies council meetings. Now, we have taken the opposite approach, and this is what I have described to the EDs so far. We are already using video conferencing to minimize our costs, to the extent we can, but we have chosen to do it for public hearings, scoping meetings, and we've done it for some SSC and SEP meetings, and, on occasion, we conduct council business that way.

With the proviso that we feel that it's very important for the council process for us to have facetime with our constituents, and we do that by meeting -- We meet four times a year, once in each state, and that gives us a chance to meet face-to-face with our constituents and for them to come in, and it's my understanding that we would not want to lose that.

It's concerning that this is in a bill, and on the democrat side as well, and I think that signals -- Again, remember that I mentioned that the word is that we'll be lucky to get level-funded, and so, if they're looking to tell us not to hold meetings as a way of holding down our costs, that doesn't paint a very rosy picture, but I think we need to push back on this, and I just wanted your guidance to take that route.

MS. MCCAWLEY: I agree with everything that Gregg said, and I think that we should word it such that we think it's important to, at the very least, have those four meetings a year in person,

because we're moving those to those four different states, and I would talk about the other avenues, where we're allowing webinars, and we allow voting by webinar, and we could also talk about how we have conducted, so far, one meeting of the Full Council by webinar to look at other additional items, instead of bringing us back together in person for a single day, and so, yes, I would talk about the efforts we're already using.

MR. BREWER: I think it's critical that we have at least one Full Council meeting in each state during the calendar year. We already face a lot of criticism that we don't listen to people and that public input means nothing to us, and I think you blunt that somewhat by the public's ability to come in here and sit at that table over there and look us in the eye and tell us what they see, and I know that I have been swayed, in several instances, by that looking somebody in the eye, and you know when somebody is pretty well telling the truth and when they really believe what they're saying to you, and you can tell when somebody is reading off of a script that somebody else provided to them. I think, at a minimum, from the standpoint of the public, that that is critical.

It's also critical to have those meetings, so that the council members have an opportunity get together and, again, meet face-to-face and talk with each other about the topics that are being discussed, but do so privately and quietly, in a more relaxed setting. A lot gets accomplished in that fashion, and I think it's very important that it continue.

MR. BELL: In just adding to that, I would push back respectfully and hard on that, because I think, if we went to that format, we would lose -- I mean, we would all of a sudden appear to be really not even in a smoke-filled, dark room somewhere, but it would be off in the electronic neverland or something. It would totally lose the connection that we have with the public and with each other and the ability to work through these things, and I think it would totally tarnish the character of how we do things and affect our ability to successfully do our job.

DR. DUVAL: It would be like the Matrix.

MR. CONKLIN: Webinars are somewhat distracting for me and everyone else. You can't always fully focus. The face-to-face interaction is really good, and I would like to -- Earlier, Gregg was talking about the in-person meetings to use as a public forum, and so that's good, and this is a conservative philosophy coming from a democrat's office, and I would like to maybe figure out a dollar amount on how much we've already saved and put it in there, our projections, but this is absolutely necessary, those face-to-face meetings, but the costs are critical as well.

MR. HAYMANS: Ditto on that. However, maybe, moving forward, we could consider, similar to the webinar that we've already held, but we could consider having a day or three-quarters of a day and knock out some of the easier business or committees and shorten this meeting by a day. We could save 20 percent on travel time, and, maybe if you do that across the year, maybe you do realize some significant savings and still maintain the in-person meetings, but a day shorter. That's just a thought.

DR. DUVAL: That certainly is something we could consider. I guess, myself, I tend to lean towards the topic-based webinar, and so like has been suggested already for the ABC control rule and what we did for Executive Finance. I think, if we're going to use webinars, I think it tends to be easier for folks to focus on a particular topic that we just may not have enough time to dig into here.

MR. HAYMANS: For instance, Habitat & Ecosystem Management, where it's simply a review of the FEP sections or things like that, we could do that by webinar. The AP Selection Committee, you could do that through webinar, because it's only invited individuals in closed session. I think that we could probably look at some of the business that we do, and we could do it the week before a council meeting with a one-day webinar, but I'm just putting that out there.

DR. DUVAL: I appreciate that. I think those are all great ideas. Okay. So we definitely have some input on that.

MR. WAUGH: There is some sections that talk about protecting and recovering EFH and reducing bycatch, and we addressed those pretty well. It requires a report from the U.S. Comptroller General on a full accounting of all grant monies received and distributed by the council and an assessment of interactions of the council and council staff with Congress in the last ten years and an assessment of conflict of interest. I am not sure exactly what this is trying to address, but I suspect it would be something related to the push in the West Pacific, having to do with national monuments, but, if that comes, we'll deal with it.

Requirement that rebuilding plans have at least a 75 percent chance of rebuilding versus the current 50 percent. Are the required provisions our FMPs identifying habitat areas of particular concern, and we do that. Prohibits development of a new fishery until the Secretary determines the fishery ecosystem impacts are analyzed. We have a process for dealing with how new fisheries are dealt with.

One that I would like your input on is there are provisions to add a voting seat on the Mid-Atlantic Council for one current South Atlantic Council member to participate as a full voting member. This would increase our costs by approximately \$14,000 a year, and it's silent on who pays for that individual, but there is also a requirement that a voting seat be created on the South Atlantic Council for one current Mid-Atlantic Council member to participate as a full voting member, and so, either way that gets cut, the councils are going to be facing increased costs, and so any guidance to carry forward at this stage on that?

MR. HAYMANS: This is a California democrat, and so who has got his ear with respect to the Mid-Atlantic and South Atlantic?

UNIDENTIFIED: Tony.

MR. HAYMANS: Tony, you've got his ear?

MR. DILERNIA: Talk about coming back just in time. This has evolved from a push by the New England Council to be more deeply involved in management of many of the species that are currently managed by the Mid-Atlantic Council. We clearly are seeing, as a result of climate change, a regime shift that's occurring in summer flounder, scup, and black sea bass. They are shifting their range to the southern New England region, and so there was a -- The last issue of the Magnuson reauthorization, there was a push by the State of Rhode Island to have three voting seats added to the Mid-Atlantic Council to represent the State of Rhode Island. Then Connecticut said, wait a minute, we're -- So it started to get a little silly.

What we have done in the Mid-Atlantic is, just like you all let us Mid-Atlantic folks sit in and vote on your committees, we increased the number of New England committee members, voting committee members, on the Mid-Atlantic Council, and so the Mid-Atlantic Council Summer Flounder, Scup, and Black Sea Bass Committee now includes maybe three voting members from New England.

Folks were still saying, well, yes, that's right and it's on the committee, but it's still not at the final council action, when items are being transmitted to the Secretary, and so what has resulted in negotiations amongst councils was that we would recommend that the New England liaison, which is sent already to the New England Council, at the expense of the New England Council -- The New England Council pays for a liaison to attend the Mid-Atlantic Council meeting. That liaison, in this reiteration or reauthorization of Magnuson, would have a voting seat on final council actions.

Also, what it would do is, because we're the Mid-Atlantic and we're bordered by the New England Council and you all's South Atlantic Council, this action would also add a voting seat on our council from the South Atlantic Council. Now, I go back to the days before North Carolina was a member of the Mid-Atlantic Council, and the South Atlantic Council would always send a liaison to the Mid-Atlantic Council, and that person usually was the state director from North Carolina. In the old days, it was Bill Hogarth, and some of you may remember Dennis Spitsbergen.

Then, in 1996, when we added North Carolina to the Mid-Atlantic Council, and I am proud to say that I lobbied very strongly for that to happen, you all stopped sending a liaison to our council. I hope it wasn't anything that we did to you or said, but you all stopped sending folks, and so what would happen is this action would simply give the liaison a vote on the council, and so, as the liaison at this council meeting, I would have a vote on final action when you all meet on Friday and take votes as council members. Should this action pass, I would also have an opportunity to vote, whereas I only vote now on the committee.

It really doesn't -- For us in the Mid-Atlantic, it doesn't add any additional expense. To New England, it doesn't add any additional expense. It would for you all, because you don't send someone regularly to our council, and you would have to designate a liaison, and, typically, the liaison is paid by their home council, and so there would be additional expense to this council. I don't know what the Gulf Council -- I guess the Gulf Council pays for Leann to attend, and so I guess you folks might be the only ones that get some additional expense out of this, but that's where this all comes from. Rather than pushing together councils and mixing everything up, we recommend to give the liaisons the voting opportunity. Thank you.

DR. DUVAL: Thanks, Tony. We appreciate that input, and hopefully you're not sorry you added North Carolina to the Mid-Atlantic Council.

MR. DILERNIA: I have to tell you that you did give us Dewey, but that's okay.

DR. DUVAL: You love Dewey, and you know it.

MR. DILERNIA: He is definitely my bud. As a matter of a fact, I'm surprised you let us sit here together, because we get shushed a lot.

DR. DUVAL: In the interest of time, because we need to move along, and we have several other agenda items, is there any particular guidance that we would want to provide on this recommendation with regard to liaisons that vote?

MR. HARTIG: I would just lay out how our process has changed and how we have incorporated the Mid-Atlantic Council, at least to vote on committees.

DR. DUVAL: I think the issue is really more, as we consider, and we can pick this up during Full Council, but, as we consider shifting species distributions or expanding species distributions or certain species become more popular than they used to be, that we may want to consider sending a liaison to the Mid-Atlantic. I mean, I think it would just be a matter of talking to Chris Moore and making sure that we're there for that.

MR. PHILLIPS: I am pretty happy with what we're doing right now. I am a little bit skeptical about asking for voting rights on their council, especially if the voting rights could also be used for stuff that we may not have, that we don't manage, and so I am pretty happy with the way things are going right now, and, should it get to a point where there is a lot more of species moving north, then we might change that, but, right now, I am happy with what's going on.

MR. BREWER: My thought is if it's something that this council feels is important that it send a liaison to the Mid-Atlantic, and we can decide to do that, but, right now, it's being dictated to us. Not only are we going to, quote, level-fund you, but here's what we're going to do to increase your costs, and that is -- That is a little offensive to me.

MR. BELL: I would just say that I think, for the reasons that I am assuming that they're asking us to do this, or telling us to do it, we've already thought this through, and here's what we've done right now, and here's how we're managing it. Thanks, but we've got it under control.

MR. DILERNIA: We would very much like to see a regular representative from the South Atlantic Council attending Mid-Atlantic Council meetings. Dewey and I can bring things back, but, if you all had someone sitting at our table that could add to it, it would be useful. Madam Chairman, you have been to some of our meetings, and you have been very helpful in some of our decision-making.

I will also point out that -- I will give you an example. I wasn't here for the first hour that you reconvened. Yes, I wanted to go sit by the pool, but I justified it by the fact that I didn't have any involvement in -- The Mid-Atlantic Council had no business, really, in your Executive Committee meeting, and so I felt there was no reason for me to be here, and our liaison position has always been, if we don't have a dog in the fight, we're going to abstain from it. It's not for us to be coming down here and telling you folks what to do. The only time we will vote is when there's an issue that might affect us directly, and that's been our guiding philosophy. Thank you.

DR. DUVAL: Thanks, Tony. I will just put forward that I do think it's going to become increasingly important to probably send someone to the Mid-Atlantic Council as topics that affect both councils come up, and so that's all. What's next on the list?

MR. WAUGH: The final two items from that Executive Finance webinar deal with the Fisheries Leadership and Sustainability Forum. You all asked for some additional information, and we have,

in the materials, Attachment 1b from Katie and Kim at the Forum. They lay out, in expanded detail, the process of setting up a workshop, what's involved in doing that, and basically what you're getting for your money, if you were to indeed contract with them to put on a workshop.

They are funded now through core support from philanthropic foundations and by the regional fishery management councils, in partnership with NOAA Fisheries. Their operations are supplemented through projects with individual councils, NOAA Fisheries, and other partners on a contract basis.

This topic also relates to our discussions about external organizations participating at council meetings. There was some talk about perhaps having forums, or having meetings, conducted by the Forum as a way to do this, and so we were going to come back at this meeting and discuss and develop recommendations on the level of support that the South Atlantic Council is willing to provide, and so that's where we are, and, if we were to do that, we might be able to schedule a workshop that would give an expanded opportunity for members of the public to participate.

DR. DUVAL: We had some conversation about this during the July council meeting, and I think people were in agreement that the Fisheries Forum has provided really valuable opportunities for cross-pollination and cross-communication, and I think, for some folks, the forums have provided really useful learning experiences and information on specific topics, and I think the opportunity maybe to think outside the box a little bit.

The Forum has conducted a number of other workshops on behalf of other councils. I think they were responsible for putting together or coordinating the Mid-Atlantic Council's climate change and fisheries governance workshop that folks attended, and I think Ben went there a few years ago, and all the east coast councils were invited to attend that, and so I think some of the concerns that folks had expressed in July was that we're in a really tight budget situation ourselves, and so, if we were to commit to providing some level of funding to the Forum on a regular basis, what -- There was concern that might mean changing some of our own priorities, such as citizen science, and so my sense, from our July meeting, was that, if we were to provide Forum support, that people were more interested in doing it on sort of a fee-for-service basis.

In other words, contracting with the Fisheries Forum to help us develop a workshop that might be based on a particular topic rather than some ongoing level of support, and so that's where we are, and we're just looking for input from folks as to what people want.

MR. BREWER: I do remember the discussion, and we can maybe contract with them to provide some services, and we haven't gotten into our financial report yet, but, from everything I am hearing, it's tight, and so I just don't think you could commit to any further expenditures right now that are outside.

MR. PHILLIPS: I agree with Chester. I have been to several of the Fisheries Forum, and I don't know how else to get the cross-pollination between councils, especially east coast to west coast, and even New England, for that matter, that you're going to get except through that kind of a format. Maybe this is a holding pattern until they can figure out how to get some permanent funds, or maybe, instead of doing two a year, they do one a year and then they figure out where to get the funds to do just one a year, west coast one year and east coast the next year, and then maybe it gets to be something people can swallow, and we can find some money, but, for right now, this seems

to be the best path forward, is to keep everybody involved. If we can figure out a way to get some of that cross-pollination going again, I am 100 percent for that.

DR. DUVAL: Any other thoughts or input on Fisheries Forum financial support?

MS. MCCAWLEY: I just like the idea of doing maybe one a year, and then I saw in the booklet the items that they could do for us as workshops, and I like that idea too, and so I think we can keep exploring and talking about this, and I'm hoping that they can find funding somewhere to do at least one in-person.

DR. DUVAL: I think part of the issue is really, when you are -- It's a very tiny staff, and so, when you are putting together one of these forums, you've got to have some -- For those of us who are at a state agency, you've got to have some base level of funding that kind of keeps the building open and the lights on, and I think that's been very challenging for them over the last few years.

MR. HAYMANS: I don't want to get into how they spend their budget or anything, but, anytime they offer to accept me to one of their forums, they offer to pay for me. Well, rather than them paying for attendees, if the individual councils paid for the attendees, and let them spend their money on staff, that might be something.

DR. DUVAL: Good suggestion.

MR. BELL: I have participated in a couple of them, and I have found them very valuable, in terms of cross-pollination, like Charlie was talking about. I think the concept of maybe one per coast a year or something, that's one way to save some money, and it's a good idea. Also, what it's also potentially useful for is if we want to do some things to kind of help council members maintain continuing education, if you will, and they might be good for that sort of thing, to provide different areas for that, and so it's certainly useful, but, again, it's a money issue.

DR. DUVAL: I think I will just point out that there was only one forum earlier this year, and they do alternate. They alternate between an east coast and a west coast forum already, to try to cut down the costs, recognizing that, whatever coast you're on, you're far more likely to have attendance from the councils that are on that coast. What I'm hearing is that folks appreciate what the Forum does and that we would be interested in exploring some fee-for-service stuff down the road, and we are supportive of the Forum continuing to remain operational, but we don't really have the resources to donate to it at this time. Okay. The next item on our agenda is the Council Follow-Up and Priorities, and Brian will walk us through that.

DR. CHEUVRONT: Thank you. The follow-up, we don't typically spend much time going through it, but I just remind you, pretty much each time, that, if you need a reference for where the council is on the development of different amendments and where we've been with different things, that is a good source, because it's pretty much a complete compendium of all the things that the council has going on now, and it includes decisions that you all made at the last council meeting, and also the previous council meeting, and it combines it all into one document, and so you've got the follow-up in your briefing book every time.

The thing that we really need to kind of talk about today is your priorities, because you have suggested some changes. What I have got here now is slightly different than what is in your

briefing book, because I have been trying to keep track of the things that you've been saying that you want to have done at this meeting and modify it as we go, and so part of the goal of what we're trying to do here is to show you how things would change if we follow along from what you've been talking about, and so, if you look here, in Row 12, this is where we are now. This is the last quarter of 2017.

One of the things that you can think about in this document is we have columns that identify the staff members, but the rows will basically give you all an idea of what your workload is and what you're going to be looking at in December, and so there's a couple of things that I wanted to point out to you. We had the discussion yesterday about red grouper. Snapper Grouper Amendment 42 has to do with modifying the red grouper rebuilding plan. We're not quite sure what that's going to do yet, but we know that that's going to have to happen, and so what I have done is -- Because, as you're going to see in a moment, Myra is so involved in the visioning amendments, that I can't just start adding a whole bunch more amendments on top of Myra just because they're snapper-grouper-related.

What we're going to do is right now we're planning that John Hadley is going to be the council lead for the red grouper rebuilding plan amendment while he's going to continue to work on the for-hire moratorium that you all have us working on, but we didn't discuss it at this meeting. Of course, for John and now Christina, you're going to see that they each have a separate column for analysis, because just to remind you that each one of them is involved in every single amendment that you work on. John does all the economic effects analysis, basically. He also does the regulatory impact reviews. Christina will be doing social analyses for all of the amendments, regardless of whether or not the two of them are leads on different amendments.

Now, switching over to Myra, what you all did is you said that you wanted to add an action that changed the composition, I believe, of the deepwater species group in the recreational visioning amendment, and what that goes is that turns that from a regulatory amendment into a plan amendment, and that's fine, but the discussion was that that's probably going to take at least another quarter to get that finished, because you also said that you wanted to keep those two amendments on the same track. What we did is we added another quarter to each of those.

Now, in June of next year, you will be receiving information on the b-liner and the black sea bass assessments. Now, I don't know how those are going to turn out or what it's going to be, but we are going to leave slots in there for the council to take actions as a result of those assessments, and so we just don't know what that's going to be yet, and so consider some of these things that are moving into the future to be sort of placeholders, thinking about we need to have time to have these things worked on. I have it down so that, when Myra is finished with the two visioning amendments, she will be devoting her time to vermilion and b-liner.

Chip is going to get pretty busy, not that he's not busy now, but we've got him working on Snapper Grouper Amendment 46, now that we have finished 43, and so he's going to be doing that, finishing up 43 and getting that sent in, but then we start 46, which is largely best practices and things for snapper grouper.

Starting next year, he's going to have to do the SMZ revisions, and there has been some discussion, and you all need to clarify this, whether you want to start moving ahead on that coral/shrimp FMP that looks at allowable zones, fishing zones, for primarily deepwater shrimp and the golden crab

fisheries. Then continue working on Amendment 46 next year, and so Chip is going to be rather busy. I may have to revisit this later and figure out what are we going to do and how are we going to do this, and this is more than one guy should be doing right now, but I haven't resolved that problem yet.

As for myself, I am working on the wreckfish ITQ review, and because we're talking about doing the quick framework amendment for changing the ACL for red grouper, I'm going to take that on between now and December. We will be bringing that back to you, but remember that's all we're going to do in there, is just simply change that ACL. We're going to try to do it as a one-and-done, and all the other stuff will go into the other red grouper amendment for any management measures that we need to change.

Then, in December, you all should be getting some information about tilefish, and, depending on what comes out of that, hopefully it will just be something that we may just have to modify the ACL and not the management measures, and I'm not quite sure how that's going to turn out. We will figure that out in December. Then I was probably going to take on that one as well. It makes kind of logical sense, after I have just done one ACL change amendment. I can do another one probably pretty quickly, but we're not quite sure.

Then we also have the allocation policy that we have been talking about. If that Snapper Grouper Amendment 45, which was golden tilefish, has to be more than just the changing of an ACL or something pretty minor, that might take more time, and we need to be looking at the allocation policy, and so we may have to move around some of that.

Then the last two are John has got the ABC control rule, and he's got the SEDAR and SSC and everything going on. In December, we expect to finish the FEP, and that's been a long process, but we're that close now. We have no reason to believe that we're not going to finish it in December, and Snapper Grouper Amendment 38, Roger is going to be -- That's for blueline tilefish, and we need to get moving on some things there, and he will continue to do the EFH and ecosystem work.

As you can see, Row 12, while your staff is going to be really busy, it just means that's going to provide you with a lot of things that are going to keep you busy as well, and so, if this is a workload that you all can't deal with or don't want to deal with, and if you have suggestions or ideas, this is a good time to have maybe some of that discussion.

DR. DUVAL: One question is can we get this emailed out to us at some point?

DR. CHEUVRONT: Sure. That was definitely going to be the plan to do that. It was literally we were working on this up until just before lunch today, to accommodate all the things that you have been saying, and so, if this is something that you think is all in a format now that you want to look at, I will make sure that it gets around to everybody.

DR. DUVAL: I know that some of us had talked about making sure that we picked up the allowable golden crab and rock shrimp areas, because that's been on the list for like a year-ish. I think maybe more than that, but I guess does anybody have any questions for Brian? Is there anything that people don't understand that is on this list, in terms of what staff are doing?

Then, finally, I think we're sort of identifying our four major things that we're going to be doing at the council meeting in December, and my understanding is that we were going to pick up Amendment 46 and Snapper Grouper Amendment 37, and that we would come back and see both visioning amendments in December. We were also going to be receiving an options paper on for-hire limited entry in December.

DR. CHEUVRONT: I believe, at your last meeting, you all decided that it was going to be a moratorium and limited entry, and you all had some motions to that effect, and so yes, but the thing for the, for example the ACL change for red grouper, that's a quickie, and so I didn't count that in your four, and I just wanted to make sure that people didn't think that you were ignoring that, but sure. If that's what you want to see, we'll make that happen.

DR. DUVAL: I know that you can get that red grouper ACL thing done with just a snap of your fingers, Brian.

DR. CHEUVRONT: It's not quite that easy, but we'll make it happen.

DR. DUVAL: Okay. My sense from folks was that we definitely wanted to see Snapper Grouper Amendment 46 and picking up all of those items that were previously in 43, with regard to best practices and stuff like that, and do you -- I would consider that major, and I would also consider the two visioning amendments major. Is the options paper for the for-hire moratorium -- Do you all consider that major? I am just trying to get a sense from you as to what staff considers -- I am not saying that it's not a big issue, Doug, but all I'm saying is like, in terms of what we're going to be receiving, in terms of staff workload, and that's really kind of what we refer to when we say the council -- The council staff can do like four major actions, and that's all.

MR. HAYMANS: I thought that the cobia amendment was a major priority for us.

DR. DUVAL: I am just asking the question, and so yes. I mean, the other thing is Amendment 31, which is the --

DR. CHEUVRONT: I have that highlighted now under -- The cobia is Amendment 31. Just to point out to you that you're not seeing it here on this screen, because I can't fit it all in here, but, below all of this, there is a legend that explains what each of these things are, and so you'll be able to figure that out.

MR. BOWEN: To speak to the moratorium, the moratorium amendment, to use your term, I do think it's major, one because of the possibility of what's in it, but, two, the control date. Every day, that control date gets further and further, and I think it's important that we don't have to adjust the control date.

DR. DUVAL: I think it's, again, in how we're defining what a major action is. Our two visioning amendments are big, hairy things that involve quite a bit of work on the part of both the council staff and the Regional Office staff, and I think, for the for-hire moratorium, my sense was that it was an options paper, and so that doesn't sound like a major effort, in terms of it requires significant coordination between both staffs.

DR. CHEUVRONT: Kari just told me, because I know she had been working on it some, and we've transferred it to John, because Kari is leaving, but Kari just informed me that she has done most of that options paper already for you, and so that is not going to take a huge amount of effort on John's part to have it ready for December, and he is shaking his head that he agrees.

MR. BELL: I thought kind of where you were going is if there is sort of major things -- You have described three, and we're kind of talking about what would be the fourth major thing, and, I mean, in terms of priority, cobia and that transition and what we've got to do is what is important, I think, real important.

DR. DUVAL: Okay. That's what I think we need to all be on the same page about, is what is a major amendment, and then which of those four.

MR. PHILLIPS: I guess I have kind of a technical question, because I thought I remembered we were going to have cobia ready, but we weren't going to sign off on it or send it for secretarial review until after the assessment.

DR. DUVAL: That was one of the alternatives that was in the document, but, in order to do that, we have to keep working on it, and so when the council decides to take final action on it may shift, but the work on the document has to occur in order for that to happen.

MR. PHILLIPS: Okay.

DR. DUVAL: Okay, and so can we agree that our four major items are the visioning amendments, 46, and CMP Amendment 31?

DR. CHEUVRONT: I just have one question for you, Madam Chair. Do you want us to put the coral/shrimp amendment then on the back burner? How do we want to start dealing with that one?

DR. DUVAL: Can you scroll over to where it is? From what I see, that starts for 2018, right?

DR. CHEUVRONT: Yes.

MR. PHILLIPS: I think the waypoints for the shrimp one are pretty much -- I think they're there. I think you all have those. Those were options when we set the lines the first time, but what we are going to need are some options of lines for the golden crab, and so have you all thought out how to figure out where they might be and something like that?

DR. CHEUVRONT: There is still a lot of gray area on that. We're focusing on the northern zone, but there has got to be a lot of discussion about even where those options are going to be. There is probably a good chance of there would be options for modifying the northern part of the northern zone, and there is lots of new mapping and other stuff that needs to be taken into account to determine whether we can modify some of the southern parts of this northern zone, so to speak, to allow more fishing in some of those areas.

MS. BOSARGE: Just out of curiosity, what's the number on that amendment?

DR. CHEUVRONT: The coral/shrimp amendment? We don't have a number on it yet, I don't think. It really hasn't started anywhere yet, and so our numbers may shift, because of other more comprehensive amendments, and so, until we really get started on something, we don't really always lock down what those numbers are going to be, and so nothing has really happened with it yet.

MR. HAYMANS: Is that going to be run through the Shrimp Committee or Habitat?

DR. CHEUVRONT: Golden crab allowable fishing zones are in the Coral Plan, and the deepwater shrimp is in the Shrimp Plan, and so that's why we're saying that, but golden crab is included in that coral aspect of it.

DR. DUVAL: I think we can let staff figure out maybe the best committee to run that. Okay. Is there anything else on the priorities? I think, if you guys have a chance to email that around to everybody, that would be great, and I think that might take care of this item. Okay. Then the next item on our agenda is the structure of the System Management Plan Advisory Panel, and I think Chip is going to walk us through that, and so this is Attachment 4 in the briefing book.

DR. COLLIER: It's been a while since we've talked about the system management plan. I think it got skipped or moved to this meeting from the last meeting. What we're trying to do is set up an advisory panel or potentially a workgroup for the system management plan. The system management plans, we have two of them set up so far, and one has been developed for the spawning special management zones, and we also have one for the deepwater MPAs.

Similarly, we have something for the Oculina Experimental Closed Area. We typically get reviews of that every five years, and so this body would be reviewing the documents and/or preparing the documents for review by the council. Going into exactly what this AP will be tasked with, they will be developing recommendations for size configuration and regulations in managed areas. They will be discussing research, outreach, enforcement, and potential funding opportunities for the upcoming year in all managed areas, and this is more or less to make sure that everything is comprehensive and we're not going to be skipping things and we're getting research hopefully done every year in some of our managed areas. They will also be commenting on the research priorities for all managed areas.

The difference between what we have right now and what you guys have seen in the past is you requested that I give you fewer options. In the past, I think I had four options, and now we're down to two options, which one is a regional AP and the other is a regional working group, and the difference between those is the regional AP would essentially be reviewing the document, whereas a regional workgroup would be developing, writing, and then providing comments to you guys.

One would be mostly done by staff, and that would be the AP, and then the AP would be responsible for review. The other would be primarily done through the workgroup process, similar to what the FEP has been done through, and they would be writing and providing the document to you all.

Table 1 is on page 2 of your document, and that gives you an idea of the timeline that we're looking for for these different system management plan reviews, and, although I have up here Year 3 for

some of the SMZs in 2018, that is a little bit premature, and it might actually be a good thing. We will start beginning to collate all of the information that we have for the spawning special management zones and also develop an outline form, which will be useful in our future reviews.

This will be a very time-consuming project the first time, in setting it up and going through it for everyone, but, after that, it will probably be a little bit simpler. One, the AP or working group will be more familiar with the material and the available data that's out there, and, two, staff will be more familiar with really going through the needs of how to set up the document and also figuring out the needs of what the AP or the working group will need to complete these things in a timely fashion.

The meeting format would be similar to what you guys have now. The membership composition could vary, depending on if it's a workgroup or if it's an AP. If it's an AP, it will primarily be people that -- It will be similar to how all of our other APs are set up. If it's a workgroup, there is the possibility of having council members on that committee and developing and writing some of the documents. The appointments would be for three years, and we would stagger the appointments, similar to how we do everything. We do have some comments on this AP, that they would be able to serve on other APs, if necessary.

Beginning on page 4, there is a table of costs. You can see that the costs are very similar between the regional AP and the workgroup, and then, continuing down from there, we have Option 1, and I'm going to scroll down to the Table 3 that has the actual people that would be involved. I have different designations here. If it's in italics, that would be appointed by the council. If it's more or less just a normal font, then that's either going to be appointed by one of our state partners or the agencies.

You can see that these are fairly large APs, and that's more or less to get a wide array of knowledge into the groups. I don't have much else, but what we're looking for from you guys is potentially a draft motion on how to set up the workgroup or AP for the system management plans. There's not too much information there, and you guys have talked about it in the past.

MR. HAYMANS: Aside from law enforcement representatives, that committee makeup looks an awful lot like the existing Habitat Committee, from state representatives, NMFS representatives, ecologists, and I guess my question is could that body not perform this function?

DR. COLLIER: They could. There is that possibility. However, this is very different than the habitat. The goals of the system management plans vary by managed area. Some of the managed areas solely focus on the species, and so some of the species are deepwater species and some of the species for the spawning special management zones are slightly different than the deepwater species, and so the goals of each of the system management plans aren't necessarily habitat, but they can include habitat.

MR. BREWER: Chip, with regard to this AP, have you added up how many people are proposed here to be on this AP?

DR. COLLIER: For example, under Option 2, it looks like there is twenty-nine people, including one staff and two council members that would be traveling. Under the Option 1, it looks like there

would be fourteen people at each meeting, plus two specialists in the southern, one coral specialist in the northern, and one staff at each meeting.

DR. DUVAL: That's a total of thirty-three.

MR. BREWER: That's a pretty good bunch of folks.

DR. COLLIER: Yes.

MR. BREWER: We're not talking about that big of an area. I mean, it's an important area, but it's not -- As a percent of our range, so to speak, I think it's a fairly small area, isn't it?

DR. COLLIER: Spawning special management zones are a fairly small area. Deepwater MPAs are a little bit larger. HAPCs are a significant portion of our managed areas.

MR. BREWER: Okay. Thank you.

MS. MCCAWLEY: I was just responding to Doug's comment that our person on the Habitat AP from FWC would not be the same person that we would put on this group.

DR. DUVAL: I understand that this is -- It sounds like there is some hesitation here, because this is a fairly substantial group, but this is a system management plan for all of our -- A system management plan advisory panel or workgroup for all of those areas, correct?

DR. COLLIER: Yes, and so this group would be used yearly, focusing on whichever topic they are focusing on that year. The first year, they are focusing on spawning special management zones, and the second year is the Oculina Experimental Closed Area, and third year, I believe, was going to be the deepwater MPAs, and so it is going to be a pretty wide range of topics that they're going to cover, and they're also looking at a variety of things within each of these spawning special management zones, whether it's the habitat, it's the law enforcement, or it's the biological component, looking at the species that are there.

DR. DUVAL: I guess I would just draw people's attention to the pros and cons of each of these approaches, having a regional AP, and so basically two groups, and so you have two different sets of meetings going on, and the AP approach, the regional AP, that's not the group that would be actually developing or writing the document, correct? With the workgroup approach, which is Option 2, that's the group that would write the document.

DR. COLLIER: That's the major difference between the two.

DR. DUVAL: Okay.

MR. BREWER: I have just got an instant message that it might be good to have one NGO representative on the AP.

DR. COLLIER: Yes, and I have had a message similar to that, and I look at the ecologist and biologist position and the acoustic/mapping and coral specialists, and those can be NGOs. It's not specified who would be in that seat.

MR. BREWER: Thank you. I have done what I was told.

DR. DUVAL: Well, I think we would need to clarify then that that could be any representative, but I agree with Chester. I think there's been some significant and positive involvement from our NGO partners on these, and so I would want to make sure that there was a designated seat available for folks.

MR. HAYMANS: There's another category in there already, and we've got them covered under the other. I say that tongue-in-cheek, but there is another category under representation.

DR. DUVAL: I think there is room for an NGO even for our other APs, and so --

MR. HARTIG: Chip, what kind of data are we collecting for these people to look at right now? I guess we have cruises, and I guess we have some spawning SMZ work, but are we getting some SMZ work in all of our spawning SMZs?

DR. COLLIER: We are. We've got some information from Warsaw Hole, and we have information -- South Carolina DNR has got us some information on Area 51 and 53, and there was some mapping done in the Cape Lookout Spawning SMZ as well as Devil's Hole. We have had visits there for the past two years. As far as the deepwater MPAs, we have that ongoing grant, where they are doing ROV dives, and I was actually going to give you guys some information, after we had this discussion, on the most recent report that I got from the research that's going on in the SMZs and the deepwater MPAs.

DR. DUVAL: Okay, and so what is your pleasure? Which option do you guys like? Option 2, sub-regional groups, you would have smaller groups meet, more focused on the northern half versus the southern half of the region, or a workgroup that can be responsible for drafting the document that would meet in-person once a year, and probably have some webinar meetings in between.

MR. HAYMANS: I guess, if that's my only two choices, the workgroup would probably be preferred, but, from our perspective, when you look at the list of where the folks are going to come from, it's going to be the same folks that I have already got attending APs for us, because we're a small staff, and so I'm always conscious about how much more I get can those folks to do. Again, I look at the Habitat AP, and they're about to be finished with their FEP II work, and there is a lot of expertise on there. There's the coral folks, the federal folks, and I see that group as being able to provide that same function, but I'm just --

MS. MCCAWLEY: Remind me again. So, if we do the AP format, then who writes it?

DR. COLLIER: If we do the AP format, the IPT would write it, and so there would be staff from our office as well as SERO and the Southeast Fisheries Science Center.

MR. BELL: That's not figured into these costs. That would be above and beyond any of this, in terms of ending up with a work document and kind of a final product, I guess, or report for whatever approach, which is \$3,000 or so difference, and now you --

DR. COLLIER: Right, and, with the workgroup approach, it essentially shifts all the work from the Science Center, SERO, and the council staff to the group, whoever it might be.

MR. BREWER: I like the workgroup approach.

DR. DUVAL: Is that a motion?

MR. BREWER: It cannot be. I'm not on your committee.

DR. DUVAL: If anyone would care to make a motion who is on the committee, that would be great.

MR. PHILLIPS: **Madam Chair, I think I'm on the committee, and so I will make Chester's motion.**

DR. DUVAL: **The motion reads: To select a regional workgroup as the format for the advisory group for system management plans. Change the other to an NGO seat, and is there someone on the committee who is willing to second that motion?** Second by Ben. Do we need any other discussion on this motion?

MR. CONKLIN: I would just speak to the \$3,000 difference for extra -- I think I would vote against this.

DR. DUVAL: Okay. Other discussion?

MR. HAYMANS: It's not just a cost issue, but it's a people's time issue, too.

DR. COLLIER: Doug, you keep mentioning that it's a people's time issue, and the discussion is to go to a workgroup approach, but, if we go to a workgroup approach, it is going to be your staff's time, more of that, as opposed to an AP, where they would just be reviewing information.

MR. HAYMANS: That depends on how the workload is split up amongst the twenty-nine members of the workgroup. It is entirely possible, seeing as I don't have any individuals who, other than the one deepwater MPA I've got, it's entirely possible that our staff is already committed to working on particular sites. In other words, I am -- I will leave it there.

DR. DUVAL: Okay. Are we ready to vote? We read the motion. **Could I please see a show of hands of those in opposition to the motion, one opposed; those in favor. The motion passes, five in favor and one opposed.** Thank you very much, Chip.

DR. COLLIER: Thank you.

DR. DUVAL: The last item on our agenda is Council Meeting Materials, and so we had provided guidance at the last meeting for some things that we wanted for how we would like to handle meeting materials, format of decision documents, improvements to the website, and so things like the button on the homepage that allows you to go directly to the meeting materials as well as the regulations.

We have a late materials folder that is on the briefing book webpage, so that all of the late materials are in one folder, and so you have the option to either just download that entire folder, and the late materials are individual tabs within that folder, and so you have multiple ways of accessing those late materials.

The decision documents have been revised to be provided in a more standardized format, and the other major thing was folks wanted to be able to click on a document in the briefing materials and have it open a new window, so that you didn't have to continuously go back and forth, and so those improvements have been made, and, Cameron, is there anything else that you would like to call to our attention?

MS. RHODES: No, that's pretty much it. I am just curious to know how you all received those and if it led to any improvements to you guys or if it was confusing or if there's anything else that you would like to see a little bit differently. We are open to your suggestions about that.

MR. HAYMANS: I like the way you open things, and I like the fact that some of the documents have got titles on them, but I would like to see it 100 percent there. One of the other things that was mentioned by Dale was that, in the agenda, when it had an attachment, you click on the attachment in the agenda and it opened the document, and I was kind of hoping we could get there, because that sounds like a great idea. I don't know if we tried and couldn't or whether we forgot to try, and I don't know what, but I would still like to have that.

MS. RHODES: Can you say that one more time? Sorry, but I think I missed it.

MR. HAYMANS: When you pull up an agenda of the meeting and it has a particular topic and it has an attachment there, you can click on the attachment from the agenda and open it that way.

MS. RHODES: That is something that the Gulf Council does?

MR. HAYMANS: Yes, and Dale was the one that mentioned it to me.

MS. RHODES: That's something that we could probably do from -- I am trying to think how that would work. We would have to input the link to the PDF on the agenda, and so it would be -- We can make that happen. We can play around with that. We can also do a Google Doc setup, which is what we have worked on extensively with Roger for that AP, and so that might be something that we could do to keep those documents live, if you will, but we can definitely work on that.

DR. DUVAL: I'm wondering if Doug is just envisioning the hyperlink within the PDF, which is doable to take you to that location, the same location on the website where that briefing document is located. Anything else for Cameron on meeting materials? Any feedback? I think people really like the new standardized formats of the decision documents and things like that, and I definitely appreciate things opening in a new window. I found that really helpful, and also the meeting materials button on the homepage. That's great as well, and so --

MR. HARTIG: I don't know if we talked about this, but can we get the emails that we get before during the meeting in late materials, so that I can only go to one spot to get that? Is that hard to do in real time?

MR. WAUGH: You mean so they're in one place in the website? We are putting them in -- All the materials are going in the late materials folder in each committee, I believe is how we ended up doing it, and so, in each committee, there is a late materials folder, and that's where they go. The one exception has been with agendas. If we revise the agenda, we are pulling the old agenda and putting the new one on it.

DR. DUVAL: I have a feeling that Ben is talking about like, for instance, if a letter were emailed to me yesterday from the Regional Office about red grouper and the stock of red grouper, and I asked that that be sent around to council members, I think maybe what Ben is asking is that that also goes in the late materials, so that it's accessible.

MR. HARTIG: Emails from you as well, if you send an email about something, as long as it's not sensitive. I would like to see that on there, so I don't have to go searching through my inbox. I'm just a dinosaur, and I'm sorry. I will be extinct soon.

MS. RHODES: We can definitely do that.

MR. CONKLIN: I have never really gone through the website to try and figure out how to get onto the webinar. I just get invitations from Mike prior to the meetings, and, since it's been a couple of weeks since we've got invitations, he's been pretty good about sending it out to me every morning. Otherwise, I have to go back and search through and find my invitation, and I was wondering if, in the same materials, if we could get a link to each day of the webinar under the meeting materials as well.

DR. DUVAL: If you go to the briefing page for this meeting, there is already a webinar registration link there, and so, if you click on the meeting materials bar from the homepage, and then you click on the September 2017 Meeting, and you scroll down.

MR. BELL: Cameron, thank you for being here. Speaking for myself, as one who is technologically impaired at times, we really appreciate your skillset, and you're doing a great job, but, as you can see, we can come up with all kinds of things, but it's great though. The idea is to just get information to flow, and thank you.

MR. PHILLIPS: While we're talking about keeping up with stuff, especially considering the internet was in and out this week, I have trouble reading that board, and turning around like that is kind of a trick. It seemed like I saw, at the Gulf Council, they had a board close, for old people that can't see far, and that's something to think about, but I need to figure out how to either make sure that I've got a good connection on the internet, where I can follow it and not lose it, or something for old people.

DR. DUVAL: I think what Charlie is saying is we might need to -- There's a fine line between having to have two screens, if possible, because that screen is easier for folks at that end of the table to see, and one further down here.

MS. BOSARGE: I was just going to say that what we ended up having to do, I guess for our old people, Charlie, is we use kind of a triangular screen, almost, where it's out here in the middle, but if you put that -- I wouldn't be able to see it at all on the backside, and so we kind of do a triangular

screen, and it ends up right there in the middle. Of course, we have the other screens for the audience and such, but --

DR. DUVAL: Thanks, Leann. Any other suggestions for Cameron? Thank you very much, Cameron, for everything that you have done between June and this meeting. We really appreciate it. Okay. I lied. That was not the last agenda item. The last agenda item is a Budget Update, and so Mike and Gregg are going to walk us through this.

MR. COLLINS: I feel like I'm going to bring a real wet blanket to the party, but, first, I want to introduce Suzanna Thomas. She is the new Financial Assistant. She brings a lot of expertise in QuickBooks, and she is helping me streamline the operations and analyzing invoices to find savings. For example, she discovered that, when AAA books Southwest, they book it through their proprietary link to Southwest, but they don't get the -- They don't see that Want to Get Away Fare, and so I have directed AAA to go to the website and book those flights through that way, and so there is a substantial savings there, and so thank you, Suzanna.

Just a review on how the budget works. We operate on a calendar year, and this year, and probably the last few years, we received the bulk of our money in July of the calendar year, and so that makes it real difficult to operate those first six or seven months without any other funding, and we're not allowed to get any other funding.

We have been relying on carryover, carryover from the previous five-year grant and then carryover year-to-year. With the level funding since 2010, and so seven years of level funding, and probably another year next year, and at the maximum we will get level funding, we are reaching the point where we won't have any carryover to get by. We will be getting very close to deficit spending, and since we can't deficit spend, and we don't have any money to carry over, there is going to be some significant changes in how we do business.

That's just kind of that balloon that Michelle has talked about, where you squeeze it and something else has got to give, whether it's, as the Gulf mentioned, I think in the last meeting or two, personnel issues, and personnel benefits are going to be looked at in the Gulf and travel. We've done some things, like we did a public hearing, this last round of public hearings, via webinar instead of traveling, but, moving forward, adding APs that cost \$30,000 and creating new positions and supporting fishing forums -- For example, another one, the coral grant, that's a cap, and, as costs go up with coral issues, then that's subsidized by the regular grant, and so all of these things kind of chip away at the main funding.

I would have to say -- I mean, I think we've done a good job on some things. For example, in 2015, we paid \$280,000 on health costs. This year, we'll pay about the exact same amount. Now, we did that by a couple of ways. People that could drop off the health plan, like me and other people that may be on Medicare can drop off, and we also renegotiated with other carriers to provide health benefits.

The office rent, that is pretty much the same too, even though there's been a 3 percent increase year-to-year, and we've got rid of some offsite storage units and brought all those boxes that Gregg talked about earlier in the week into the office. That's going to go up 3 percent next year, and the budget is not going to go up 3 percent next year, and so all of these things are kind of coming to a head.

I believe that we will carry over maybe \$100,000 or \$110,000 this year, but I would say, at this rate, we will have no carryover in 2019, and that means no carryover into the next grant, the next five-year grant. Without a significant increase in the budget, the operations are going to have to change.

DR. DUVAL: Definitely the wet blanket.

MR. HAYMANS: Is the fiscal year set by some legislative or is that a -- Can we change our fiscal year to match the federal fiscal year?

MR. COLLINS: I am not sure that would help, only because the federal fiscal year starts tomorrow, or October 1, and we still wouldn't get the money until July of next year.

MR. HAYMANS: I was just thinking that initial period, where you're operating essentially without a budget, if that would help that.

MR. COLLINS: There is no cash flow until that seventh month of the calendar year, and so you're talking ten months into the year, or nine months into the year, before you get the bulk of the money.

MR. BOWEN: Just a thought of how maybe we could save, by sharing hotel rooms.

MR. DILERNIA: I am not bunking with you.

MR. BOWEN: I was trying to room with Doug.

MR. PHILLIPS: Mike, and you may not know the answer to the question, but I don't think we're in a really different place than a lot of the other councils, and I have always been of the opinion that we ran a little bit tighter ship and we were in a little better shape than some of the other councils, and so, if we're going to be in this shape, I can't imagine there is not going to be several other councils in this shape, and there's got to be some kind of answer to the question.

MR. COLLINS: I know the CCC is -- One of the issues is the funding doesn't come to us in a timely manner, and the CCC addressed that point with Chris. I don't know if he has any power to deal with that kind of issue, because it's really the money is at the discretion of -- Congress submits it to the President and he signs it, when they get their act together, and then there's a continuing resolution, and then it goes to the Service for a spend plan, and then it gets divided down through the grants system. It goes through the lawyers and the grants system, and then it comes to the grantee. For most grantees, it doesn't really matter, because the states that get grant money and that type of thing have other funding, but the councils have no other funding, and so we're up against a rock and a hard place that way. As far as increased budgets, I do not have an answer for that.

MR. HAYMANS: I guess I would ask you, because you and Gregg are the most intimate with the budget, to make recommendations of where you think the most efficient cuts would be. I mean, I know, right off the bat, some places that I think -- Guys, at a Snapper Grouper AP, half of this council was at the Snapper Grouper AP meeting, and I don't know that that's necessarily required. Personally, I think the Chair of a committee and, if there is a local council member in the driving

distance of an AP, fine. That saves hotel, and that saves council pay. I am not advocating for the Hampton Inn, because they don't have a big enough room, but if there is places that could save on meeting rents, and I know you have a heck of a time finding places.

MR. COLLINS: I can only address meeting spaces and hotels. It doesn't matter where we meet, because we get the federal rate, and so the Hampton Inn will raise their prices to meet the federal rate, and the Marriott will lower their prices to meet the federal rate.

MR. WAUGH: One thing is conducting more public hearings via webinar. That's a place. Our September meeting, Charleston is a central location, and this hotel is reasonably priced, and we save on all of our council travel, and so one thing we could look to the future is to do our September meeting here, until things get better, but those are some ideas.

Just to remind you that, on Monday, when we talked about our top issues to discuss with Chris, our two was an ask for the council line item funding to get up to \$30 million and another was to request that NMFS make some provision to provide funds to the councils to help when there is a shortfall at the beginning of the year, and we can certainly -- We have talked with Charlie some, and we will be looking at suggestions for modifications and bringing those to you all certainly within the budget.

DR. DUVAL: I definitely think that we could utilize listening stations more, in terms of conducting our public hearings. If you have a state representative come cheap, and sometimes we get a little overworked, but we're willing to do it, and I think, in the interest of our constituents -- I know that we try to find free places to meet for public hearings, and I think we ought to try to employ a listening station approach more, where staff can be the ones presenting remotely and the only thing that's being paid for is the state agency representative travel.

MR. PHILLIPS: Can you give me an idea on maybe how much cheaper it is to have meetings here versus Georgia or Florida or North Carolina? Maybe we have two meetings a year here and then we alternate with the other states, but I'm just throwing out suggestions.

MR. COLLINS: I can provide that, but not right now, but it's a good point.

MR. BELL: I was just going to say that we can't really solve it here. I mean, we can kind of come up with -- Everybody has got ideas, but it would be helpful, maybe, if -- You guys understand the time table and when these impacts would be hitting, and I would certainly entertain some concepts from you all on how to kind of deal with it on a quarterly basis or something, or break it down however you would like to break it down, but a plan to basically -- I know it's complex, and so your recommendations for a plan to kind of how to meet specific goals related to cuts, and then we can get into some of the weeds on this, but that would be my recommendation, because you can't really tell from this or your description, but I would certainly like to hear recommendations for dealing with, as we know it's coming, the time table and however you would want to break it down timewise, quarters or months or whatever, but that would be my recommendation. I would say that the sausage biscuits --

DR. DUVAL: Probably what Mike is going to tell you is that you're going to have to meet some minimum food and beverage cost for a lot of our meetings, in order to get the meeting rate to something that is actually affordable.

MR. COLLINS: Exactly.

MR. BELL: Okay, and so good.

DR. DUVAL: Okay, and so we're going to ask staff to come back with some recommendations, kind of on a quarterly basis, for how we could be more fiscally prudent. Are there any other questions or suggestions for Mike or Gregg on this? I will say, in terms of moving things around, we just had that conversation about just the importance of having a meeting in every state, and our stakeholders in North Carolina feel like -- They like us having a meeting there, and they particularly appreciate like when we go to the not-well-visited places, and so I would be reluctant to give that up.

MR. COLLINS: To that point, the contracts have been signed for 2018 and 2019 for council meeting locations anyway.

DR. DUVAL: All right. Is there any other business to come before Executive Finance? Seeing none, we will take a quick break, and then we will roll into Full Council. Thank you.

(Whereupon, the meeting adjourned on September 28, 2017.)

Certified By: _____ Date: _____

Transcribed By:
Amanda Thomas
October 17, 2017

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Thursday 9/28/17 Public Sign-In

Name	Last	How do you participate in fisheries in the South Atlantic?	How do you participate in fisheries in the South Atlantic?	How do you participate in fisheries in the South Atlantic?	How do you participate in fisheries in the South Atlantic?	How do you participate in fisheries in the South Atlantic? (Check all that apply)	If Other, please provide more information:
david	bush						ncfa
Rusty	Hudson	Private Recreational	Charter/Headboat/F	Commercial Fisherman	Seafood Dealer/Wholesaler		Fisheries Consultant
Dean	Foster					Non-Governmental Organization (NGO)	
Lora	Clarke					Non-Governmental Organization (NGO)	
Leda	Cunningham	Private Recreational Angler				Non-Governmental Organization (NGO)	
Leda	Cunningham	Private Recreational Angler				Non-Governmental Organization (NGO)	

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