

OVERVIEW

Executive Finance Committee Meeting

Hilton Cocoa Beach Oceanfront
1550 N. Atlantic Avenue
Cocoa Beach, FL

June 16, 2016

A. Approval of CY 2016 budget (Attachments 1-3)

Mike Collins, Administrative Officer, will give the committee an overview of final expenditures on the CY 2015 budget and an overview of the draft CY 2016 budget (**Attachment 2**). The draft CY 2016 budget is prepared from the 2016 Council Activity Schedule (**Attachment 1a**) and the 2016 SEDAR Activity Schedule (**Attachment 1b**). The Committee will discuss and approve the draft CY 2016 budget. Mike will then provide a status report on CY 2016 expenditures through June 1, 2016 (**Attachment 3**). **Committee Action:** discuss, approve the CY 2016 budget, and provide guidance as necessary.

B. Council Follow-Up and 2016 Priorities (Attachments 4a & 4b)

Dr. Brian Chevront, Deputy Executive Director for Management, will give the committee an overview of the Council Follow-Up and the 2016 Priorities as approved at the March 2016 meeting. The Follow-Up contains the detailed steps for each active amendment and amendments under formal review. This allows any Council member to see where each amendment is in the process. The Follow-Up is updated after each Council meeting after review and input from the SERO and Council staff. In addition, a draft agenda is included for the upcoming Council meeting. This allows Council members to see what is on the agenda and make any suggestions to the Chair and staff. The Committee should discuss the priorities, make any necessary additions/modifications, and approve the revised priorities.

Committee Action: discuss, modify as necessary, and approve the 2016 Priorities.

C. Standards and Procedures for Public Comments (Attachment 5)

Gregg Waugh, Executive Director, will give the committee an overview of draft standards and procedures for public comments.

Committee Action: discuss and provide guidance.

D. Standards and Procedures for participating in Council webinar meetings (Attachment 6)

Gregg Waugh, Executive Director, will give the committee an overview of draft standards and procedures for webinar meetings.

Committee Action: discuss and provide guidance.

E. Council Coordination Committee (CCC) (Attachments 7a & 7b)

Michelle Duval (Council Chair), Charlie Phillips (Council Vice Chair), and Gregg Waugh (Council Executive Director) will give the committee an overview of results from the May 25-26, 2016 CCC meeting. Dr. Jack McGovern attended representing Dr. Roy Crabtree, NMFS Southeast Regional Administrator. The agenda is included (**Attachment 7a**) and the link below takes you to the CCC website where the agenda and presentations are available. In addition, information from past CCC meetings is also available on this site. Some of the more important information is included in **Attachment 7b**. There are a number of items that we will be preparing Council comments on and a brief report from the meeting is presented below. Draft letters will be emailed to Council members for their review prior to finalization.

<http://www.nmfs.noaa.gov/sfa/management/councils/ccc/ccc.htm>

1. **NMFS Update** – Eileen Sobeck. Fishery Economics of the US 2014 being released very soon; MSA 40th Anniversary ongoing; Regional plans for recreational fishing just released; Funding - \$11M in the process of being awarded through S-K and \$3.4M available through NFWF (proposals due 6/13/16).
2. **Recreational Fisheries Update** – Russell Dunn. Overview of plan; recreational fishery value of \$52B in 2013. We explained the high degrees of public distrust in MRIP numbers and how we are losing the public and the states (e.g., NC and VA not being compatible with Federal cobia closure); we asked if there was any possibility of getting additional funds for more intercepts given the high value of the recreational fishery. Unfortunately, in the current climate, no additional funds are available.
3. **FY 16/17 Budget Updates** (Item #3 in **Attachment 7b**) - Brian Pawlak. FY 16 funds should be dispersed to the Councils next week and the numbers should not change from what is in the presentation (slide #8). In FY 16 there is \$7M available for Electronic Monitoring (EM)/Electronic Reporting (ER) of which \$3M is to be dispersed by NFWF (proposals due 6/13/16). Funding for fishery independent data collection programs (e.g., MARMAP and SEAMAP) are declining. For FY 2017 the House and Senate are looking at the Council/Commission line being about 5.5% less than the FY17 Presidents requested amount but about 0.6% above the FY16 spend plan amounts. Slide #18 shows the following language that needs to be clarified:
FY 2017 Senate CJS Report Language: “Fishery Councils and Commissions.—No less than \$34,254,000 is provided to support the Regional Fishery Management Councils, Interstate Marine Fisheries Commissions, and International Fisheries Commissions. All amounts provided by this act for NMFS Regional Councils and Fisheries Commissions, which are above amounts provided in fiscal year 2016, shall be distributed in equal proportion between the Councils and the Interstate Fish Commissions.”
 - If this language is approved in the Conference Mark, NMFS will spread the provided increase over FY 2016 proportionally between Regional Councils and Fisheries Commissions.
 - This would result in a different split of the increase between the Councils and Fisheries Commissions than requested in the President’s Budget.

The Committee and Council should discuss this and provide guidance.

4. **Legislative Update** – Dave Whaley. The Councils share in the cost of a contract for Dave to provide updates on legislation that could affect the Councils. The MSA has not been reauthorized since 2007. Senate and House Committees have acted and Dave will provide the Councils a report. In terms of timing, there are only 42 days left for action with 16 days after the election. There is a possibility the Senate could flip and if that happens, there may be action to reauthorize the MSA right after the election; he will keep the Councils informed but we should be ready to comment if requested to do so.
5. **Ecosystem Based Fishery Management (EBFM)** – Sam Rauch/Heather Sagar. The Final Policy and the Draft Road Map were discussed (Item #5 in **Attachment 7b**). Informal 45-day comment period for Councils ends on July 10, 2016; then there will be a 45-day public comment period with the goal of finalizing in Fall 2016. Look at guiding principles with the core components and the governance issues. There is no new funding at this stage; all Councils are doing something but not sure for future budget. Section 2.0 has a budget discussion and there is a table with priorities. Page 6 “Primary focus on FMCs” and this will be a big workload. We asked if GARFO and Southeast are talking for and yes they are talking and willing to work together. There is a position for a National Coordinator that would free up 50% of Dr. Jason Link’s time and help share what each Council is doing.
Council staff will work with the Chair and Vice-Chair to draft a response; draft comments will be distributed to Council members for their input. Any comments now would be accepted.
6. **Council Definition of OY and Update on NS1** – CCC/Sam Rauch. NMFS got lots of comments on proposed rule and developed responses. The rule is now with OMB for their 90-day review and around the end of June/July it should be out from OMB and then they can discuss. We presented our OY paper and the PFMC presented theirs (Items #6a & 6b in **Attachment 7b**). No other Councils have separate OYs for recreational and commercial sectors, and many of the other Councils specify OY in a non-quantitative way. The NS1 proposed rule provided some flexibility and this will likely also be in the final rule. We met with Russell Dunn to discuss this in more detail.
7. **Catch Share Update Review** – Alan Risenhoover/Kelly Denit. The draft guidance (Item #7 in **Attachment 7b**) is out for review and comments are due by the end of July 2016. This applies to our Wreckfish ITQ and we would need to complete a review within 7 years since the program was established before 2007. Wreckfish is the only catch share program we have.
Council staff will work with the Chair and Vice-Chair to draft a response; draft comments will be distributed to Council members for their input. Any comments now would be accepted.
8. **Bycatch** – Sam Rauch/CCC. We submitted comments on the SBRM rule and comments are due on the Bycatch Strategy by June 6, 2016. Council staff will work with the Chair to send in comments.
9. **New Operational Guidelines and the Regional Operation Agreements (ROA)** – Chuck Tracy/Alan Risenhoover. Chuck gave an overview and then Alan talked about the details of timing (Item #9a in **Attachment 7b**). Within 1 year of the effective date of 9/30/15, each Council must review its ROA to ensure it addresses the guiding

principles; then review each 3-5 years thereafter. The SAFMC's ROA is included (Item #9b in **Attachment 7b**). There was considerable discussion about NOAA GC signing the ROA; the PFMC is the only Council with NOAA GC as a signatory. There is more flexibility in the guidelines now such that each Council should discuss with their NOAA GC to have them sign.

Council staff will work with the Chair and Vice-Chair to draft a revised ROA for Committee/Council discussion at the September 2016 meeting. Any comments now would be accepted.

10. **Electronic Monitoring (EM) & Electronic Reporting (ER) Regional Implementation Update** – Jane DiCosimo/Kelly Denit/CCC. Jane gave the overview and indicated there was \$7M available in new money and this would also be in future budgets (Item #10 in **Attachment 7b**); \$3M is going to NFWF and \$4M is available to NMFS through an internal competitive process. The FY16 money has been distributed and we will know what projects were submitted from the SEFSC/SERO at the Council meeting. We may want to participate in the process of developing proposal(s) with the SEFSC/SERO for FY17 funding. Jack McGovern gave an overview of work in the Southeast (Item #10b in **Attachment 7b**). There are 2 upcoming meetings: (a) 8/29-9/2/16 – 8th International Fish & Observer Monitoring Conference in San Diego, CA and (b) 11/30-12/1/16 - 2nd National EM Workshop in the Seattle, WA area.
11. **EFH Summit Update** – Bill Tweit/Terra Lederhouse. Michelle Duval and Roger Pugliese attended portions of the summit and an overview of results was given. The CCC approved a motion to have the Habitat Workgroup continue to work on the report and to report at the next CCC meeting on how the information in the summit report is being addressed and progress to date.
12. **Conflict of Interest Regulations** – Adam Issenberg reported that the determination is that if a Council members has ownership in a corporation(s) or business, they will attribute the full harvest amount in pounds as counting towards the 10% threshold. They concluded this best reflects the MSA conflict of interest wording. There was considerable discussion about this and the time period of landings to use in not specified. They are working on completing their work on National Guidance but there is not specific timetable. If a Council member exceeds the 10% threshold, they can participate in the discussion, they can indicate how they would vote but they cannot vote.
13. **Communications Group** – Kitty Simonds. Kim Iverson participated in developing the report (Item #13 in **Attachment 7b**). The group produced a new Council publication and have almost completed a revamp of the Council website.
14. **Compliance with NSW & BSIA** – Tom Nies/Gregg Waugh/Jane DiCosimo. Tom/Gregg outlined our concerns (Item #14a in **Attachment 7b**) and Jane outlined the Agency's thoughts that are going into a Draft White Paper (Item #14b in **Attachment 7b**). Council staff (John Carmichael and Dr. Mike Errigo) will work with the SERO and SEFSC to develop a set of comments for Committee/Council discussion at the September 2016 meeting. John/Mike, Chair and Vice-Chair will meet with our SSC Chair at the June 2016 meeting to develop informal comments and get them to Sam

right after the meeting. Council members will be given a quick opportunity to review these comments before they are submitted.

15. **SSC Subcommittee of the CCC** – the PFMC will host the next National SSC meeting in late 2017. Council staff will work with the Chair and get comments on agenda items from our SSC Chair. These are to be provided to the PFMC by the end of September. This will give the Council a chance to review them at the September 2016 meeting. The SSC Subcommittee of the CCC will review the recommendation and prepare a draft agenda for review/approval on a CCC conference call in October 2016.

16. Other Business

- a. Resolution to President concerning impacts of National Monument designation – the CCC approved a resolution; copies available.
- b. Government Credit Card for meetings – the SAFMC and PFMC use these cards for meeting expenses and the annual savings on being tax exempt are about \$40k for SAFMC and \$75-80k for PFMC. It appears that in revising the cards to remove the ability to use them for government airfares, the necessary digits for tax exempt status were inadvertently removed. Adam Issenberg has passed this issue along for clarification, likely from GSA.
- c. Committees – the CCC agreed to continue with the Habitat Subcommittee, the SSC Subcommittee, and the Legislative Subcommittee. The Legislative Subcommittee membership: Gregg Waugh (Chair), Michelle Duval, Don Hull (PFMC), Terry Stockwell (NEFMC), and Kitty Simmons (WPFMC).
- d. Dave Whaley contract – the CCC agreed to continue his contract with the PFMC needing to have their Council address this at their next meeting.
- e. 2017 CCC Meetings: (a) February 28-March 1 in DC and (b) May 15-19 in Maine.
- f. CCC meeting rotation:
 - i. 2016 – CFMC
 - ii. 2017 – NEFMC
 - iii. 2018 – NPFMC
 - iv. **2019 – SAFMC**
 - v. 2020 – WPFMC

F. Visioning for Other Species

The committee will discuss what species they want to address next for Visioning and also discuss timing.

Committee Action: discuss and provide guidance.

G. ACCSP Data for Developing FMP Amendments

Gregg Waugh, Executive Director, and Dr. Brian Chevront, Deputy Executive Director for Management, will give the committee an overview of issues arising from using the Accumulated Landings System (ALS) database (a proprietary database maintained by the NMFS Southeast Regional Office; Council staff do not have access to this database) for the description of the environment while using commercial logbook data from the NMFS Southeast Fisheries Science Center (SEFSC) for the effects analysis. The original purpose of ACCSP was to house data to be used by scientists, fishery managers,

fishermen, and the public. NMFS HQ, SERO, SEFSC, NEFMC, MAFMC, SAFMC, ASMFC, USFWS, and all the East Coast States are partners and have approved the operating standards, etc. By using data from this public database, the process of developing FMPs/Amendments would be transparent and anyone from the public could verify the data used. We have run into delays in document review while attempts were made to reconcile the numbers resulting from the two datasets. The committee will discuss whether they want to specify that FMPs/Amendments, and all analyses, be developed with data pulled from ACCSP.

Committee Action: discuss and provide guidance.

H. Commercial Logbook Data and Headboat Data to ACCSP

Gregg Waugh, Executive Director, will give the committee an overview of current access to these two datasets. Council staff periodically receive a summarized dataset of commercial logbook data from the SEFSC; staff do not have access to the headboat data. Guidance on “Public Access to Research Results or PARR” is included in **Attachment 8**. Preliminary discussions with ACCSP indicate that they would be able to house the data; there may be some cost associated with the transfer and development of access protocols, etc. If these datasets were housed by ACCSP, Council staff and the public would have access to these data. ACCSP has established protocols to protect confidential data. The committee will discuss whether they want to request that historical and ongoing data from the 3 commercial logbooks (catch, bycatch, and economic) and the headboat logbooks be provided to ACCSP.

Committee Action: discuss and provide guidance.