

SOUTH ATLANTIC FISHERY MANAGEMENT COUNCIL

JOINT EXECUTIVE/FINANCE COMMITTEE

**Charleston Marriott Hotel
Charleston, South Carolina**

September 15, 2009

DRAFT MINUTES

Finance Committee Members:

David Cupka, Chair
Dr. Brian Cheuvront

Duane Harris
Mark Robson

Executive Committee Members:

Duane Harris, Chair
George Geiger

David Cupka

Council Members:

Robert Boyles
Dr. Roy Crabtree
Rita Merritt
Charles Phillips
Tom Swatzel

Dr. Wilson Laney
Ben Hartig
John V. O'Shea
Lt. Brian Sullivan

Council Staff:

Bob Mahood
Kim Iverson
Rick DeVictor
Anna Martin
Mike Collins

Gregg Waugh
Kate Quigley
John Carmichael
Myra Brouwer
Julie O'Dell

Observers/Participants:

Joe Klosterman
Dr. Jack McGovern
Nick Farmer
Hal Robbins
Karen Raine

Monica Smit-Brunello
Nik Mehta
Otha Easley
Bob Gill, GMFMC
Phil Steele

The Joint Executive/Finance Committee of the South Atlantic Fishery Management Council convened in the ballroom of the Charleston Marriott Hotel, Charleston, South Carolina, Tuesday morning, September 15, 2009, and was called to order at 10:30 a.m. by Chairman Duane Harris.

Duane Harris: Call to order the joint executive finance committee meeting. First item on the agenda is approval of the agenda. Is there any objection to approving the agenda? Seeing none, the agenda is approved without objection. Second item is approval of the June 2009 executive finance committee minutes. Any additions or corrections to those minutes? Any objection to approving those minutes? Seeing none, those minutes are approved. Third item is a status report on the CY2009 council budget, which is attachment one in your briefing document, whatever this thing is called, flash drive or whatever. Bob Mahood, I'm gonna turn it over to you.

Bob Mahood: With the permission of the finance committee chairman here I'll go ahead in finance.

David Cupka: Go ahead. If the finance committee chair will allow you to, that will be fine. Dave, is that okay with you?

Bob Mahood: Okay. If you go behind attachment one in your joint executive finance committee folder you'll see about where we are this year. We're doing fine. It looks like at the rate we're running we're looking at a surplus about \$87,000.00. The downside of some of this is we're at the end of our five-year grant and you cannot carry money into the next year when you reach the end of a grant period. What we are doing, the councils have been looking at a number of things because we got our funding level so late in 2009 everybody was kind of being very tight with their budget, and then we ended up getting more money than we thought we were gonna get, so everybody's looking at additional funds. So we're looking to see what potentially we might be able to do with this extra money.

Now some of this we've talked about a couple things at a couple meetings that might take place and have been discussed at the last couple council meetings, and that will take some of that surplus that's available right now, but other than that if somebody's got some specific questions, I think the biggest one that jumps out is SSE travel. What that is, during the 2009 year we found out we were gonna get SSE stipend monies if you recall. We didn't have a separate category in '09 so we dumped

everything into SSE travel category. I believe, Mike, correct me if I'm wrong, Mike actually does the budget now. I'm just up here doing the front work, but most of that surplus in that category will be unused stipend monies if I'm correct, and Mike is shaking his head that I'm correct. So that's kinda where we are. If anybody's got any specific questions.

We did have some savings also on our health insurance did not go up as much as we thought it was, and we do have a position that's vacant right now, so that's where the savings on health insurance came up. Also I don't know what's wrong with the council members. They just haven't been spending all the money that we put in the budget for them. See how our council members are, Bob Mahood? They're very conservative. That's where we are, Mr. Chairman.

Duane Harris: At this point in time I'm turning it over to the chairman of the finance committee, David Cupka since he made some snide remark about me chairing this meeting. David Cupka, it's in your hands now.

David Cupka: Thank you Mr. Chairman, I think. Okay. If there's no questions we'll go on.

Dr. Brian Chevront: Yeah, there's a question.

David Cupka: I'm sorry. Dr. Brian Chevront?

Dr. Brian Chevront: Yeah. I just wanted – on behalf of the State of North Carolina we'd like to thank the staff of the South Atlantic Council for working with us on the liaison grants and revising our contracts and all with the council. It was a great process that we went through. That gets run through my office and I think what we really appreciated was the collegial effort that went into this. We weren't being dictated to how things were going to be. We couldn't have been happier with the way this turned out, and I just wanted to publicly thank Mike and Bob Mahood and the rest of the staff that were involved in this. We really do appreciate it. Thank you.

David Cupka: Thanks, Dr. Brian Chevront. That was primarily Mike and Cindy and they do deserve credit. They were able to work with the states. Of course the council agreed to try to help the states out with some of the activities that they're involved in with the

council, which really we get a lot more out of the states than we are able to give 'em. Robert Boyles?

Robert Boyles: Thank you, Mr. Chairman. I'm not on your committee, but I would like to echo Dr. Brian Chevront's comments and thank the staff and also thank the council for their support. This is just – it couldn't have come at a better time and I know we talked about it for a long time, so I appreciate the support not only the staff but the rest of the council for that support for the liaison grant.

David Cupka: Ben Hartig?

Ben Hartig: Are you looking for suggestions of ways to spend this money?

David Cupka: Well we have a number of meetings. We had two meetings I think, Mr. Chairman that we're looking at, but if you have something that would be beneficial to the council, yes, we certainly would like to – the problem we're running into now of course is when we fit things in that aren't already scheduled and that can be problematic.

Ben Hartig: When would you like those suggestions? I have one in particular.

David Cupka: Entertain it now.

Ben Hartig: Oh, okay. Well in the Spanish mackerel assessment that old data set, that 1960, 1970, 1965-1970 fish and wildlife surveys that are used in most of Beaufort's assessment in re-fish is problematic and it needs to be reviewed by an independent panel, and that's the recommendation given at the Spanish mackerel workshop. So it would be nice to be able to work with John and put together independent people with long-term experience in the re-fish fishery. Well not only re-fish but the fishery. Those fish that are assessed by Beaufort Lab and to have a clarification on whether or not we can use that data and if so, what kind of factors have to be considered in using it whether recall bias and species misidentification problems are taken care of in that data before it's used.

David Cupka: Duane Harris?

Duane Harris: Thank you, Mr. Chairman. I too attended the Spanish mackerel workshop with Ben Hartig and I didn't have the problems with

those early data streams that others had. In fact recalling the number of Spanish mackerel that were being caught by recreational anglers off the coast of Georgia when I moved to the state in 1970, even though those numbers were extremely high, I thought that they might be more accurate than a lot of other people thought. It is something though, it's been a concern.

We've heard it time and time again from the fishermen that we're projecting back and using some data streams that may not be very accurate in our assessments. It's been through an independent review 'cause the CIE was there and they did review it, but they questioned it as well. So I don't know how you get to the point where you resolve that, but if we can, if there's a way to do it, it would sure be nice to be able to do it and say we looked at it and we feel they're accurate or they're not accurate or something. I don't know how you do it.

David Cupka: Thank you, Duane Harris. Bob Mahood?

Bob Mahood: Yeah, and I think John sent that – did you send that email to everybody or just in-house? Looking at a special October SSC meeting, and this certainly could be one agenda meeting that the SSC could look at. To try to get it through any kind of SEDAR process right now we'd never get it scheduled.

Duane Harris: To that point, Bob Mahood, I think Ben Hartig is also suggesting that it may take some people that were around back then that have more of an idea of what was actually being caught and can look at those numbers in the Fish and Wildlife Service reports and say – what I said at the meeting was they may be off by an order of magnitude, but certainly the landings of Spanish mackerel off the coast of Georgia back in those early years were much, much higher than they are today because people were bringing in huge coolers full of Spanish mackerel. Two people on a boat it's just one right after another and they didn't stop until they got a 72-quart cooler full of Spanish mackerel. So I think those landings are more accurate than some people think, but they still may be off by an order of magnitude.

David Cupka: I'm not sure it's necessary to preclude the participation by other people in that particular part of the meeting to look at that.

Bob Mahood: And we certainly could do that. We could bring in - _____ who to bring in that might have some insight into that. I know what Duane Harris said back in the late 60's early 70's the Spanish

mackerel populations in Georgia were just unbelievable, and then that – after killing that fish, running around killing that fish we started down in Florida and I mean they just went away. It wasn't recreational issue. It was a net issue. It just cut off. Within two years of when that fishery started there just weren't any Spanish mackerel occurring off the coast of Georgia.

So yeah, certainly it would be good to have some people involved and look at it. I know obviously Ben Hartig was around back then and there may be a few more, but we could look at having that as part of a special panel to meet or talk with the SSC about that, because ultimately the SSC has to make some determinations. So if we have a face-to-face meeting we can certainly set that up.

Ben Hartig:

One other point. The species misidentification problem was addressed in the assessment. It changed the assessment by 2 million pounds, so that in itself changed the mackerel assessment. Dealing with these historical numbers can have an impact on changing the results of the assessments.

David Cupka:

And it would be good to get some clear results maybe once and for all to put this issue to bed, although I suspect it'll never be completely put to bed. As Bob Mahood had mentioned too there are a couple other meetings that I think aren't on our activity schedule that we can use some of this for. One was talked about yesterday, which was the rec fish AP meeting I guess to look at some of these catcher issues, and then there's also a protected resources meeting coming up late next summer, early fall, that we need some participation at. It's the Atlantic Large Whale _____ team meeting that we need to have representation at that. We will use a little bit more of that to these meetings. Any other events?

Vince O' Shea:

Thanks, Mr. Chairman. I just thought of a reminder and maybe this is directed towards Bob Mahood, but if there's anything we can do towards the end of the year to help you guys for projects that you might be looking at for next year and wanna move the money over to the commission with the understanding it would go to those projects I'd be happy to help you guys out any way you can, any way we could.

David Cupka:

Any other questions or comments? If not then we'll move on to the status of the congressional 2010 budget.

Bob Mahood:

We've got three items under this. We've got the attachments two, three, and four. Attachment two is the projected activity schedule for 2010. Let me take a step back. We're in the process, all of the councils are in the process of developing our 2010-2014 grant application and we'll be finishing that off probably be early October, and what we do in this process is we go back and we look at each year and we develop to the best of our ability the council's activities for 2010 through 2014. We then develop – based on those activities we develop a budget. Part of the discussion in working with our federal partners is what level do we look at to start out in 2010?

Initially we thought it was gonna be pretty easy because it looked like Congress was moving forward. There was a House mark; there was a Senate mark. We had a president's budget recommendation and it looked like it was gonna be neat and clean this year, but of course that's all come to a grinding halt. Now they're talking continuing resolution again, so again we're stuck without knowing exactly how much money we're gonna get in 2010. Well then the executive directors have been talking and basically what we're gonna do in this grant application is we're gonna ask or start at a point what we feel like we really need to do the work. There's a couple issues at work here. One, the councils have made it known that we need collectively about \$25 million for the eight councils.

We're currently below that around \$19-\$20, somewhere in there. The president's budget and the House and Senate mark was up almost \$4.5 million for the councils from 2008, so we're making progress at getting towards the numbers we need. Now with that background this is how we started, and again this is Greg and his staff. They're sitting down looking at what they project based on working with the NMFS team what we'll be doing. Of course the further you get in the out years the harder it gets to determine what we'll be doing, but based on that they provide that information to Mike. He sits down, and he and I sit down and look at it. We put the numbers to what we hope to accomplish each year and we come up with an activity schedule.

The nice thing is since we schedule ahead we have our 2010 meeting locations and this type of thing scheduled. We know a lot of the specific costs, so that's very helpful. With all this background we develop the activity schedule and this is again based on what the council has laid out in the direction we're

going in the future. The activity schedule, and anybody wants to know anything specific just ask, but when you get to the bottom line of the activity schedule if you look across the bottom line that translates directly over to your budget, which is attachment three.

Attachment two is the activity schedule for the SEDAR portion of our budget, which we administer, and that schedule is set by the SEDAR steering committee, which I think most folks know is made up of the executive directors, the chairman of each of the three southeast councils, the center director and the regional administrator. So that group meets periodically and determines what our priorities are gonna be into the future, and that's what the SITAR schedule is set on. With those two things we then look at the bottom line numbers together and we come up with a budget. The rest of the budget, if everybody will go to attachment four, you'll see what we received in 2009 and what our budget was and what we are projecting for 2010.

If you look at the right hand side, the lower funding sources for 2010 budget, you'll see what we anticipate getting others. There's no knowns there at all other than I think the only assurance we have is if NMFS gets the budget that they need we will get LAPs funding, NEPA funding, regulatory streamlining process funding, SITAR funding. That's kind of an iffy number there. Also SSC stipends and ACL implementation. If you note the biggest increase the councils get between 2009 and 2010 is in the ACL implementation. At least that's in the President's budget and was in both marks of the House and the Senate.

I think the other thing if you're very astute, you'll see that we think we're gonna get \$3,649,000.00 yet we budgeted at \$3,950,000.00 and the reason for that is the fact that the councils have asked for the \$25 million, which could happen, and if that were to happen our line item if you look back at the 2010 budget on the right again, the line item funding instead of \$1.987 million would be about \$2.687 million, so we would get a significant increase. I guess most of us know, but for those that don't, the councils determined about maybe 15 years ago that we set a formula for if we get increases or decreases in the budget how much each council would get.

Whatever the council line item is we get 10.75 percent, so we know based on what the budget is how much that budget will get. Prior to that it used to be a bloodbath. We'd sit around the table

and we'd fight over money, but our nurturing mother NMFS would decide who got what, so that didn't work real well. It still left a lot of hurt feelings. So the council sat down and I think seven of the eight councils have agreed to this day that the percentages are correct. The only holdout is the Western Pacific Council who has really never come around to agreeing that was the percentage split. Actually this was done very fairly because when we first implemented over the first two years it was a lot of give and take.

We found a council that wasn't getting enough money. I think we gave up some percentages. Other councils gave up percentages, and over the first two years we kind of got it leveled out to where it was fair to everybody I think, and we've been able to maintain that. Now every time we get a new executive director come in they wanna know, "How come I don't get a bigger percent of the budget?" and we said, "Shut up. That's the way it is." It's worked well and it lets everybody know what they're gonna get. The other thing, it's caused us to get together and collectively when asked, we can't lobby for funding, but a lot of times the congressional folks will ask us what do we need to do the job and we put together documents that lay it all out. We can pretty much justify the \$25 million level.

Now whether or not we'll ever get that I don't know, but we have been moving towards that number in the last several years pretty well. It's probably way too much background, Mr. Chairman, but if anybody has a question about the budget that's where we are. I think I had some conversation with Tom. Tom asked some pretty probing questions and I was glad to answer them, but if we don't get – if we only get what we think we get, \$3.649, obviously we'll have to go back and adjust the 2010 budget by \$300,000.00, but I will say the 2010 budget budgeted at this level is very ambitious. It'll keep us very busy and everybody will be working very hard to accomplish the things we have to accomplish. We have a lot to accomplish in the next couple years. For that, Mr. Chairman I'll open it up.

Mark Robson:

Yes. I'd like to hear a little bit more about the thinking on how we would use that new ACL implementation money. What kinds of things are we spending that money on?

Bob Mahood:

Well almost everything were doing now is moving towards the ACL implementation. The 2010 funding will deal with our comprehensive ACL amendment primarily, which would go

actually into 2011. It basically augments the meetings that are necessary for the council to meet the mandates of the act. Some councils are hiring more staff. In this new budget we actually have put money in for two and a half positions, so if this funding were not to happen of course that would be cut back. You'll see there's a considerable increase in the councilmember comp where the council members will be much more active and have a lot more meetings and things like that to attend to.

Again if we don't get to the level we wanna get then it's gonna be trimmed back. There's a number of things going on. Mark, that's one of the really difficult things that we deal with in these grants because we're not a university that's producing X product and we reach into the grant period and _____go away. This is a continuing process and to do the job, most of the councils are working in situations where they're really stressed as far as the staff and time especially – in the southeast it's not just the councils. It's the councils and the region in the center and so I don't know if that explains exactly what we're gonna do.

Mark Robson:

I think it does. In other words, with all of the additional workload that's coming in development the ACLs for all the species we're managing, you're folding that into everything the council is doing in that regard.

Bob Mahood:

Right, and the other thing that we've done, to have this money has allowed us to bring the state players more into the process also. I mean our states are really putting a lot of their people's times into this and we're able to reimburse them for that, something we haven't been able to do. Consequently we know that we're very personnel poor as a whole in the southeast as far as numbers go and so we've talked about this before.

It's very difficult to keep calling upon people and calling upon people when they have jobs back home at the state level to do to be more involved in our process, and at least this gives us the ability to do that. As you're aware as part of the liaison grant increases, Mike actually sat down and looked at the state personnel participation and was able to adjust the liaison grants accordingly to account for that.

David Cupka:

And I was gonna point that out that some of the increase in here. If you look at the 2010 budget we're actually implementing some of the recommendations that we've made before, and that's certainly one area of reimbursing the states for their participation

or people from their state participating in the SSC that aren't eligible for the SSC compensation directly. Bob mentioned the council compensation had gone up a little bit.

I recall another thing that we wanted to implement, it came out originally I think out of the AP committee was to have the committee chairmen meet with the APs when they met if we had the money to do that, and also for the AP chair to participate more into the council process when it came time to report to the respective committees. All that has been built into here. Staff have certainly tried to build all those changes in here. Any other questions or comments? Robert?

Robert Boyles: Thank you, Mr. Chairman. I'm not on your committee. Bob, can you give me a little bit better handle on the state liaison grant and how the calculation was arrived at? Was it based on the basis of SSC membership?

Bob Mahood: Right. As you recall in 2009 we increased the amount from \$35,000.00 to \$40,000.00 for the grant and then the additional going into 2010 is directly related to the state's activity with the SEDAR process, the other processes that we require state employees, not require but ask that state employees participate in. Part of it's on the SSC. Part of it is participate in SEDAR and this type of thing, and that can be adjusted as we go along if we see that there's gonna be more participation.

Robert Boyles: To follow up, the reason I ask is, and I don't wanna spend a lot of time arguing over \$3,000.00 here, but I'm scrapping for every available dime I can get and I know we're spending a lot of time with staff not necessarily on the SSC but via some SEDAR participation. We can talk about it offline; I just wanted to be reminded of that.

Bob Mahood: Duane?

Duane Harris: Thank you, Mr. Chairman. I just have a question. I don't know whether anybody else is having a problem opening attachment three, the SEDAR activity schedule, but I can't open it in my – has anybody else tried to open it? Yours is opening? SEDAR activity schedule. Okay guys. Thank you.

David Cupka: All right. Well that's where we are in terms of planning for the 2010 budget, but until we know what the actual budget is gonna be there's no sense in approving a budget at this time. Hopefully

we'll find out maybe by the next meeting where we're gonna be in terms of a budget. Bob?

Bob Mahood: Yeah. In the December meeting we'll bring back the full five-year grant proposal to the executive and finance committee to look at. We will – whether we'll know whether we have a budget in December I don't know. I certainly hope so, but what did we go to June or something this past year before we actually had a budget? Mr. Chairman, there's no motions, but we will follow through with what Ben had recommended having a knowledgeable group back from the early days of the Spanish mackerel fishery, convene them with part of the SSC meeting in October to talk about historical data and numbers. Then also as we spoke of we'll schedule the rec fish, relate a meeting, and then talk about take reduction team participation.

David Cupka: Thanks. Duane?

Duane Harris: Yeah. You're gonna have to have somebody from the Fish and Wildlife Service that was involved in those early days of data collection perhaps explain the process that they used to generate those numbers, and I don't know whether Wilson can do that or he's got somebody in mind that could do it or whether Bill Cole could do it. I think people are gonna wonder where did those numbers come from, how were they generated, and getting people more comfortable with that will help a lot.

Bob Mahood: Yeah. I don't recall whose name was on that document, the names on that. We can check that out. I don't know that they're still around to be honest with you.

Dr. Wilson Laney: Yeah, Bob. I was gonna say I don't know that they are either. I mean you're talking about the old Bureau of Commercial Fisheries data, Ben and Dwayne?

Duane Harris: No. Those were Fish and Wildlife Service data for Spanish mackerel in 1960, '65, and '70 I believe.

David Cupka: There was a national survey of Fish and Wildlife, a five-year survey.

Dr. Wilson Laney: Okay. You're talking about the five-year surveys? Okay. Sylvia Cabrera in headquarters heads up that program and I know she's already talking with Dave Van Voorhees about some other issues that have arisen, so I can ask Sylvia if she would be

willing to weigh in as needed on that, and she can certainly explain how the data were collected back then I would think, or if not she would know who to ask.

David Cupka: Okay. Well staff can get with you on that and work that out. Ben?

Ben Hartig: Yeah. There's a pretty extensive explanation in the surveys themselves of how the data was collected, but it would be nice to be able to talk to somebody from that time. The other thing is it's not specific to just Spanish mackerel. It would include any species that the assessments used in their assessment.

Bob Mahood: Wilson, which Sylvia did you say?

Dr. Wilson Laney: It's Sylvia Cabrera, Bob. She's on our headquarter staff and she's the person who is responsible for the survey and I think it's done by – Roy may know more about it than I do. I think it's done by contractors, but she's the one who coordinates the whole thing, so that's where I would start.

David Cupka: Any other comments? That brings us down to other business. Is there any other business to come before the committee? Now we are adjourned. I'll turn it back over to you, Mr. Chairman.

(Whereupon, the meeting adjourned at 12:00 p.m. September 15, 2009.)

Certified By: _____ Date: _____

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GOLDEN CRAB

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Staff contact: Gregg Waugh

HABITAT & ENVIRON. PROTECTION

Mark Robson, Chair
Robert Boyles
Wilson Laney
Rita Merritt
Vince O'Shea
Charlie Phillips
Staff contact: Roger Pugliese
Myra Brouwer- Coral

HIGHLY MIGRATORY SPECIES

David Cupka, Chair
Rita Merritt, Vice-Chair
Roy Crabtree
Mac Currin
George Geiger
Duane Harris
Brian Sullivan
Staff contact: Gregg Waugh

INFORMATION & EDUCATION

Robert Boyles, Chair
Mac Currin, Vice-Chair
Duane Harris
Mark Robson
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Tom Swatzel
Staff contact: Kim Iverson

KING & SPANISH MACKEREL

George Geiger, Chair
David Cupka, Vice-Chair
Mac Currin
Brian Cheuvront
Duane Harris
Ben Hartig
Rita Merritt
Charlie Phillips
Mark Robson
Tom Swatzel
Ron Smith, Mid-Atlantic
Representative
Jack Travelstead, Mid-Atlantic
Representative
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LAW ENFORCEMENT

George Geiger, Chair
Mac Currin, Vice-Chair
Robert Boyles
Duane Harris
Ben Hartig
Brian Sullivan
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LIMITED ACCESS PRIVILEGE PROGRAM (LAPP)

Rita Merritt, Chair
Robert Boyles
David Cupka
George Geiger
Vince O'Shea
Charlie Phillips
Susan Shipman
Tom Swatzel
Staff contact: Kate Quigley

PERSONNEL

Susan Shipman, Chair
David Cupka
George Geiger
Duane Harris
Staff contact: Bob Mahood

PROTECTED RESOURCES

David Cupka, Chair
Wilson Laney, Vice-Chair
Rita Merritt
Mark Robson
Susan Shipman
Staff contact: Myra Brouwer

SCI. & STAT. SELECTION

Roy Crabtree, Chair
Robert Boyles
Brian Cheuvront
Mark Robson
Susan Shipman
Staff contact: John Carmichael

SEDAR Committee

Duane Harris, Chair
George Geiger, Vice-Chair
Brian Cheuvront
David Cupka
Ben Hartig
Vince O'Shea
Mark Robson
Tom Swatzel
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PLEASE SIGN IN

So that we will have a record of your attendance at each meeting and so that your name may be included in the minutes, we ask that you sign this sheet for the meeting shown below.

Joint Executive ~ Finance Committee Meeting
Charleston, SC
Tuesday, September 15th, 2009

NAME &
ORGANIZATION

AREA CODE &
PHONE NUMBER

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

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