

SOUTH ATLANTIC FISHERY MANAGEMENT COUNCIL

SOPP's COMMITTEE

**Hilton New Bern Riverfront Hotel
Charleston, SC**

December 8, 2010

SUMMARY MINUTES

SOPP's Committee:

Duane Harris, Chair
Dr. Brian Chevront
Doug Haymans

David Cupka, Vice-Chair
George Geiger

Council Members:

Robert Boyles
Tom Swatzel
Dr. Roy Crabtree
Ben Hartig
Charlie Phillips
Vince O'Shea

Tom Burgess
Mark Robson
Mac Currin
Dr. Wilson Laney
LTJG Matthew Lam

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Kate Quigley
John Carmichael
Kari Fenske
Mike Collins

Gregg Waugh
Roger Pugliese
Rick DeVactor
Anna Martin
Myra Brouwer
Julie O'Dell

Observers/Participants:

Monica Smit-Brunello
Rick DeVactor
Dr. Carolyn Belcher
Hal Robbins

Dr. Jack McGovern
Bob Gill
Phil Steele
Scott Sandorf

Additional Observers and Participants Attached

The SOPPs Committee of the South Atlantic Fishery Management Council convened in the Hilton New Bern/Riverfront Hotel, New Bern, North Carolina, December 8, 2010, and was called to order at 10:48 o'clock a.m. by Chairman Duane Harris.

MR. HARRIS: The first item on the SOPPs Committee Agenda is approval of the agenda; and without objection the agenda will stand approved unless there is any need, Bob, to add anything or take anything away from the agenda. The next item on the agenda is the approval of the September 2010 SOPPs Committee Minutes.

Any additions or deletions to those minutes? Seeing none, those minutes are approved. The third item is review of the final rule addressing Council SOPPs and that is Attachment 1 in your briefing book under this folder, and, Bob, I'll ask you to go over that in brief form as we discussed earlier today.

MR. MAHOOD: We do have a final rule in SOPPs. It gives us some direction. I guess the good news from that is there are eight major points in there that we needed to address relative to our SOPPs. The bottom line is when you look at what is required, we have already met all the requirements in the changes we made into our SOPPs as we've gone along.

I was going to go over it in detail, but I think you all have it in the final rule. You can take a look at that; and when we meet at the next meeting, if you have any specific questions, we'll be glad to deal with those. That takes care of the final rule unless somebody has got some questions on that.

MR. HARRIS: Are there any questions about the final rule, and please do take the time to read that final rule. It's not all that long but it has got the comments that have been made by parties including councils with respect to their SOPPs proposed rule. Take the time to read that. Next is to review the model SOPPs provided by the National Marine Fisheries Service, and that's Attachment 2.

MR. MAHOOD: Two weeks ago we received – in the final rule they indicated that there would be some guidance to the councils relative to some model SOPPs. Basically what we have and what we were given was the 2006 version of the North Pacific Fishery Management Council SOPPs. As you'll note, they're very similar to ours. Most of the councils are very similar because the EDs have shared their SOPPs.

The one thing that I really like in the model SOPPs – and that's one of the explanatory sheets – indicates that while it is not necessary to follow the model exactly, each council is responsible for ensuring the information presented in this model SOPPs is include in its SOPPs or other standing policy. As you know, in the past we separated our administrative handbook out from our SOPPs with the intent that we would be able to adjust the administrative handbook more easily than we could adjust the SOPPs.

I think we want to keep this because if you look at the procedure for amending your SOPPs in the future, it's very long and convoluted. That was the procedure in the past. As a matter of fact,

although we have sent in our SOPPs for review I don't know how many times, half a dozen times, if you look at the cover, since 1994 or whatever it hasn't been reviewed by the secretary.

It has never gone through the process. Now there is a definite process, it is long, so my recommendation would be we maintain our administrative handbook which deals with our day-to-day operations and have that separate from our SOPPs, which meets the mandatory statutory requirements of what our Standard Operating Procedures have to look like.

We will proceed on that course and bring back to you in March. What I would like everyone to do – and I think Tom sent a memo to everybody indicating some changes he would like to see. I was going to go through the SOPPs line by line today and we were going to talk about it, but I would encourage everybody to please go through the SOPPs, some of which were written in 1976 and '77 and probably haven't changed, and see if you see anything in there that you would like or think needs to be modified and then bring that back to the March meeting.

We'll go over it in detail. We actually have up to a year to get this back. I'd like to get it done at the next meeting and get it submitted with the hope that the first submittals will be the first ones reviewed. That's the goal that we have, so that's how we will proceed. That's pretty much it, Mr. Chairman.

MS. SMIT-BRUNELLO: I continue to carry to each meeting the July 1992 version of the SOPPs which I think is the last approved version. If we can get a new one, I'd love to leave this back home.

MR. HARRIS: Attachment 3; is there any need to address that; discuss changes to current Council SOPPs? That's what we're going to do in March, right?

MR. MAHOOD: Right, that's the request I just made to everyone to please look at our SOPPs. Tom compared it to the model SOPPs and he came up with some good information that I think we'll need to address. There may be other instances where that will occur. Mike and I will be going over the SOPPs and trying to make some good recommendations relative to maybe our more modern operations than we had in the current approved SOPPs. We will bring that back to the council in March.

MR. HARRIS: It was interesting that the model SOPPs that NOAA Fisheries sent out from the North Pacific Fishery Management Council is an older version of their SOPPs. I just wanted to acknowledge that. Is there other business to come before the SOPPs Committee? Seeing none, Mr. Chairman, we stand adjourned and we're back on schedule.

(Whereupon, the meeting was adjourned at 10:55 o'clock a.m., December 8, 2010.)

Certified By: _____ Date: _____

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