

SOUTH ATLANTIC FISHERY MANAGEMENT COUNCIL

SOPP's COMMITTEE

**Key West Marriott Beachside Hotel
Key West, Florida**

June 12, 2011

SUMMARY MINUTES

SOPP's Committee

Duane Harris, Chair
Dr. Brian Chevront
Doug Haymans

David Cupka
George Geiger

Council Members:

Robert Boyles
Dr. Roy Crabtree
Ben Hartig
Dr. Wilson Laney
Mark Robson

Tom Burgess
Mac Currin
LTJG Matt Lam
Charlie Phillips
Tom Swatzel

Council Staff:

Bob Mahood
Mike Collins
Kim Iverson

John Carmichael
Julie O'Dell
Andrea Grabman

Observers/Participants:

Monica Smit-Brunello
Dr. Bonnie Ponwith
Phil Steele
Bob Gill

Dr. Jack McGovern
Jessica McCawley
Otha Easley

Other Participants Attached

The SOPPs Committee of the South Atlantic Fishery Management Council convened in the Flagler Ballroom of the Key West Beachside Hotel, Key West, Florida, June 12, 2011, and was called to order at 1:40 o'clock p.m. by Chairman Duane Harris.

MR. HARRIS: The SOPPs Committee is behind Tab 2 in your briefing document. The first item on the agenda is the approval of the agenda. You've had a chance to get to the agenda. Any additions or changes to the agenda? Any objection to approving the agenda of the SOPPs Committee? Seeing none, the agenda is approved.

The next item is the approval of the March 2011 SOPPs Committee minutes. Any objection to approving those minutes, any additions? Seeing none, the minutes of the SOPPs Committee March, 2011 are approved. The next item is to review the changes to the SOPPs in accordance with the council direction at the March 2011 meeting. That is Attachment 1 in your briefing document. Mike, are you going to take us through that or is Bob going to take us through that? .

MR. MAHOOD: As you recall prior to the last meeting, Mike had gone in and looked at the requirements under the rule for our new SOPPs and also he had looked at the model SOPPs that was provided as guidance. We went through that. We made all those changes at the last meeting and I think there was – Mike help me out, I'm not sure, I'm looking for my red writing here.

This was the procedure for our proposed regulations and this was taken pretty much – I think Mike put it together with looking at the requirements under the Act and based on some language in the model SOPPs if I'm not mistaken; is that correct, Mike? Actually I did this, okay. Well, that is what I did.

MR. HARRIS: This is the deeming language.

MR. MAHOOD: Yes, this is the deeming one, right.

MR. HARRIS: Everybody is familiar with the deeming language? Monica.

MS. SMIT-BRUNELLO: I discussed this section with General Counsel for Fisheries, Caroline Park; and after my discussion I think that we should modify just one word in here. The Magnuson Act gives the council the authority to deem the regulations. We are not so sure the council can then give deeming authority to the council chairman.

All I would say is it looks like it is the fourth sentence that starts "in the event this is not possible", so I would say, "In the event this is not possible or if additional minor modifications must be made to the proposed rule, the council has given the chairman authority to determine" instead of "deem." How is that? That is just because, as I said, the Magnuson Act gives the council the authority to deem. We were batting this around, and she had some other additional language, but I don't know that is necessary and I think if you just change "deem" to "determine".

MR. HARRIS: So what you want to do is take out “deem” and put in “determine”? It’s a little bit different than what we have discussed in the past, but the language is a legal language, I guess, and so it is fine with me. George?

MR. GEIGER: In that same sentence, I guess, I don’t know that the SOPPs should say “the council has given the chairman”, because we usually do that via motion; wouldn’t it be “the council may give the chairman authority to”?

MS. SMIT-BRUNELLO: That is fine with me; I don’t know what Bob thinks.

MR. MAHOOD: I think the intent was to put into the SOPPs that was the way it would work and then you would not have to take an action each and every time to give the chairman that authority, and it would be an authority that the chairman had.

MS. SMIT-BRUNELLO: Well, for litigation purposes, let me give that some thought because it is really nice when you can point right to where in the record the council deemed the regulations, but let me give that some thought and I’ll come back before full council and we can talk about that. Bob, at the meetings that you had with the other executive directors, is that what they intend to do as well?

MR. MAHOOD: Yes, I think, and this is based on the lawsuit up in the North Pacific. The thing was that the council had not looked at it and the council had not given the executive director, in this case, who deemed it appropriate the authority. I think the word came back that you had to give the chairman of the council that authority; and maybe it was just anybody that authority, but we went with the chairman. Whether or not it is on a case-by-case basis or whether you have authority to do it just as part of your operational procedures, we can do it either way.

MS. SMIT-BRUNELLO: I’m going to take back what I suggested earlier. I’m thinking of different situations in which it is possible you wouldn’t have regulations before the council in some situations because you have said up here in the event that this is not possible, and the “this” is the proposed regulation that the council had.

I’m going to break a little bit with what has been suggested to me and I think that you ought to just leave the language as it is and we’ll work with it. I guess I feel a little more comfortable in the long run to cover every possible situation that we leave that “deem” word in there and then we can deal with it as we need to down the road. Hopefully the issue won’t come up and we won’t need to because you have all been usually very clear in your intent.

MR. CUPKA: I was going to ask Monica if we changed that one word, then what happens if we get in a situation like that then you have to wait until the next council meeting to deem it?

MS. SMIT-BRUNELLO: That’s the thing, and I think that you all – not every council has the situation where they have regulations in front of them either. But I think that you all have been consistent through a good many years that you have some form of regulations in front of you. Even before Perry Allen I think got contracted, it was consistent that you have regulations.

I think that is very helpful because frequently it can point out an area in the amendment, either a framework amendment or plan amendment that might need some clarification because of the way the regulations were interpreted. Just leave it as "deem" and forget the "determine".

MR. HARRIS: Mr. Gill just asked me a question so I am going to ask it of you, Monica. Is it "necessary or appropriate" or is it "necessary and appropriate" in that same fourth from the bottom sentence?

MS. SMIT-BRUNELLO: It is "or".

MR. HARRIS: Other questions about the deeming paragraph? Then let's move on to the next item, if you will, Bob or Mike. Is that the only other item? Okay, that is the only other item. Then the chair will entertain a motion to approve the SOPPs as written. Mr. Geiger.

MR. GEIGER: Mr. Chairman; I make a motion that the council approve the SOPPs as written.

MR. HARRIS: Is there a second to the motion' seconded by Dr. Chevront. Any discussion of the motion? Is there any objection to the motion? Seeing none, that motion is approved and our SOPPs after five, six, seven, eight years, are approved.

MR. GEIGER: Hell of a job, Bob.

MR. CUPKA: Just by us though, not by NOAA or the Secretary.

MR. HARRIS: Okay, the next item on the agenda is to review the SSC and Advisory Panel policies and make any appropriate modifications. Those are attachments 2A and 2B under this tab. Do you want to take SSC Policy first, Bob?

MR. MAHOOD: Yes; and if you go to Page 2 under PDF, you will see a completed financial disclosure form is highlighted in yellow, and that is I believe the only change we had to make to the SSC. All the other changes that were made at previous meetings have been incorporated.

DR. CHEUVRONT: I'd like to make the motion that we approve the SSC SOPPs as amended.

MR. CUPKA: Second.

MR. HARRIS: Motion and a seconded, discussion of the motion? Is there any objection to the motion? Seeing none, the SSC Policies and Procedures are approved as amended. The next item is the Advisory Panel Policies and Procedure.

MR. MAHOOD: If you go all the way to the end of that attachment, which is Page 4, PDF 4, the only addition to that is the language for the SEDAR Advisory Panel Pool. That is all new language to accommodate the FACA and make sure that everybody that we nominate and that

participates in the SEDAR process is on an advisory panel. This deals with the pool of people that would be available to name to the particular SEDARs.

MR. CURRIN: I'm not on your committee, Mr. Chairman. I was under the impression that all members of the various species advisory panels were also eligible for the SEDAR Pool, and it is not clear from this language in here to me that in fact they are unless there is a provision somewhere else.

This clearly states that approved participants for each SEDAR Workshop shall only be selected from the SEDAR Pool. Unless there is specific language and maybe it's the next one here. That's my question.

MR. MAHOOD: I thought about that, too, Mac, and I guess we need to state that it is a policy we have had that they are included. What about if we look at this now "for each SEDAR Workshop shall only be selected from the SEDAR Pool", and then in parentheses, "which includes all appointed advisory panel members", okay?

MR. HARRIS: Does that satisfy that concern? Monica, are you okay with that? You know what our policy has been in the past, all members of the advisory panel are eligible for the SEDAR Pool, but this language does not specifically state that unless we put that language in parentheses that Bob just suggested.

MS. SMIT-BRUNELLO: I think that is a good suggestion.

MR. HARRIS: Any other concerns or questions about that language? Bob.

MR. MAHOOD: It's a PDF; we can't change it up there, but we will change that and it will read "which includes all appointed AP members".

MR. HARRIS: Okay, the chair will entertain a motion to approve the advisory panel policy as amended and stated. Mr. Geiger.

MR. GEIGER: Yes, Mr. Chairman, so moved.

MR. HARRIS: Motion, is there a second; second by Dr. Chevront. Discussion of the motion? Is there any objection to that motion? Seeing none, that motion is approved. The next item is to approve the changes to the Administrative Handbook as proposed by staff; that is Attachment 3. Okay, we are on the Administrative Handbook now. Bob, do you want to point out any changes that we need to approve to the Administrative Handbook?

MR. MAHOOD: It starts under Functions B, letter B on Page 6. Basically throughout this it says "the chief executive office of the council, the executive director is responsible for all administrative and technical aspects", so and so, "the executive director reports to the council through the chairperson".

Then it has a number of items where I actually report through some committees and to streamline it what I've gone through and I am recommending that in that last sentence, "The executive director is responsible for the day-to-day administration of council staff and reports to the council on personnel matters through the chairman". Then, if there are any problems relative to personnel, then we would go to the personnel committee.

MR. GEIGER: Mr. Chairman, I see where he is but it says "and reports to the council and personnel matters through the chairman", period, "with personnel committee" stricken out and you just said would then take issues to the committee.

MR. MAHOOD: Yes, and later in different places it talks about personnel issues and the role of the personnel committee and that type of thing, the procedure for personnel, grievances and things like that. If it is just a day-to-day administration of some of the staff and there is a situation – we will get into more of them as we go through promotions and that type of thing. It just streamlines it a little bit if I'm dealing with the chairman instead of the full personnel committee; especially if we are between meetings is the main problem.

MR. HARRIS: Anybody have any problems with that language? Mac.

MR. CURRIN: Duane, again, I'm not on your committee, and I don't have any problems at all with the way it is designed to function. If we are in between meetings and there is a decision that needs to be made, then certainly the chairman ought to be able to do that. Bob, in reading through this, as you pointed out, there are a number of places where a similar sort of language has been; and after reading through this thing, I thought to myself what is the personnel committee going to do? There is nothing for them to do anymore if the chairman is going to do it.

That gave me a little bit of concern. Again, I have no problems with addressing things in between meetings that come up and need to be done and quick action, then certainly the chairman, I'm comfortable with that. It seems like the chairman is almost – the way I read it and maybe that is not the intent, but the way I read it, it seems like the chairman is basically taking over the role or a large portion of the role for the whole personnel committee. If the rest of the council is content with that or okay with that, then that is okay, but it did give me a little bit of pause when I read through it.

MR. MAHOOD: Yes, and the way I have handled it in the past, Mac – and it is not impossible. I mean that is the way we have operated, and I think you have been on the personnel committee. If there is an issue, I just call each member of the personnel committee and make them aware of it and see if they have any problems, if it is something that I am doing or whatever.

That is no big problem; and if we don't change it, it won't really affect it too much. Generally the major role of the personnel committee is if there is a personnel grievance. It is spelled out in here that the supervisor -- if the supervisor gives somebody a bad report and they want to challenge it, they come to me.

I'm the first person they come to for review. If they don't get any relief from me, then the next step up is the personnel committee. They would play the role – we have actually had in the history where we had to call a personnel committee meeting to deal with a personnel grievance. I am not trying to grab power; I am not trying to give the chairman more power, I'm just trying to streamline it a little bit. I have no problem if we leave it like it has been. If people feel uncomfortable with that, I don't have any problem.

MR. HARRIS: Is there any desire by any mighty member of the SOPPs Committee to change it back to the way it was before Bob suggested this change? Seeing none, let's just move on to the next item; and if we need to come back to that, we can certainly come back to it.

MR. MAHOOD: Yes, the next item deals with new hires. Before it just said employees promoted within the council staff to another position will serve a probationary period in the new position, but in fact it is mainly new hires that serve a probationary period of one year as well as anybody promoted to a new position.

We added that language, and then at the end it said during the probationary period new hires can be dismissed for just cause at the executive director's discretion; and just to put people on notice when they hire on that you don't really have any rights of appeal until you have been with the council for a year. I think that is pretty standard with states and the federal government and everybody else.

MR. HARRIS: Any discussion of that language? Okay, let's move on. Item D, work schedule I think is the next one in.

MR. MAHOOD: Yes, D, Work Schedule. This just puts in place a policy we have had but it really wasn't in writing – established work hours to the office are 8:00 a.m. to 5:00 p.m. daily; however, the Executive Director may allow employee to work a flexible schedule as long as the employee works 40 hours per week.

We have people that come in at seven and leave at four. We have people that have different flexible hours that are approved in advance. Then it goes on to say staff working from home are limited to one day per week. They must have the prior approval of their immediate supervisor at least one day in advance.

Special circumstances like having a sick child or some emergency may necessitate an immediate request. If work at home status is approved, the employee must provide the administrative group with a phone contact number; and also it should go on to say be available to be contacted during that period, which is a given. That is pretty much a policy we have had; it just hasn't been in writing.

MR. GEIGER: I personally don't like that, and I have got a problem with it. Staff wishing to work at home are limited to one day a week, so we have got staff working four days a week in the office and one day at home. I understand the previous policy about working at home, but it was always predicated upon an issue, a sick child, something that needed to be done, a special circumstance. I mean what you are creating here, when I read this, in my mind is a four-day

work schedule in the office with one day at home, and I think that is wrong. Work needs to be done in the office.

MR. MAHOOD: Obviously, and one of the things that maybe is not clear here, this is a situation where they have to get approval. You can do so much more remotely now than you could several years ago, that being in the office is not a necessity of working for the council. I judge people on getting the job done. If they are in the office six days a week and don't get the job done, then we don't want them hanging around. I think you are seeing more and more of this. Whether or not it just needs to be an informal policy, I don't know, but I wanted to get something in writing in our handbook so it is clear to people what the procedure is.

MR. GEIGER: Bob, using that same philosophy, if people can get the job done in 20 hours, what is the point of having them work 40 hours a week? If you are requiring a 40-hour work week but you are allowing people to work one day – now anybody wishing to work one day at home, all they have got to do is ask for it and they get to work one day at home.

MR. MAHOOD: Well, that doesn't mean they are going to get it approved. If they are working on something specific, George and say they are working on the economic analysis of Amendment X and they can do that from home and it is possible for them to do that, why – and many times you can get a lot more work done at home than you can in the office with the number of phone calls you get.

MR. GEIGER: Yes, and there is also the ability to do nothing at home and you could sit there.

MR. MAHOOD: Well, that is where you trust your folks that you have got working for you.

DR. PONWITH: Mr. Chairman, I'm not a member of the committee but would raise the fact that I am uncertain whether this is intended to emulate the telework program that exists on the federal workforce. Congress has been ardent proponents of a telework program within the federal government; not just encouraging anymore but now actually demanding that individuals who meet certain criteria enabling them to telework are presented with that opportunity and can choose to enter into that negotiation with their supervisor.

The notion is that it improves the efficiency of the federal government by reducing commute times and things like that. The types of positions that are deemed as qualifying for telework are ones in which the employee does not require as part of their job carrying home personal identifying information, PII or other sensitive materials to be able to succeed in doing this.

Naturally the productivity of the employee is taken into consideration whether the employee is the type of person who could carry out at least as much or more working at home as they do in the office. From the federal standpoint, the notion of teleworking is now commonplace. We have telework agreements put in place.

The one exception that differs from this is that there is an expressed prohibition for teleworking to care for a sick child or a sick parent because they make it clear in the federal telework

documentation that it is not a substitute for childcare; that it is intended to be as productive a work environment as your office would be.

MR. BOYLES: Mr. Chairman, I'm not on your committee, but it strikes me that the whole second paragraph is really somewhat getting down into the weeds. I think we all have different opinions about staffing and presence at work. I think we could spend probably the next hour talking about it. I think in the interest of time it strikes me that perhaps that second paragraph should just be struck in its entirety, leave the discretion of employee time scheduling to the Executive Director and then move on.

MR. GEIGER: Yes, and I don't have any problem with that either, Robert. I can tell you this; that I as one council member have spent a lot of time communicating with staff between council meetings. You call the office and if they are out of the office working at home, then you have got to call another number; and if that number doesn't get answered, the question doesn't get answered right away, somebody gets back with you later.

It does not foster and promote good communication between council members and staff. Maybe nobody else calls the staff. I did a lot and encountered significant difficulties with reaching people under the current policy and I have a staff contact sheet for home numbers. I'm just saying.

MR. MAHOOD: The way that is supposed to work, George – and I apologize that you had to call the staff member. The way it is supposed to work is – and the reason the staff member leaves a contact for the office is they are supposed to call the employee and they are supposed to call you right away. You are not supposed to have to try to track them down; so if that has not worked for you, I apologize.

DR. LANEY: Well, Mr. Chairman, just to that point about contacting staff, if I recall correctly all of us has a list of all the staff's cell phone numbers. I haven't had a problem getting up with any of them when I needed to.

MR. HARRIS: Okay, let's wrap this up. You heard a suggestion by someone who is not on the committee to delete that second paragraph in its entirety rather than getting down into the weeds of this, but the chair will entertain whatever you desire to do. Mr. Haymans?

MR. HAYMANS: Do you need a motion?

MR. HARRIS: If you are going to recommend a change, yes, sir, I do.

MR. HAYMANS: So I make a motion to remove that second paragraph and leave it at the discretion of the Executive Director how he wishes to use staff time.

MR. HARRIS: Motion and a second to delete the second paragraph. Motion by Mr. Haymans; second by Mr. Geiger to delete the second paragraph in its entirety and leave it to the discretion of the Executive Director. Is there any objection to that motion? Seeing none, that motion is approved. Moving on, Bob.

MR. MAHOOD: Page 9 on the PDF; again, it is similar under cash awards and promotions. One deals with the executive committee. Under cash awards before, what I've done is if there is a council meeting, I've gotten together with the executive committee; if there is not a council meeting, I've called the executive committee. Promotions are similar to what we talked about earlier under personnel committee. Whatever the pleasure of the council is, we can leave it as it was or change it; it is not that big of a deal.

MR. HARRIS: It doesn't preclude the chairman from contacting the executive committee and running this by them. If the chairman feels that there is any questions or concerns about it, they certainly could do that. Is there any desire to change Paragraph 5 from what is proposed? Seeing none, moving along to Paragraph 6, Promotions; similar kind of thing.

MR. MAHOOD: The other reason I changed this, in twenty-some years, I've never had an instance when I called either the executive committee or the personnel committee that anybody has had a problem with anything. That is some of the emphasis for doing this. If it was something where every time I called there was some conjecture or problems, then I wouldn't do it. I've never had anybody say, no, I don't want you to do that or, no, I don't agree with that.

MR. HARRIS: Item 6, any desire to make any changes to the proposed changes in Item 6? Seeing none, moving along.

MR. MAHOOD: Okay, Page 21, this has to do with the fact that I think in the last ten years every time the executive committee has met, it has been the finance committee has met with them. The question is do we need a separate executive committee? Should we call it the executive/finance committee or should we call it the executive committee.

I'd like to leave the finance committee designator in there because I think when we do our budgets and things like that, we talk about NOAA grants, we talk about the finance committee reviewing budgets and this type of thing. This is just something we can leave it like it is or we can try to streamline it a little bit and call it executive/finance committee.

MR. HARRIS: So the proposal is to change the name of the committee from executive committee and finance committee to executive/finance committee?

MR. MAHOOD: Because that is what I have had on the agenda for the last thirty years.

MR. HARRIS: I understand that. Discussion of this item; is there anyone that wants to suggest any changes to what Bob is proposing? Seeing none, it looks like everybody is okay with A, executive/finance committee and the language therein. Is there anything else, Bob?

MR. MAHOOD: No, not in that.

MR. HARRIS: Page 19 PDF.

MR. MAHOOD: PDF 23, right? The reason this has come up is especially with the SEDAR and the number of people we have traveling under the council travel policy, we are getting a lot of

folks that they want to either cut their travel short and change it and it costs a lot – you basically end up buying a new ticket in many instances.

We've got some people that want to travel a day or two early; but when Cindy runs a check on it, it may cost more money to fly on a Wednesday than it does on a Friday; when really for the council business – let's say Monday, for the council business they wouldn't need to leave on a Saturday.

We need something in there because I have been using this – I mean I have had this policy, basically, but I have nothing backing me relative to tell people. This is something we can put in our handout we give to all of our various AP travelers and invited guests and that type of thing. It is just something that Mike recommended because it has become a problem and I think it would clear it up a little bit.

MR. BOYLES: Mr. Chairman, I'm not on your committee again; I certainly have no issues with this, just a question. Rather than excess airline cost, just excess cost, period, just to – I don't know that it is necessary, but I drive a lot, for instance, and I imagine a lot of us do drive.

MR. MAHOOD: Yes, and what we do – and I think some of you have actually filled it out or Cindy has filled it out for you – if you look at the last part, any additional cost resulting from change in travel for routine personal reasons is expected to be paid for the traveler. Also, we have a sheet that if you do drive you fill that out, and we generally cover anything up to the cost of an airline ticket relative to your travel.

If it is a little over and you request coverage because you don't want to fly, I remember the first time Ben was chairman and on the council he never flew. I don't know why, but he just never flew. He and John Brownlee, both together on the council, they drove a lot of places together. We have a policy that if – now for a council member that is traveling, a paid council member that is traveling because there is that pay issue and it is going to cost more to drive two days somewhere then it is to fly one day; that has always been a policy, also. So Cindy fills out that sheet and we look at the difference and if it is not very much I usually just approve it as it is. I don't remember the last time I disapproved one.

MR. HARRIS: From my perspective I think this is needed language in our Administrative Handbook. We have all seen in the past where we have had someone that – well, I don't guess we have all seen in the past where we have had someone that abused the travel policy. It was a long, long time ago that I remember someone that did and that was a problem. I think this is good language to add to the handbook. Is there any other discussion of this item?

MR. MAHOOD: Really this doesn't, hasn't been applied to council members. I haven't had any problem with the council members, but we do have a lot of people that aren't used to traveling with us that want to do all kinds of crazy things. We've got some people – well, I won't say which part of the world they are from – that do things differently than us and I want to be able to tell them this is our rules here in the South Atlantic.

MR. HARRIS: Mr. Gill objects to that comment.

MR. MAHOOD: It is not Mr. Gill.

MR. HARRIS: Okay, I don't see any desire to make any changes to this language. Is that it? No, there is another one down under unscheduled expenses, Item F. That is PDF 24. That changes the executive committee again to the chairman.

MR. MAHOOD: It says in the event that circumstances such as prior approval is not possible, the chairman will review the cost – this is one that obviously is cumbersome if you – and again this went back to a problem we had previously in a previous life.

MR. HARRIS: I want to step back to that last paragraph on PDF 23 again and just make sure I understand routine personal reasons. That is as opposed to emergency personal reasons?

MR. MAHOOD: Correct, and that is why it says routine personal.

MR. HARRIS: That is why I wanted to just put that on the record.

MR. MAHOOD: Right, if it is an emergency, say somebody is at a meeting – and really I don't know if most of you know, Gregg's father has taken a turn for the worse and Gregg has got to head out. That would be a situation where you have different travel plans. Now he happened to drive but if he had flown down, obviously he would have had to have a different ticket. That is why it says personal, to accommodate personal side trips.

MR. HARRIS: Well, I thought that was what it meant, but I just wanted to make sure that was clear on the record. Okay, the next item is PDF 25, telephone policy. It looks like you are killing the telephone policy, Bob.

MR. MAHOOD: Well, nobody uses their credit card anymore.

MR. HARRIS: Do we have them?

MR. MAHOOD: Well, you have the ability to get them if you want them. Most people that when Cindy offers them to them, they don't want them because they have cell phones. This was again a policy that was written for one person to begin with. I don't know that it is necessary anymore and I think we can drop it. I'm not even sure how many people have cards; I know that Cindy offers them.

MR. HARRIS: Is there any desire to leave the telephone policy in the Administrative Handbook, seeing as how none of us are using the telephone credit cards now? Okay, that is it. Mr. Chairman Cupka.

MR. CUPKA: Mr. Chairman, the only other thing I wanted to bring up is there is a list of steering committees in there and we have several committees that are not included in there; for example, our Ecosystem-Based Management Committee, our LAPP Committee. There is a designation in there for ad hoc committees, but I don't consider these ad hoc committees, so I am just wondering if we need to add those to the handbook or not, Bob?

MR. MAHOOD: Yes, we certainly can do that. I think the list that is in there is pretty antiquated, and the ones you just mentioned happened probably after these committees were put in originally. I will be glad to work with the chairman and put in all of our non-species committees and give a little blurb about what they are about.

MR. HARRIS: Is there any objection to doing that? Okay, then Bob will work with Chairman Cupka to add those additional committees that need to be added to this Administrative Handbook and we will just move on from there. With the changes that have been made; are we ready to – and the proposed changes, Bob?

MR. MAHOOD: One other item is that the AP Policy and the SSC Policy would be part of the Administrative Handbook. They are referenced in the SOPPs but we want to keep them in the Administrative Handbook so that in the event the Secretary ever does approve our SOPPs, we don't have to go through the whole – and there is a sequence of events laid out in the amended Act that we have to go through to amend the SOPPs. We want to keep it in the Administrative Policy to have the ability to change them when we need to change them.

Now, everything related to SSC that is required under the Act are in the SOPPs. It doesn't get down into the nitty-gritty details and it does reference the AP Policy and the SSC Policy. It just make it clear that those are part of the Administrative Handbook.

MR. HARRIS: Is everybody clear on that? David.

MR. CUPKA: Mr. Chairman, also when I read through the Administrative Handbook I found some editorial changes which needed to be made, which I gave to Mike. They were minor things like spelling errors and things like that, and I am assuming that those have been changed and it has been cleaned up somewhat.

MR. HARRIS: Okay, the Chair would entertain a motion to approve the Administrative Handbook with the changes that have been made today. Mr. Haymans.

MR. HAYMANS: So moved.

MR. HARRIS: There is a motion; is there a second? Second by Mr. Cupka. Discussion of the motion? Is there an objection to the motion? Seeing none, the Administrative Handbook with the changes that we have discussed today is approved. Is there any other business to come before the SOPPs committee? Phil.

MR. STEELE: Mr. Chairman, I'm not on your committee but I wanted to bring up two issues with you, kind of segue into the SOPPs we were talking about deeming of regulations. As you know, when Mr. Dalton and Perry retired it reduced our regulation staff to about 50 percent and one of our current regulation staffers is pregnant.

We are in attempts now to hire or bring on a junior regulation writer to help backfill that position, and also it is going to be my intent from now on, if budget permits, that as we become

closer and closer to final action on a rule, that we will have a regulation writer at these meetings who can attend to any changes immediately, so I just wanted to bring you up to speed on that.

MR. HARRIS: Very good, thank you, Phil, I appreciate that information. Is there any other business to come before the SOPPs Committee today? Seeing none, the longest SOPPs Committee in the history of this council is adjourned.

(Whereupon, the meeting was adjourned at 2:25 o'clock p.m., June 12, 2011.)

Certified By: _____ Date: _____

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July 2011

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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.

SOPPS COMMITTEE MEETING
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