

# **SOUTH ATLANTIC FISHERY MANAGEMENT COUNCIL**

## **EXECUTIVE COMMITTEE**

### **Webinar**

**December 10, 2020**

### **TRANSCRIPTION**

#### **Committee Members**

Mel Bell, Chair

Dr. Carolyn Belcher

Jessica McCawley

Steve Poland, Vice Chair

Chester Brewer

#### **Council Members**

Anna Beckwith

Chris Conklin

Dr. Roy Crabtree

Kerry Marhefka

Art Sapp

Dr. Kyle Christiansen

LT Robert Copeland

Tim Griner

Spud Woodward

#### **Council Staff**

Myra Brouwer

John Carmichael

Dr. Brian Chevront

Dr. Mike Errigo

BeBe Dalton Harrison

Allie Iberle

Dr. Julie Neer

Cameron Rhodes

Suz Thomas

Julia Byrd

Cindy Chaya

Dr. Chip Collier

John Hadley

Kathleen Howington

Kim Iverson

Roger Pugliese

Dr. Michael Schmidtke

Christina Wiegand

#### **Observers/Participants**

Erika Burgess

Anthony DiLernia

Martha Guyas

Dr. Jack McGovern

Dr. Clay Porch

Rick DeVictor

Shepherd Grimes

Dewey Hemilright

Dr. Genny Nesslage

Monica Smit-Brunello

Other observers and participants attached.

The Executive Committee of the South Atlantic Fishery Management Council convened via webinar on Thursday, December 10, 2020, and was called to order by Chairman Mel Bell.

MR. BELL: Good morning, everyone. Welcome to the open session of the Executive Committee. We're going to deal with a couple of items here, like the draft budget review and the FMP workplan, and those might take a little time. The idea was to perhaps be finished I think by 10:00 and shift to Citizen Science, but we may just -- We'll just see how this goes, and we make it on time, or 10:30, I guess it was. We've already dealt with the agenda and the minutes, and so we're ready to roll right into the draft budget review, which would be John and Kelly.

MR. KLASNICK: Good morning, Mel and everybody. This is Kelly, and we're going to go ahead and talk a little bit about the 2021 draft budget and also kind of status of the 2020 budget, and John may be chiming in here as well. The first item on your screen is the updated table. As this committee had met not even a month ago, and there's not a ton of changes here, and we ran the numbers through the briefing book timing, basically, just to give you all an update, and, as you're looking at this chart, moving from left to right, we've got the main categories, and that matches to our grant application.

We have our 2020 budget number following next, and that corresponds to this expended column that you see here, and note the date of those expenditures, and then our relative percentage of expense to what we have budgeted. Again, there are not dramatic changes from the last committee meeting. On the expenditure side, I just caught up the numbers for whatever expense we had logged through the run of the report.

Overall, as we had discussed, the budget is in very good shape. We're really coming in a bit under in every category. I will point out that the contractual -- We typically make those payments twice a year, and so expect that number to get close to the fully-budgeted number, usually in January and February, as those invoices come in, primarily for the liaison payments that are made. Then, of course, the travel number is where we're really seeing the most dramatic savings, if you will, given the shift to all of the virtual environment.

As it relates to 2021, we followed kind of our usual process of going through and analyzing each one of these categories that you see on the left, making the appropriate updates, whether that was based on anticipating inflationary adjustments or based on known and anticipated personnel type of changes that might be coming for the 2021 year. The travel number is driven based on the input that is received for planned meetings and gatherings of a wide variety of sorts, and we did, from a budgeting standpoint, and erring on the side of conservative numbers, and we have planned for 2021 in-person meetings. Of course, we will see how that plays out, as we are quickly approaching 2021.

We did add in some additional equipment numbers, and we plan to continue with upgrading some of our -- Primarily the equipment that we use to support meetings, and a lot of our equipment has run its useful life, and so we'll continue that refresh, and we've made some those expenditures in 2020, and we'll continue that in 2021, and the other categories are coming in very much in line with what we had anticipated and presented back in November.

I did go back, based on some input that was received from the committee in November, and readdressed some items on the activities schedule as it related to additional input for some

anticipated meetings and conferences, and that did push the travel, planned travel, numbers up just a bit, but nothing of concern, and we still come in at a bottom line right around that \$3.9 million number, which is what we're anticipating, based on the grant income for 2021, absent any other guidance, and that's still how we are going to progress.

Then, as I stated, we are planning for in-person meetings, and so, given the cost differential between in-person, as opposed to virtual meetings, anything that may continue on in the virtual world will be a positive, from a savings standpoint, as we move into 2021 and keep moving down that road. I am going to pause there, and I don't really have any other prepared comments for you all, and it's mostly what you saw in November, and I will be glad to answer questions, or, John, if you had anything that you wanted to add before we go to questions.

MR. CARMICHAEL: Kelly, I did just want to add just for some clarification on what it appears the amount of unspent funds is potentially for 2020. As Kelly noted, the things like contractual, we haven't fully spent out, and, obviously, personnel and fringe and everything related to running the office and all of that, all those expenses will continue. It looks like there will be on the order of about \$500,000 in travel funding that won't be used in 2020.

Now, recall that the South Atlantic administers SEDAR on behalf of all the cooperators, and so the other two councils in our region, Atlantic States, Gulf States, and HMS as well. About \$200,000 of that, therefore, is from the SEDAR budget, for meetings that weren't held this year. We do have plans to talk with Clay next week about that and to start thinking about what things SEDAR has needed to do in past years that the Steering Committee wanted to do by way of say various procedural workshops to continue to improve the process that we may be able to support, and some other analyses and some of the background work to help make the assessments better might be another candidate.

That's about \$200,000 that's actually going to be under the purview of the Steering Committee, and, just for our liaisons, I have let Carrie and Miguel know about that, and that we foresee some Steering Committee discussions about that early next year, and so that really leaves, as far as our carryover, about \$300,000, and, if you recall from our previous meeting, we had a number of things that we were planning to do that we haven't been able to fund, and Kelly mentioned some of the equipment stuff that is in this one, but there is also the website that we have been piecing together for many years, and that's liable to be a pretty big expense, and I would really like to be able to take this opportunity, with what COVID has given us, in terms of not traveling, and really be able to do a top-notch job on our website, given that it is so critical to our day-to-day operations and the foundation of how we get information to everyone, from the councils to the APs to the SSC, for all of our meetings. I think that could easily cost \$75,000 or \$100,000 or more.

Then the final bit is, of course, we haven't gotten any money yet for 2021, and I did see this morning that the House made some progress on another weeklong extension to December 18, and so maybe that's promising, but we still have yet to be seeing what we're actually going to get on 2021, and so that was all that I was going to add, and Kelly, I appreciate that thorough update that you gave for everybody.

MR. BELL: Thanks, John, for the overview there, and thanks, Kelly, for updating this, and, again, remember that we saw this, like Kelly said, not even a month ago, but this is brought up-to-date for us. Steve, did you have a question or something?

MR. POLAND: Thank you, Mel. John addressed it, and I was going to ask Kelly for some clarification on that travel item, if that included SEDAR travel in there, and it obviously does, and I just wanted to understand what our carryover was going to be for the council, and so it sounds like it's about \$300,000. Thank you.

MR. BELL: All right. Roy.

DR. CRABTREE: I wanted to take a second to just make a request of something for you to consider, and John is aware of this, but we have a project ongoing in the region to essentially reprogram the permits system, and we have already begun some of that upgrade, but the current system is at the end of its life, and it only allows for renewals and very limited functionality that can be done online, and so we are upgrading the system, and the goal is to allow for new permits and renew permits and all of this to be done online and make the whole system much more efficient and much more user-friendly for fishermen.

We have been able to fully fund Phase 1 in the Regional Office, but, for Phase 2, we are still short around \$600,000 in funding. We can, of course, cover a portion of that shortfall using some carryover funds that we have, but our carryover is very limited, because we don't get to carry over and have long-term budgets like the council does, and so we talked to the Gulf Council, and I wanted to talk to you and ask you to consider whether you would be willing to allow some of your carryover funds to go into funding this system.

The way that we would work is that, when we transfer you money for next year, we would just reduce the amount by some amount of dollars, if you were in agreement to it, and then that money would go towards funding the permits system project that we have, and, optimally, we would like to try to get around \$200,000 or so, but we would really be willing to consider whatever the council felt they were able to put into this, and the Gulf. I have Kevin McIntosh from our permits system who is on the meeting that could answer any questions you have, but we would request that you consider this as a possible use for some of the savings that are coming out of travel reductions and things.

MR. BELL: All right. Just so I'm clear, and then we will, obviously, want some input from everybody else here, but this is a one-time request, and it would -- I guess you mentioned the Gulf, and does this include the Caribbean as well? Is it a potential three-way split kind of split sort of thing?

DR. CRABTREE: It is a one-time request. The Caribbean does not have any federal permits, and so they aren't part of this. Now, the revamp of the system will include HMS permits as well, but that's the Headquarters Office that we are talking to.

MR. BELL: Okay. I had another question, but I forgot, and so I will just go to Jessica. Do you have a question or want to weigh-in here?

MS. MCCAWLEY: Thanks, Mel. I guess I would just say that I'm really excited about this new permits system, and this is something that we've been hearing about from fishermen, and I believe Kevin came to both the council meeting and some of the AP meetings to talk about this and to try to be responsive to requests from fishermen about how this system works, and I feel like there has

probably been some additional challenges for NMFS, in this COVID environment, to try to get permits renewed, and maybe folks having some opportunities and some challenges getting it renewed online, et cetera.

I guess I would also like to point out that it might not be apparent to folks that haven't looked at all the ins and outs of the council's budget, but, when we came to the end of the budget cycle, which was a year or so ago, and we were working on this, we really tightened our belts, and we made a lot of I want to say changes that weren't really popular, in order to try to stay within the grant, and so it probably is not apparent to everybody, but we asked staff to cut back on doing a number of things that they had historically done, and we also cut back on the staff benefits package, the retirement packages, and any types of bonuses affiliated with their evaluations.

So I feel like we really cut back, and we really stopped doing a number of things that the council would have historically done, so we could try to stay within that budget, and so I think that, at least from my perspective, knowing what I know about the budget and being on the Executive Finance Committee, I feel like the council has an opportunity now to work on some things that we had put off for some time, because we felt like we were really in this budget crunch.

I think that John mentioned one of them that had to do with the revamping of the website, and another one that's being worked on, that was something that has been put off for many years, was creating this app that would allow access to the commercial regulations, and now I believe there's a contract in place between the South Atlantic, the Gulf Council, and FWC to try to get that up and running, which was something that we had put off, because it was quite expensive, and so the council really just focused on the recreational regs in that app, the Fish Rules app.

There is things like that, and there's also some small research projects that the council had historically funded for staff to work on, and we haven't been able to do that, and now we start doing that again, and so I really just feel like it might appear that there's this excess money, but, actually, the money was kind of put off to the side in kind of this savings account while the council and the council staff really tightened their belts on all sorts of aspects, travel aspects, and the council members were traveling less at the end of that budget cycle as well, and we were limiting the number of people going to various AP meetings and others, and so I just feel like we had put off a number of projects, and so it might appear like we have extra funds, but we don't really have extra funds, and I don't think that we have \$200,000 to pass over there.

Maybe, when it gets towards the end of the grant cycle again, if there's additional funds available, maybe we can talk about this kind of request from NMFS then, and I just don't think it will be timely at that time, because it seems like you need the money right now, for this Phase 2 of this revamp, and I guess I would just put it back to you guys, and it seems that NMFS is doing a lot less traveling, a lot less sampling, and so I guess I would put it back to you to think about if there's ways -- I know it's challenging, and we have the same challenges at the state level as well, as to how to move money around across different categories, but I guess I would just put it back to you guys, about don't you guys have some additional funds from not traveling, or doing less sampling, and maybe it could come from another program to fulfill this critical activity?

DR. CRABTREE: Well, to some extent, that has helped us fund some of these things, but bear in mind that we don't have any funds after close of business tomorrow, and so we don't have five-year grants, and we can't carry money over, and a lot of this money ends up in Headquarters and

other things, and so we have some needs. Revamping the permits systems is one of them, and we're trying to come up with money to retool your wreckfish IFQ system and some other things like that, but I come to you about the permit system -- We wouldn't be asking you to actually give us anything right now.

This would be a reduction in the amount of money that comes to you in the future, and it doesn't have to be \$200,000. I mean, we would be willing to do whatever you thought you could agree to, but I suspect you are going to have a lot of travel funding next year, because I don't think you're going to get back to in-person meetings until the middle of the year anyway, and I think this is something that can make a real difference to our fishermen, in terms of upgrading the permits system.

I will continue to look for other ways to fund it, but I know, right now, because such a high percentage of council budgets are travel and meetings, that there are some savings, which is why we are talking to you, and we don't want to come in and just cut your budget, unless you were agreeable to taking a reduction to go for something that would help further some of the council's goals and things, and so it doesn't have to be \$200,000, and it could be sometime in the next year, and I don't know the timing, and that would be something that the budget folks would all work out with John and those guys, but we're looking if there is any sort of contribution that you would be interested in making, because I think this really would benefit all of our fishermen and for-hire fleets and commercial guys.

MR. BELL: Thanks, Roy, and I will go to Steve in a second, but I remember one of the questions I had, and so Phase 1 was funded, and Phase 2 -- You didn't have the money to do Phase 2, and that wasn't factored in already? I'm just curious, or did you get to Phase 2 sooner than anticipated?

DR. CRABTREE: Phase 2 is there, but we don't have the funding to do all of it. Most of this money is going into contracts to hire programmers, and it's all expensive, and so, if we're unable to do some of that, then we won't be able to have as much functionality as we would like to have, and, as I said, we really don't know what we're going to get next year in funding, and we're working on an omnibus budget, but we're not expecting a lot of increases, at least not in the portions of the budget that we're able to use for these types of things.

MR. BELL: Okay. Understood. Steve.

MR. POLAND: Thank you, Mel. Really, Jessica and you kind of made all my comments and asked my questions. I mean, I was just curious. A lot of the project was over budget, it sounds like, and contractual costs were in excess of what was originally budgeted, but, I mean, really, I appreciate Roy bringing this to us, and I certainly understand how this will benefit our stakeholders.

I have heard at meetings, and I've had my stakeholders reach out to me with frustrations over the current permit system, but, like Jessica said, and John mentioned a little bit earlier, there were some projects that we put on hold here at the council, and we had kind of excited about applying some of these funds to those projects, especially the website, because I feel like the current state of COVID right now has really shown that our website is one of our primary tools that we use, and it's not just a window into the council, and it's a tool that the council members use, as well as the public, and that's certainly a project that I am interested in.

I am not to the point of dismissing this request out of hand, but I would like to hear how the Gulf and Headquarters, as far as HMS, are going to respond, because, if you need \$200,000 from all three of those entities to contribute, then, the math in my head, that's, what, \$65,000, and I'm just trying to put a number on it.

DR. CRABTREE: HMS is all internal NFMS money, and so that's already dealt with. We have talked to the Gulf Council, and I'm not sure where we're going to wind up yet. I want to be clear that it's not that this over-budget or anything. It's just that we have a cost estimate of what it will cost to do Phase 2 upgrades to the system, and we don't have enough money to do it yet, and so we're not able to find the funds to do Phase 2, and so the Phase 2 just won't get done, and the system won't be as user-friendly, and we won't have as many things you can do online.

The software development is very expensive, to do the upfront costs on these new systems, and we had a lot of things that we're having to do. We're redoing the entire IFQ programming system right now, and so we had a lot of software development costs, but it's not that we're over budget, but it's just that we want to upgrade this system in some ways that really benefit fishermen, and we don't have enough money in our budget to do it, and so, if we can't find the money, we just won't be able to do it.

MR. BELL: Thanks, Roy, and certainly -- I would tell you this at the state level, and, I mean, we hear from our fishermen, and we realize that the particular upgrades you're talking about would be appreciated, and it's something that would certainly help, from their standpoint. Just so I've got this straight, you mentioned HMS is not a source, and you basically can't get anything from them, and you've reached out to the Gulf, and the Gulf hasn't gotten back with you yet?

DR. CRABTREE: I think we're still in some discussions with them, and so I don't know where that will come out, and I can tell you that HMS does fund parts of these things, because we do operate with some other permits.

MR. BELL: All right, and that's why I didn't know if they were a source of money as well. Dewey.

MR. HEMILRIGHT: Thank you. Phase 1, for the fishermen, was a great asset, and I think Phase 2 would be awesome, to be able to do all of your permits online. Right now, I am able -- Just from personal experience, I'm able to do probably 75 percent of my stuff online, but I have to -- For some reason, the Small Business Administration paperwork, if you make over -- I've got to fill out this form, and, so far, I haven't made over \$11 million a year, and so you have to print that out and sign it and send it in, but anything with this online to help doing the permits, man, it's been great, and I hope we can get it to where it's a one-stop shop and be done with it. I think it also saves a lot of time, with the Permits Office having to call back, and you call in, and missed calls and stuff like that, and so it would be great if Phase 2 could get fulfilled and all of our permits be done electronically. Thank you.

MR. BELL: All right. Thanks, Dewey, and I know, if you made over \$11 million, you would take us all to dinner or something, right?

MR. HEMILRIGHT: I wouldn't be sitting here overlooking the harbor in my truck. Thank you.

MR. BELL: I understand. Monica.

MS. SMIT-BRUNELLO: I actually hadn't heard about this before, and it does sound like a really interesting idea, and, just to let you know, I will follow-up with -- We usually talk with the Commerce General Counsel, when it involves money matters of this kind, and so I will make sure that, going forward, that this is a viable thing, and I will talk with my counterpart who advises the Gulf Council, and we'll get together and let both councils know -- Just in case you want to do it, to make sure that all the transfer is kosher and legal and that sort of thing.

MR. BELL: Yes, ma'am. Thank you. We always need the legal sign-off on these things. I am still -- I guess I don't fully understand if there were just inadequate funds budgeted for this, and I, I mean, I get the Phase 1 is in and the Phase 2, but we just came up short as we got into the actual estimation of what Phase 2 would cost, and it was underestimated, in terms of budgeting originally?

DR. CRABTREE: It's not that, Mel. It's that we have a lot of things that we want to do, but we're limited to what we can do, based on funding. This is something we want to do, but we don't have enough money in our budget to pay for it. Now, if Congress gives us a huge budget increase, oh boy, then we have a lot of things that we would like to do, but that's no evidence that that is going to happen, and so we live within constraints.

We give the council -- The number I have is somewhere in the notion of \$512,000 in various things, and then plus a bigger grant from that, and so this would just be a matter of making some adjustment to the council's grant in the future years, in terms of the discretionary funds, and we'll talk to Monica and everybody, but we have long lists of upgrades and software and improvements we would like to make, but we're limited every year as to how much we can do, because the one-time, upfront costs of doing these things is very high.

I think Dewey is right that it does, down the road in the future, increase the efficiency of the system, but that doesn't help you in terms of covering the upfront costs, and we have some ability, like everyone, with savings from travel and people retiring and all those kinds of things, but we have a lot of constraints on us, in terms of how we can do those.

MR. BELL: Okay. I understand. In comparison, Jessica covered, and John covered, a number of things that we would like to do, or wanted to do, as well, and so we kind of have perhaps a similar list, from our perspective, of things that we would want to take advantage of, and so I get that.

DR. CRABTREE: A lot of the money we're talking about is money that is part of the Regional Office's base budget, and that we then give the council for various things, and that's the part that we would hold some back, if you were in agreement.

MR. BELL: Like you said, next year's budgets are totally unknown, and I guess there's no possibility that you could get a bump next year to cover something like that, and I guess we don't know. I guess the whole next year budget thing is perhaps just a bit of a big question.

DR. CRABTREE: Well, we don't know, and we have a new administration coming in, and the money comes into NMFS and then is allocated to all various places, and it's a complicated process.



MR. BELL: Right, but the timing of that -- If that did occur though, the timing of that wouldn't be staying on schedule as anticipated, I gather, I mean if you did get a bump?

DR. CRABTREE: It would just depend on what happened, Mel.

MR. BELL: I understand. You're not psychic. Jessica.

MS. MCCAWLEY: Thank you, Mel. While I am not in favor of holding back money from the council's budget, I would love to send a letter to Chris Oliver, or whoever we think is appropriate, to make a case for why this project is important in this region and talk -- I would like to include some points about the improvements that were done in Phase 1, as well as why the improvements in Phase 2 really should be done now, at this time, to complete this project, and I would love to send that letter soon. I feel like it's timely, and, that way, Headquarters can know that we have this need in this region, and so I would love to send a letter.

DR. CRABTREE: I'm not asking you to send a letter, and I would just as soon not do that. We wanted to have a discussion with you about some of the unused carryover funds with the council and the willingness to fund some of these things, and, if you're not willing to do it, then that's the end of it, and we'll continue to pursue every avenue we can to try and get this done at some point, but I don't think a letter is going to help anybody.

MR. BELL: Okay. Well, I think -- She mentioned the letter, and I was thinking even to talk to the Gulf and have a joint letter, or two letters, or something, but, if that's not going to -- If you don't think that's going to help.

DR. CRABTREE: No, I don't think that helps anybody, and so we'll talk to the Gulf, and we've talked to you guys, and I am prepared to move on then.

MR. BELL: All right. Steve.

MR. POLAND: Thank you, Mel. I mean, I think, at the very least, I want to hear what Monica can bring back to us on this before I'm comfortable giving a thumbs-up or a thumbs-down.

MR. BELL: In terms of the legality or how that would work?

MR. POLAND: Yes, exactly.

MR. BELL: Okay. I mean, it's not that we -- We certainly understand the importance of it to our folks, and we appreciate what you're dealing with, and I know we're kind of both dealing with lists of things we would like to be able to accomplish, but I think, like you said, there's just uncertainties in what's going to happen with the budget.

DR. CRABTREE: All right. Well, Mel, we'll continue discussions with John and with you as Chairman, and we'll --

MR. BELL: That would be fine, and we're not kicking you off the doorstep or something, but we're just hesitant. All right. Anything else on that? Any other points from the council? All

right. Seeing none on that, where were we? Kelly and John, I guess, where we were left off, we were reviewing 2020 into 2021. Now, we made a motion, back at the last meeting on the 12<sup>th</sup> of November, to take that for approval of the final 2020 and for approval of the draft 2021, and so those motions are all still going forward to Full Council, and we don't need to do anything else here, do we?

MR. CARMICHAEL: No, Mel. We've given the update, and I think that covers that. With no further changes in the budget or anything, we will bring those motions forward during the Full Council review and note that they were from the November meeting.

MR. BELL: Right, and we did update them, and there were updated versions. All right.

MR. CARMICHAEL: If there are no further budget questions from the council, I think we could move into looking at the workplan.

MR. BELL: Okay. Any other questions about the document in front of you there? I don't see any hands, and so then let's go to the next item, which would be the workplan, which is always fun to work through.

MR. CARMICHAEL: Kelly, did you have that too, or did you want me to take the show for that?

MR. KLASNICK: I thought you were taking it, but let me know.

MR. CARMICHAEL: I thought so, and I'm good to go.

MR. KLASNICK: Okay. Great.

MR. CARMICHAEL: I think we're good to. This is the latest iteration of the workplan. Just a quick reminder, as far as the color-coding, when you're looking up here with the FMP workload, the primary business of each meeting, the orange is where we expect a full-type discussion, like a full say half-day of the council meeting, and the yellows are less than that, where we may say go through two, and we figure two of these items in any morning or afternoon session.

Our overall goal for the council meeting is down here in Row 34, and we strive for eight, and so, if you think of the council meeting week, that's, in a normal in-person meeting, or this in a four-day meeting, that's four different either morning or afternoon sessions that we go through. Based on the various iterations of this document, we now have a much more extensive number of items here.

In the lower section, which is the recurring, the different committee meetings that happen, some of the special things that we're working on, such as the allocation trees blueprint that you see, scenario planning, and we have our Section 102 working group, and we've got our new private snapper grouper recreational data and estimation working group, and we've had the papers that we saw here this week that you will notice there.

What we've tried to do is to continue to expand on this and to have it present you more of a holistic view of what's going to happen at each meeting and to carry each amendment that you're working

on through to their end, where you get to the big “A” there, and that’s final approval of the amendment.

Our hope is that it helps show you what’s on your docket over the next two years, really, and it also helps staff to see what’s coming up, but it also means if we, for some reason, don’t make the progress we had planned on an amendment, we can immediately see the potential consequences to that for all of the other workload, because none of this stuff happens in a vacuum. That’s the general overview, and we’ve been sort of evolving this over a few meetings, and so hopefully folks are becoming comfortable with this format.

As we mentioned in November, we had an excessive workload starting after about March and into June and September of 2021, and there was simply too much FMP work to get done within the council meeting, and we know, from experience, that we have staff that can pretty much keep that workload unit of eight there, and we can meet that. When we get above that, then the staff also gets overextended as well.

What we did was look at each of these FMP projects that’s underway here and think about what really needed to be done and how much discussion was potentially needed at the upcoming meetings, and were there places we could create some white space, as you see here, where perhaps we need to get some AP review of the information, or SSC review of it, and can we make some time there, so that we’re not necessarily bringing it to you every meeting if we need to take things that you have discussed and get that AP comment and get that SSC comment.

Staff all contributed to this by looking at each of their amendments and thinking hard about what was needed to go from here in December to the A on whatever project it is and whenever it needed to be, and we were bound by a couple of things, and like red porgy has a statutory deadline, due to the overfishing and overfished determination and not making adequate progress, and so some of these are hard and fast A endpoints that we have to meet.

We also considered dolphin another one that we’ve been working on a long time and that we didn’t want to shift that one back any further as well, and then red snapper is another one that we said this is a hard and fast, and we need to get this done, if we’re going to have any impact on future fisheries, and we’ve got to get some of these things really moving.

What we’re looking at here then is the workload as it stands, and, when we went through and did this balancing exercise, when we accounted for the assessments here in 13 through 16, that we know are on our horizon, it gave us some opportunities, starting really in September of 2021, where we had the chance to bring in some new projects, and so what I did for those was just pencil in a general timeline, and, if you look here, under New Project 1 in Row 17, that’s sort of the general FMP amendment timeline. If we decide on something that we can do an expedited framework, then we can shorten that. If we’re doing a framework, we may shorten that, and it just really depends on the nature of it, which we don’t know, obviously, until we have these first couple of meetings, but at least this gives you some realistic expectation of when you’re going to have opportunities to bring in new stuff.

As it worked out in carrying this through into really a two-year planning horizon, it gave us opportunities to bring in a new project potentially in September of 2021 and March of 2022 and September of 2022, and these were intentionally balanced this way to prevent bringing a whole

bunch of things on at one time, because it's a lot harder to get the work done say when we have several major projects that are all on the same cycle for public hearings and for AP comment and for final approval, and so this sort of staggered approach will help us manage the workload, and it really gives us a better chance of actually pulling it off.

Then the final thing added is the scamp assessment, looking out as far as December of 2022, and we know that that's going to come on, and that's when we expect to be getting that assessment report. The encouraging thing that I took from this is we were able to resolve the workload, and we were able to give you some opportunities when you can see new projects, potentially, come online.

Then I will scroll down a little here and highlight the projects that we know, from the past, have been on the list, and some of these we talked about this week, and so, bringing up things that have been talked about in the past, we have the potential allocation unassessed species ABCs and ACLs that we talked about in Snapper Grouper, when we were talking about species in need of conservation and management, and this is a potential one.

There's been discussion of Snapper Grouper SG 1 and the lobster tailing permits, and that is to allow some lobster retention, and there's the deepwater species allocation, which we're thinking we may consider removing that as a standalone action and just dealing with that on a species-by-species basis, and we have the bycatch reporting amendment, which we may need to do, and it will depend on what we hear back from SERO, as far as our obligations and what we need to do to be in compliance there, and so that one is a bit of a question-mark, but it may have statutory things tied to it that would require us to get moving on it.

Then we have some of the things that have come up of interest to the council, like the commercial electronic logbooks. You know, this was a priority in our response on the executive order, and we have said that we planned to start that after the voluntary program is running. We'll hear more on that voluntary program during the Full Council report from the Science Center, but I think we expect that in 2021, and the idea, recall, the last time we talked about it, was to get it up voluntary, and that will give kind of a pilot, essentially, and then they will have a real better idea of what needs to be done, statutorily, to make that a full requirement.

That could potentially go into one of those new slots, and then the other one that's on a lot of people's minds, and that might be where Chester's hand is coming up, is the dolphin longline fishery, and we have talked about that a lot, and it seems to be talked about at every meeting, and so that's one that could be considered, and we've also discussed the opportunity for regional management in dolphin, which may be something to come in there.

Then, if I take a longer view and consider the assessment schedule, we show that we will have a black sea bass assessment, a vermilion snapper assessment, and a red grouper assessment all coming in 2023 and 2024, and so what that says, to me, if I take all that together, is we have these one, two, and three new projects that could take any of these items here that you think are important, and then the next phase would be probably bringing in these assessments after scamp, and then we'll have to just see if there are other things for new projects.

I suspect, by the time we get midway through next year, we'll have some other big-picture topics that we will probably add to the list and be looking ahead to, and so that's a really quick overview

of where we stand on this and the progress that we've made, and so I do see that we do have some hands, and so I will go ahead and pause there, Mel, and start taking questions, and I would be glad to follow-up on anything.

MR. BELL: Thanks, John. I like the way you've got that organized, and it is easy to track at a glance, and you can see there, with the potential new project slots, sort of where our margin is for bringing new stuff in, which I think you're probably right. Chester, would you like to go first?

MR. BREWER: Yes, and, John, thank you. This is really easy to read, and it makes it so much easier, and, as you suspected, John, I was going to request that the dolphin longline issue be put in place, or would be put in, for September of 2021. The other potential projects that we're talking about seem to be waiting on something else before we get into them, and that particular issue is one that is really, really hot in our area, and it's really hot in the Keys, and we've talked about it repeatedly. We've just gotten a letter from the Fish and Wildlife folks in Florida asking that we take a look at that, and so I think that's one that is ripe to go into that September 2021 slot. Thank you.

MR. BELL: All right. Thanks for that input, Chester. Jessica.

MS. MCCAWLEY: I am fine with that suggestion, and that wasn't why I had my hand up. I was wondering if we could also add, down at the bottom, in the things that are coming -- I see black sea bass, vermilion, and the red grouper assessment, and I was hoping that we could add the mutton assessment down there that's coming from FWC. I can't remember the expected due date, but I was hoping that it could be on there as well.

MR. CARMICHAEL: Yes, definitely, Jessica. Chip, or someone from SEDAR sitting on, does someone have a sense of the due date? Feel free to send that to me.

MR. BELL: All right, and so add that, and I'm not sure -- Based on this meeting, we received some input or whatever, and is there any other things that -- Just think about this, and we don't have to speak right now, but are there any other things that we might add to the needs list, outside of the stock assessment type of stuff? Monica.

MR. SMIT-BRUNELLO: Just something to consider is remember, during our last council meeting, the new NEPA regulations became effective, actually on September 14, 2020, and they establish not just some page limits for environmental assessments and environmental impact statements, but also some time limits on when things are going to be completed, and so, as you know, we integrate much of the Magnuson and NEPA requirements into a document, and that could have an impact, so to speak, on when some of these things are planned to be finished. That's kind of the funky bad news, if you will.

The good news is that NOAA and NMFS are in the process of revising their NEPA procedures, and NMFS is evaluating how to factor in and apply these time limits and page limits to Magnuson Act actions, and so they requested a blanket waiver to all Magnuson actions and NEPA actions for a year, and so, on November 6, NMFS received a blanket waiver for the new time and page limits for Magnuson Act actions, and so I believe that NMFS has to come out with a proposed rule of some sort by next September 14, and so kind of -- This won't affect, I think, things, necessarily, that are planned for this coming year, but I guess, a year from now, we would be better -- We will

get some information on when the time limits are going to be -- What kind of time limits are going to be implemented. You don't have to worry about them now, but, in the future, we probably will, in terms of when we finish these kinds of actions.

MR. BELL: Thanks, Monica, and so we may be okay kind of at the rate things are going now, but then, come next year, that could change a little. Jack.

DR. MCGOVERN: Thanks, Mr. Chairman. I appreciate getting all these amendments spread out like this, because our folks also serve on these IPTs, and it's a big workload for us as well, and we have fewer people than we used to to work on amendments, but one thing that it looks on there -- The timeline for Coral 10 might be different than what was discussed during committee. I think maybe it was a public hearing document in June, and maybe final action later in the year, but we can check on that.

MR. BELL: Okay. We'll double-check that, and thanks for pointing that out, Jack, and you're right that this is a team effort, as we roll through all of this, and so it's not only our staff, but your staff, in terms of making things happen and on time. Anna.

MS. BECKWITH: I definitely don't think that I want to add anything to Amendment 10, or do anything that would slow that one down, but I am curious, and are we able to do an adjustment to the wahoo bag and vessel limits by an abbreviated framework, and would that be worth considering adding to the list of needs?

MR. BELL: Okay. I can't answer that.

MR. CARMICHAEL: Anna, I think it's definitely worth adding that. I don't know if John knows, off the top of his head, if that's allowed to be done through the abbreviated framework, but I think that's definitely something we can look at, and that would, obviously, how long it ends up taking.

MR. BELL: Jessica, did you want to weigh-in on that as well?

MS. MCCAWLEY: I think I would rather that be in the Dolphin 10, because I guess I would like to see that analysis sooner rather than later, because we're trying to prevent closures, and it looked like, in those tables in the document, there might be some closures, but I am wondering, if we some more analysis on this, if it might also affect our decision about allocation, and so you would then be looking at kind of the closure, and then, if we modified the bag limit, how would that affect when the fishery would close, and then, based on that, do we need to go in and modify the allocation more, and so it seems like it's timely now, inside that particular amendment, and I would just put that out there.

MR. BELL: Right. I understand. Shep.

MR. GRIMES: Thank you, Mr. Chairman. I don't have all the framework stuff in front of me, and I can look through this, but I thought your abbreviated framework was only in snapper grouper and not in dolphin wahoo, and maybe I'm wrong about that, but I just wanted to throw that out there. Thank you.

MR. BELL: Okay. Thanks, but I think I would tend to also agree with Jessica that we want to stick with what we were doing there, but Tim.

MR. GRINER: Thank you. I don't really want to slow down the Amendment 10 either, but I do think that the wahoo bag limit and trip limits, or however we're going to work that, is needed, and it's going to be an issue, and there's no two ways about that. Like I said, I don't want to slow 10 down at all, but I think it's very important that we go ahead and address that.

As I think about Amendment 10, and then Chester's issues here with these pelagic longlines, or Florida's issues with them, they kind of tie in there together, and, in Amendment 10, we're looking at an increase in allocation of up to twenty-five or twenty-two million pounds of fish, and so I can't really see any purpose or need for looking at gear restrictions until we've had Amendment 10 on the books for some period of time, and we're looking at accountability measures that may even use a three-year mean, and so how would we -- Why would we even entertain adding a workload to staff, or anyone, for great restrictions, when we haven't even finished the amendment that's changing allocations and changing accountability measures? We don't even really know where we are with any of that, and so I am just going to throw that out there, that I would not be supportive of adding that to the workload at any time right now. Thank you.

MR. BELL: Okay. Well, I appreciate that discussion, and I am not sure if we need to actually prioritize all of this stuff right now, and I would defer to John for that, but, in the meantime, Chip.

DR. COLLIER: Just to follow-up on Jessica's question for mutton snapper, SEDAR staff provided information on it, and it looks like it's going to be available to the councils in February of 2023, and it will require a joint meeting of the SSCs, and so we'll have to get that scheduled, and it could be at a normal SSC meeting, but it might have to be an additional meeting outside of the typical spring and fall meeting that we usually have for the SSC.

MR. CARMICHAEL: Thank you, Chip. What I penciled in is that would probably be an assessment report coming to the council in June of 2023, which, like yellowtail, with the ABC recommendations and such. I think that also gives us a window for dealing with the topic that's been discussed some about getting the SSCs to have a process, which I think we'll hear some about, for dealing with these joint ABC recommendations and dealing with two ABC control rules.

MR. BELL: All right. Thanks, John. Myra.

MS. BROUWER: Thank you, Mel. I just wanted to circle back to Shep's comment about the framework, and we do have a framework process in the Dolphin Wahoo FMP, but the only FMP that has an abbreviated framework is Snapper Grouper. Thank you.

MR. BELL: Got you. Well, thanks for that clarification. Anna.

MS. BECKWITH: Maybe John can speak, John Hadley can speak to it, when we go through the meeting report later on this afternoon, about what it would sort of slow down, or if he could get the analysis done on a vessel reduction, or a bag limit reduction, because, obviously, the bag limit would be from two to one, and the vessel limit might have a few options, but I am just really sensitive and concerned that we do have a new crop of council members coming in in September, and this has been in the works for a really, really long time, and I think, if we don't get this voted

up or down in June, that it's a very complicated amendment, and new membership might delay it even further, and so this was one of those things that I am so desperately trying to get off the table prior to my departure, and, if that's not possible, then it is what it is, but that certainly would be a bit of a disappointment, in the end.

MR. BELL: I understand, Anna, and I'm sensitive to that. Chester.

MR. BREWER: Thank you. I wanted to speak to Tim's concerns with regard to the pelagic longlines. Tim, it should be remembered that there was, at one time, an alternative, or an option, and I don't remember, in Amendment 10 to deal with that issue, and it was agreed that, because it was going to be complicated, that it would be taken out of Amendment 10 to be dealt with essentially on its own at a later time.

That amendment, or whatever it is that we're going to do, is going to be contentious, and it is going to be probably complicated, and it is going to take, I'm sure, a really long time, and, therefore, that's my rationale for saying that we want to get started on it as soon as possible, and, in this case, that would be September 2021, and so I think that, just out of a sense of fairness, that it would make sense to put that thing in in September 2021, and it also makes sense from the standpoint of how long it's probably going to take to get anything resolved there. Thank you.

MR. BELL: All right. Thanks, Chester. Jessica.

MS. MCCAWLEY: Kind of what Chester said, but actually more to what Anna said, and I can understand the fear of adding wahoo changes in bag limits into this, but I feel that looking at something like that, because we already know, based on the analysis conducted already, that we're going to have a closed season on the recreational side, and so, if we put this in a different amendment, I am concerned that we're ultimately going to want to change allocation, and do we really want to go back through -- I don't think it can be a framework anymore if we start adjusting allocation, and do we really want to go back through all of that?

I guess I would rather talk about it now, and I understand not wanting to slow this amendment down, but I really want this amendment to have conservation measures in it that are really going to help these fisheries as well as prevent early closures, and so I just want to throw that out there, and we can certainly talk about it more when we go back to the Dolphin Committee report.

MR. BELL: All right. Thanks, Jessica. John.

MR. HADLEY: I think, in the interest of time, if it's okay, I will put my hand down, and I can always come back to it when we get back to the Dolphin Wahoo Committee.

MR. BELL: Okay. Thanks. Also, just big picture here, trying to move in the context of the overall schedule, the next thing -- Once we conclude this, we're shifting to Citizen Science, and we've got a time-sensitive issue related to a person we need to have on that, or would like to have on that, during the meeting, who is not available after 1:00, and so I want to try to do whatever we need to do right now, John, to conclude this, in terms of any more information we need to give you right now to move forward and try to be able to get to Citizen Science as soon as we can, and we may end up straddling lunch with that a little bit, and so that's just big picture. Jack.



DR. MCGOVERN: Just real quick, the timeline for the ABC control rule is different here than what was presented to the committee, and I think the committee saw public hearings in June and final action in December.

MR. BELL: Okay. Thanks for pointing that out. We can make that adjustment then. All right.

MR. CARMICHAEL: Mel, to that, some of those are the timing of these documents and trying to get this for the briefing book, and so, in some cases, like that one, we may actually end up spreading that out, to give time for more SSC discussion, because we also know the SSC is looking at a working group to do on that, and so the timing shown here may actually be more realistic, in terms of getting that done and taking a little longer.

Then, on the Oculina, I think it's going to come down to how much the council gets done in March and what the public hearing comments are and how much work is needed to be done, as to whether or not you can go ahead and do that in June or do you need to push that into September, and so some of these things may firm up a bit as we go into March.

Then, Mel, I think, for the guidance now, we're in pretty good shape, and we've had a good discussion, and we've identified some other things that are coming. I think, with the potential first new project coming on in September, it would be nice if we knew now what you guys think that will be, and would you like that to be the dolphin longline, or something else, and that would certainly help us to start planning. That may depend on what happens up here with wahoo, and is that part of DW 10 or something else, and so we may just need to settle that at Full Council, perhaps, and I think that would be fine, from our perspective.

MR. BELL: That's what I was thinking, and, given that, before, when we've tried to prioritize things, we have kind of taken -- We've sort of been offline when we've done that, and given some thought to overall prioritization of a list, and so I was thinking something like that might be useful, but, if you need to start populating those new-project openings, or penciling stuff in, at this meeting, maybe we could -- We've had some discussion, and maybe we can have a couple of moments to consider this, and we could come back at Full Council, and, if you want all three of them populated, we could try to give you a one, two, three priority kind of list, if that's what you're looking for.

MR. CARMICHAEL: Ultimately, yes, but I think, if you look at the timing, if we can just get a one here, and then we can work on these other ones as we get into 2021 and see how some of this stuff up here plays out.

MR. BELL: Okay. I've got you. That one does precede, and so all right. Well, right here now, does -- Right now, we've got the dolphin longline penciled in, and we've had some back-and-forth on that a little bit, and is there anything else that anybody would like to offer up as something that we should consider for that first slot at this point? Steve.

MR. POLAND: Thanks, Mel. I wasn't going to speak to that, and I was going to bring up another issue, and so if you want to settle this discussion and then come back to me.

MR. BELL: Okay. Tim.

MR. GRINER: Thank you. I know we talked about it, and the commercial electronic logbook, and I know we're going to hear something on that, and so would we -- Depending on what we hear about that, as far as the voluntary portion of that, will we then have the opportunity to move that up in the schedule, or will it depend on what we hear from the voluntary? I really would -- You know, we've kicked this around, and we've had it pretty high on the priority list, and, regardless of the voluntary, how it goes with the voluntary, I really want to see this get in the schedule to be worked on, instead of just being here as something that we just keep pushing down the list. Thank you.

MR. CARMICHAEL: Mel, to that, Tim, I do think that it is absolutely an opportunity, and I see that potentially fitting in as a good project two or three, and I would say, if, at Full Council, after the Science Center report, when we're going over this, if we get a sense of how that project looks for them, and the timeline, if you guys wanted to say, hey, put that commercial electronic logbooks as project two or project three, to either start in March 2022 or September 2022, that would be very useful guidance as well.

MR. BELL: All right. Thanks. We are dependent upon other things happening. Jessica.

MS. MCCAWLEY: I was responding to the request to figure out what goes in that first slot, and I am fine for the dolphin pelagic longline thing to go in that spot, and so I will just throw my opinion in the hat on that one.

MR. BELL: Okay. Thanks. Steve.

MR. POLAND: In the interest of time, I can bring my comments up during Full Council, because they don't necessarily relate to prioritization of amendments or projects or anything.

MR. BELL: Okay. If you think that will fit, if we can do it in Full Council, that would be fine. Okay. Then, John, do we need to touch this any more right now? I mean, it will come back to us at Full Council, I guess.

MR. CARMICHAEL: It will, Mel, and I think I'm good. I am cognizant of the time and Citizen Science we've cut into, and my understanding is Rick Bonney is only available until 1:00, and so I think, if we can do a quick turnaround and start that off, so that we can hear from Rick before he needs to go, and get that wrapped up before lunch, it would be great.

MR. BELL: Yes, and that's what I was kind of dealing with here as well. Jack, do you have something real quick?

DR. MCGOVERN: Real quick, and it might be on this list, but I don't see it, and that's the amendment for unassessed species and removal of species and EC species. Is that amendment on the list? I see it down there. Okay. Never mind.

MR. BELL: Going back and forth, I can't keep track of all of this either, and I need it printed out in front of me. Okay. With that said, we will go ahead and adjourn the Executive Committee.

(Whereupon, the meeting adjourned on December 10, 2020.)

Certified By: \_\_\_\_\_ Date: \_\_\_\_\_

Transcribed By  
Amanda Thomas  
February 4, 2021

# SAFMC December Council Meeting

## Attendee Report: (12/07/20 - 12/10/20)

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