

SOUTH ATLANTIC FISHERY MANAGEMENT COUNCIL

SOPPs COMMITTEE

**Marriott Hutchinson Island
Stuart, Florida**

June 10, 2019

SUMMARY MINUTES

SOPPs Committee Members

Chris Conklin, Chair
Anna Beckwith
Jessica McCawley

Chester Brewer, Vice Chair
Doug Haymans

Council Members

Mel Bell
Tim Griner
Steve Poland
David Whitaker

Dr. Kyle Christiansen
LCDR Jeremy Montes
Art Sapp
Spud Woodward

Council Staff

Gregg Waugh
Cierra Graham

Kelly Klasnick

Other Observers and Participants

Dr. Clay Porch
Dr. Jack McGovern
Tony DiLernia

Monica Smit-Brunello
Erika Burgess
Martha Guyas

Other observers and participants attached.

The SOPPs Committee of the South Atlantic Fishery Management Council convened at the Marriott Hutchinson Island, Stuart, Florida, on Monday, June 10, 2019, and was called to order by Chairman Chris Conklin.

MR. CONKLIN: We will start the SOPPs Committee. Are there any additions to the agenda? Seeing none, the agenda stands approved. The next order of business is to approve the minutes from the March 2019 meeting. Are there any changes to the minutes or additions to the minutes? Seeing none, the minutes stand approved. Now I'm going to turn it over to Gregg, and he's going to roll us through the handbook.

MR. WAUGH: Thank you, Mr. Chairman. We sent out, in the late materials folder, a Word version of this attachment, and it's Attachment 1b with the track changes. The PDF version, you can't see the changes as easily, and so I sent out that Word version, and so it's in the late folder. Just as a little bit of background, at the CCC meeting, SOPPs were a topic, and the agency is looking at ways to streamline the review and approval process, so that we don't have this backlog, and they were also interested in the council's views on how we wanted to deal with the SOPPs going forward.

As is usually the case, there is divergent views among the eight councils. Some of the councils, like us, put the minimum legal requirements in the SOPPs, and, once you get those approved, then you shouldn't have to get them approved until the act is changed or some legal requirement changes, and that portion is reviewed by the agency, and then we put all the details in the handbook, and we can update those as we go along, and so it gives us a lot more flexibility.

Some of the other councils have merged those two into one document, and they wanted to continue doing that, and so the consensus was to let each council continue operating how they are operating now, and so the agency is going to continue to work on fixing the review and approval process, and the councils will continue to operate as they have in the past. Are there any questions on that portion? Okay.

Then we have done some work on our handbook, and I have got comment boxes in there on the items that still need to be addressed. What I would like to do is address the dress code, and we were asked at the last meeting to insert some material addressing the dress code, which we have, and there was also an issue of travel, and I would like to walk us through those items and get you all's approval on those.

There are still some outstanding items, and, in conjunction with the November CCC meeting, we're going to have a session with the Department of Commerce attorneys, where we're going through hostile workplace. In conjunction with the November CCC, we're going to have a session on hostile workplace, harassment, sexual harassment, and that's with the DOC attorneys, and so my discussions with Monica have been saying maybe it's better if we hold off our final approval of those changes to the handbook until we get through that, and Jessica was in agreement, and Mel, and so that is the current plan, and so we'll go through and get approval on the dress code and travel, but then, the rest of those items that are lingering and finalizing harassment and workplace issues, we will finalize in December, and so the ultimate goal is, at the December meeting, to complete all of our revisions to the handbook and approve that handbook. Any questions there? Okay.

If we look, on page 19 of that Word document, this is where we insert the language for dress code for staff, and it's basically the same language for council members as well, but it's inserting a new Number 9 that says: Dress Code: While representing the council, staff are expected, at all times, to present a professional, business-like image. Attire and grooming must be neat, clean and appropriate for the work being performed in the setting which the work is performed. Shorts, flip flops, and t-shirts are not considered appropriate for official council business during formally-recognized meeting sessions. The Executive Director shall resolve issues related to dress by instructing any staff not in compliance to correct any issues before the next scheduled meeting session.

I can tell you that, if I see a staff member inappropriately dressed, that will be corrected before the next meeting. Any questions on that? I think probably, Mr. Chair, the best way to deal with this is to go item-by-item and get a motion to approve those, and so I will get this up on the board, so you can see where that is. Again, it's on page 19.

MR. CONKLIN: Can I get a motion to add Number 9 to the handbook?

MR. BREWER: **So moved.**

MS. MCCAWLEY: Second.

MR. CONKLIN: **Any opposition to the motion? Seeing none, the motion stands approved.**

MR. WAUGH: Okay. Then the next item is on page 23, and it's adding a new Item C, which basically reads exactly the same, except the last sentence reads: The Council Chair or Vice Chair shall resolve issues related to dress by instructing any member not in compliance to correct any issues before the next scheduled meeting session.

MR. CONKLIN: I am looking for a motion from the committee to add that to the handbook.

MS. MCCAWLEY: **So moved.**

MR. BREWER: Second.

MR. CONKLIN: It's seconded by Chester. **Is there any opposition? Seeing none, that motion stands approved.**

MR. WAUGH: Then, on page 28, is Transportation. We have had several issues come up that we have dealt with on an individual basis, and so what we are proposing -- The council directed staff to develop wording for exceptions. Our recommendation is, rather than trying to identify each and every recommendation, that we put in some more general wording, and so what we're proposing to add, to the end of that first paragraph, is that, if you have special circumstances about your travel, please contact the Administrative Officer in the council office for further guidance. Travelers may claim an exemption due to medical needs, carpooling, or other extenuating circumstances to receive POV reimbursement. Exemptions are to be explained on the travel order and are subject to review and approval. Kelly, a quick question on this. Were we suggesting this in place of that existing wording saying that you have to -- If you have special circumstances, contact the Administrative Officer? Is that replacing that or in addition to?

MR. KLASNICK: It was both.

MR. WAUGH: Okay, and so it's both, and so we're keeping both there.

MS. BECKWITH: I will give you guys an example of why we're chatting about this that I brought up to Jessica and Mel, is I was on a -- I guess I was at an ICCAT Advisory Committee meeting that ended about a half-day early, and so I was able to pay for a standby flight for \$75 and get home about four hours earlier, but I was not reimbursed for that, even though I was on council travel, and a meeting that was council-related ended early, and I had the chance to go home, and that \$75 fee was not reimbursable, because it was apparently not explicitly in the handbook, and so I mentioned that it might be worth at least recognizing that, if we're on council travel, sometimes not all of the fees associated with that might come up to our knowledge in advance, but I certainly thought that three or four hours of an early arrival home deemed the fee, regardless of whether it was reimbursed or not.

MS. MCCAWLEY: I think the paragraph that you're talking about is two paragraphs below that one we're talking about, that paragraph right before the blue language there. Any additional costs resulting from a change in travel for routine personal reasons is to be paid for by the traveler. I think that's the language in question that would need to be modified.

I mean, I don't have any issue with what Anna is asking for, and I guess it ultimately, I think, saves the council money, because you're not paying the council member. If you're not a state liaison, then aren't you getting paid for the time, and so is that not true?

MR. KLASNICK: Folks are paid for an eight-hour day, because of the travel or anything that goes on there, and I guess the other thing I would bring up is a lot of the airlines have changed things, as we all know, in the last couple of years, and you used to be able to walk up to the desk and change a flight very easily. Some airlines charge up to \$200 now to change any ticket, and that one, I guess, was \$75, but some of them -- It's airline-by-airline, and so it's just something to be aware of.

MS. MCCAWLEY: There is nothing that our travel agent can do to waive that cost or anything like that?

MR. KLASNICK: No. Those are airline fees, and, again, it's airline-by-airline, and the fees vary, depending upon the airline.

MR. BREWER: You would like to have a little wiggle room on this, and perhaps give the Administrative Officer the ability to reimburse those for a really good reason, but, on the other hand, you don't want to put Kelly or Gregg on the spot that you've got some council member calling up and begging for permission to take an earlier flight, if it was available, for standby or something like that, and so I think you kind of have to have a hard-and-fast rule, so that you're not putting the pressure on staff to try to argue with or bargain with or whatever with council members, and so I think that the language that's there probably ought to stay.

MR. HAYMANS: I would just suggest, in that first paragraph, that it's clear that we're talking about both staff and council members, because the sentence right before talks about staff car

rentals, and then it leads right into when electing to drive, and, to me, it just needs to be clear that we're talking about both.

MR. KLASNICK: Then I would also suggest that we want to clarify -- We have AP members, and really anybody that's traveling under a council-authorized travel order, and we want to include all of those folks.

MR. CONKLIN: When I think about this, the grounds should be the bare minimum, the basic airline ticket or whatever, car rental, and it should be the allowable thing, because I'm a pretty big guy, and I was packed in the back of an airplane yesterday like a sardine, and I really wanted that comfort-plus seat, and, if they would have had it, I would have paid for it myself, but they didn't, but I wasn't taking the liberty to try and make the council pay for that. That's just because I am not very patient.

MR. BELL: I am not on the committee, but I was just curious. What we had in the place, the \$50 thing and all, was that based on existing federal travel regulations? I know, when I traveled a lot for DOD, they had their own way of doing things, but does ours need to be based on the federal system? I'm just curious where that came from or if we just kind of developed our own over the years.

MR. KLASNICK: I guess two things. One, I personally didn't write that, and so I can't say for sure, but the \$50 in here is just an example in this wording, and so there's no specific dollar figure outlined in here. That \$50 that you're seeing, Mel, is just referencing an example on there. As far as do we have to follow the federal guidelines, the answer is no.

MR. BREWER: It may be in this, but I'm not seeing it, and I'm thinking about my situation. I'm getting the point where I can't stand to fly in airplanes anymore, and I, many times, to come to these meetings, I would much prefer to drive. I think there needs to be a limitation on that, because it might well be that, if I have a -- If I am driving to North Carolina, which I don't plan on doing, it might well be that the car reimbursement would be more than the airplane ticket, and so I think that there probably needs to be some language that, if you elect to drive and not fly, then you're going to be limited to reimbursement that would equate to what that airplane ticket would cost.

MR. DILERNIA: Let me just, if I may, and I don't know if this will be helpful or not, but the way the Mid-Atlantic Council addresses my travel is they will pay for my travel from my home to the meeting and return. Like, if I'm coming to Florida here, they will pay for a round-trip airfare ticket, but, for this meeting, I drove over from Tampa, because I was over from Tampa, and so I'm only going to charge them for the mileage back and forth from Tampa. At other times, if I have to go to a meeting, and I'm not in New York, and I have to fly to the meeting, what they will do is I have to give them an estimate of what the round-trip ticket from New York would be, and then they will compensate me up to that amount, but not any more.

It works out to my benefit, because, typically, airfare out of New York is usually higher than airfare out of anywhere else, but those are the rules, and so, if I travel from -- The travel expenses are compensated for the travel expenses from my registered home location to the meeting and back, and, again, if I choose to drive, they will let me drive, but, if I choose to drive from New York to Florida, they're not going to pay for that. If I want to drive to a meeting from New York to come

to a South Atlantic Council meeting, they won't pay all that mileage or hotels or anything. They will only pay the airfare. Thank you.

MR. CONKLIN: Gregg, are we set on that, or are we going to make some changes and come back at Full Council, or are we good to go? What is the pleasure of the committee?

MR. WAUGH: I think we need a little more guidance here. I am not hearing any objection to the proposed additional wording, but then there is some question about the changes, this wording here, and then, as Chester raised, we don't address the issue in here of limiting cost to what the airline ticket would be, and so we just need some guidance on how you all want us to address those, and then we could bring some language back for you to look at at Full Council.

MS. MCCAWLEY: Don't we also need to approve the -- Have a motion to approve the item that's in the two paragraphs above that?

MR. WAUGH: Yes, and I guess we could go ahead and do that. There doesn't seem to be any objection to that.

MR. CONKLIN: Is there any objection to adding that to the paragraph? Seeing none, the motion stands approved.

MR. BREWER: Gregg, are you looking for us to suggest language or make a motion from the standpoint of driving expense versus airline expense, or have we talked about it enough so that you could come up with some suggested language at the next meeting?

MR. WAUGH: If the intent is for us to look at that one sentence and look at some ways to deal with that and then look at this issue of some cap on the overall cost to the airline travel, we could look at that and bring that back at the next meeting, sure.

MR. WHITAKER: I would just like to point out that Mel and I drove together, and so you might want to consider whether you're going to add this, to see which is cheaper, two plane tickets versus one, and do you follow what I am saying there? Just be aware of that.

MR. KLASNICK: Yes, and we could add some language about some consideration for carpooling. I mean, I know this had come up at a previous meeting, if folks were willing to carpool, and we would certainly take that into consideration, and we could add some language in there to that effect.

MR. CONKLIN: Do we really need to have it? I mean, I always kind of like the latitude to give Kelly the opportunity to do his job and us not have to think for him, because he's a smart guy, and he can call the shots and know what's going to be cheaper, I guess, and it doesn't tie your hands behind your back, either. I prefer the bottom-up approach.

DR. CHRISTIANSEN: When you look at it from the outside, there is almost too many complications to try to put in writing. I mean, between plane tickets and carpooling, and then you add are you going to fly Spirit, or are you going to fly Delta comfort, and, when you start to get to it, it's got to be somewhat our responsibility to be reasonable in our travel and use the council's money wisely, and I don't know how you put that in wording either, but, at some point, it's our job to not waste the money, and so I'm not making the suggestion, but I am just saying there is too

many possibilities to try to put it in writing. I mean, I don't know if you put a cap on an airline ticket and you put a cap on driving and you leave it at that. I mean, that's a simple suggestion to a very complicated problem.

MR. CONKLIN: Let's just leave this stuff out, and do you just want to keep moving through the rest of the handbook and we have that approved, or you can come back with some sort of wording at a later date, if you like, but I don't really see it as necessary.

MR. WAUGH: Okay, and those were the items that we wanted to get approval from here, and so, as I said, the rest of it, after that November CCC meeting, we'll have some more details, and we anticipate being able to give final approval in December, and so then I guess the intent is that any other changes, if we feel there is something that we can propose to address what we were just talking about, we would bring that to December also, and so then we wouldn't be looking at a SOPPs Committee meeting in September. Okay.

MR. CONKLIN: All right. That's going to wrap up the handbook part of this committee meeting. Now we're going to move into the SOPPs, and Gregg is going to take us through Item Number 2 on the agenda.

MR. WAUGH: Right, and I covered this in my opening remarks. What we will do, leading into that December meeting, is Monica and I will look at the SOPPs, and certainly, if any other council member feels that there are items in the SOPPs that need to be updated, we can look at those in December. If there is anything -- There is nothing that sort of jumps out to us right now, but we will do a detailed review once we have that final information from the November meeting, but the intent would be to see if we need to change the SOPPs. If we don't, then we'll just leave it with what we have in the review process, and so we'll come back and visit this in December.

MR. CONKLIN: Okay. Thanks, Gregg. Is there any other business to come before the SOPPs Committee? Seeing none, the SOPPs Committee will stand adjourned.

(Whereupon, the meeting adjourned on June 10, 2019.)

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Certified by: _____ Date: _____

Transcribed By:
Amanda Thomas
July 24, 2019

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