

Agenda
Joint Administrative Policy and Budget/Personnel Committees

Gulf of Mexico Fishery Management Council

Golden Nugget Casino
Grand Ballroom
Biloxi, Mississippi

Monday, March 30, 2015
8:30 a.m. – 10:00 a.m.

- I. Adoption of Agenda (**Tab G, No. 1**) – Boyd/Riechers
- II. Approval of Minutes by Administrative Policy Committee (**Tab G, No. 2a**) – Boyd
 - a. January 2015 Administrative Policy Committee Minutes
- III. Approval of Joint Minutes by Budget/Personnel Committee (**Tab G, No. 2b**) – Riechers
 - a. October 2014 Joint Admin/Budget/Personnel Committee Minutes
- IV. Action Guide and Next Steps (**Tab G, No. 3**)
- V. Review of 2014 Carryover and 2015 Budget (**Tab G, No. 4**) – Readinger
- VI. Review of Benefits Analyses by Markley Consultants (**Tab G, No. 5**) – Gregory/Readinger
- VII. Review and Approval of Early Retirement Health Plan (**Tab G, No. 6**) – Gregory/Readinger
- VIII. Review of AP Term limits from other Councils (**Tab G, No. 7**) – Gregory
- IX. Consideration to Change Title & Appointments for Selected APs – (**Tab G, No. 8**) - Gregory
- X. Other Business – Boyd/Riechers

Administrative Policy Members:

Doug Boyd, Chair
Pam Dana, V. Chair
John Greene
Camp Matens
Corky Perret
David Walker
Nick Wiley/Martha Bademan

Budget/Personnel Members:

Robin Riechers, Chair
Corky Perret, V. Chair
Leann Bosarge
Camp Matens
David Walker
Roy Williams

Staff: Gregory/Readinger

GULF OF MEXICO FISHERY MANAGEMENT COUNCIL
 ADMINISTRATIVE POLICY COMMITTEE

Grand Hotel Marriott Point Clear, Alabama

January 26, 2015

VOTING MEMBERS

Doug Boyd.....Texas
 Martha Bademan (designee for Nick Wiley).....Florida
 John Greene.....Alabama
 Campo Matens.....Louisiana
 Corky Perret.....Mississippi
 David Walker.....Alabama

NON-VOTING MEMBERS

Kevin Anson.....Alabama
 Leann Bosarge.....Mississippi
 Jason Brand.....USCG
 Glenn Constant.....USFWS
 Dave Donaldson.....GSMFC
 Myron Fischer (designee for Randy Pausina).....Louisiana
 Harlon Pearce.....Louisiana
 Robin Riechers.....Texas
 John Sanchez.....Florida
 Greg Stunz.....Texas
 Roy Williams.....Florida

STAFF

Stephen Atran.....Senior Fishery Biologist
 John Froeschke.....Fishery Biologist
 Doug Gregory.....Executive Director
 Karen Hoak.....Administrative and Financial Assistant
 Mara Levy.....NOAA General Counsel
 Bernadine Roy.....Office Manager
 Charlotte Schiaffo.....Research & Human Resource Librarian

OTHER PARTICIPANTS

Tom Ard.....Orange Beach, AL
 Jeff Barger.....Ocean Conservancy, Austin, TX
 Randy Boggs.....Orange Beach, AL
 Zack Bowen.....SAFMC
 Steve Branstetter.....NMFS
 Gregg Bray.....GSMFC
 Eric Brazer.....Reef Fish Shareholders Alliance

1 JP Brooker.....Ocean Conservancy, St. Petersburg, FL
2 Glen Brooks.....GFA, FL
3 James Bruce.....Cutoff, LA
4 Gary Bryant.....Fort Morgan, AL
5 Shane Cantrell.....Galveston, TX
6 Shannon Calay.....SEFSC
7 Kiley Dancy.....MAFMC
8 Jason Delacruz.....Reef Fish Shareholder's Alliance/Gulf Wild
9 Michael Drexler.....St. Petersburg, FL
10 F.J. Eicher.....Ocean Springs, MS
11 Blakely Ellis.....Gulf Shores, AL
12 Cynthia Fenyk.....NOAA
13 Troy Frady.....Orange Beach, AL
14 Chad Hanson.....Pew Environmental Group
15 Scott Hickman.....Galveston, TX
16 Peter Hood.....NMFS
17 Larry Huntley.....Pensacola, FL
18 Joe Jewell.....MS
19 Bill Kelly.....FKCFA, Marathon, FL
20 TJ Marshall.....
21 Kristen McConnell.....EDF, Austin, TX
22 Paul Mickle.....MDMR
23 Mike Nugent.....Aransas Pass, TX
24 Bonnie Ponwith.....SEFSC
25 Tracy Redding.....AL
26 Lance Robinson.....TX
27 Matt Seymour.....Foley, AL
28 Katie Simon.....
29 Bob Spaeth.....SOFA, Madeira Beach, FL
30 Andy Strelcheck.....NMFS
31 Bill Tucker.....Dunedin, FL
32 Robert Turpin.....
33 Will Ward.....Palmetto, FL
34 Bob Zales.....Panama City, FL

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36

37 The Administrative Policy Committee of the Gulf of Mexico
38 Fishery Management Council convened at the Grand Hotel Marriott,
39 Point Clear, Alabama, Monday morning, January 26, 2015, and was
40 called to order at 8:30 a.m. by Chairman Doug Boyd.

41
42 **ADOPTION OF AGENDA**
43 **APPROVAL OF JOINT ADMINISTRATIVE POLICY & BUDGET/PERSONNEL**
44 **MINUTES**
45

46 **CHAIRMAN DOUG BOYD:** I call together the Administrative Policy
47 Committee. We have everyone present except Ms. Dana. Out of
48 the seven members, we have six here and so we have a quorum.

1 The first thing on the agenda is the Adoption of the Agenda and
2 do I hear any changes or additions to the agenda from the
3 committee? Does everybody know who is on the committee? Let me
4 read the names. It's Boyd, Dana, Greene, Matens, Perret,
5 Walker, and Bademan. Any changes or additions to the agenda?
6 Hearing none, we will move to Item II, Approval of the Joint
7 Administrative Policy & Budget/Personnel Minutes.

8
9 Any changes or additions or corrections to the minutes? Hearing
10 none, I will ask for approval of the minutes. There is a motion
11 to approve by Corky and I have a second by Mr. Greene. All in
12 favor say aye; any opposed. The minutes are approved.

13
14 The next thing on the agenda is the Action Guide and if you'll
15 look up Tab G-3, we have two items on there and I am going to
16 rely on Mr. Gregory to go through most of this. There are two
17 items, Tab G-3 and Tab G-4, that we're going to talk about today
18 and then a report on Tab G-5. Mr. Gregory, if you would go
19 ahead.

20 21 **ACTION GUIDE AND NEXT STEPS**

22
23 **EXECUTIVE DIRECTOR DOUG GREGORY:** This is just an overview. Tab
24 G-4 is going to be the review and decision on various aspects of
25 the AP and SSC structure and I have brought that to the council
26 the last two meetings for review and we need to make a decision
27 at this meeting, particularly with the AP, because if we're
28 going to appoint AP members in March and April, we have to start
29 that advertising soon after this council meeting.

30
31 One of the things I am going to suggest in here or ask is that
32 we postpone the SSC appointments until June because of, one, to
33 reduce the total number of people we have to deal with. If you
34 recall in April of 2013, we had some confusion about people's
35 applications being lost and some people not getting their
36 application. We are trying to strengthen that up so that
37 doesn't happen again and we have about 250 people altogether
38 that we're trying to get reappointments to and so if we can put
39 off the SSC until June, that will help the process.

40
41 The other thing about the SSC meeting is they are supposed to --
42 Any appointees to the SSC are supposed to have their statement
43 of financial interest into the Office of the Regional
44 Administrator forty-five days before they are appointed and so
45 if you back off forty-five days from the council meeting, you
46 don't have much time for advertising the positions and so we
47 would like to do the SSC in June.

48

1 The forty-five-day requirement has been on the books for a while
2 and we haven't really followed them in the past and so this is
3 an attempt to follow that rule. Clearly the SSC members that
4 are already in place are filing their statement of financial
5 interest this month, just like council members are to do before
6 February. That's a reminder to you all as well.

7
8 The thing about the advisory panel is we are suggesting term
9 limits similar to the council. You serve three terms and then
10 you're off for a year and then you can get back on. For the
11 SSC, we have such a need for expertise that we are not proposing
12 term limits for them.

13
14 I also have categories of stakeholders for the APs that we've
15 discussed in the last two meetings and the council has given us
16 guidance that your intention is not to make these categories
17 that are fixed in stone that we have to fill, but rather they
18 are to serve as a reminder to the council and guidance to the
19 council when they make appointments that these are the
20 stakeholders that are out there, but it's nothing that requires
21 you to fill each and every position like it's listed. It was
22 simply an attempt to try to identify the different stakeholders
23 so we can try to avoid having AP committees that are missing
24 certain stakeholder groups.

25
26 For the SSC, the big proposal is to merge them into one Standing
27 SSC, merge the Ecosystem and the Socioeconomic SSC into the
28 Standing. I have some ideas for that.

29
30 Then in Tab G, Number 5, these are comments by NOAA Department
31 of Commerce attorneys on the standard operating policies and
32 procedures that this council presented to them in 2012. This
33 does not include any of the comments that the ad hoc committee
34 on the council provided that we recently finished at the last
35 meeting. That's an additional background document called Tab
36 5(a). We are not here to discuss that, but it's got track
37 changes of all the changes we made in the last two council
38 meetings and so if anybody wanted to bring something up for
39 clarification or change, we can do that, but that's not the main
40 purpose here.

41
42 The main purpose is to review the Department of Commerce
43 comments and to approve or not approve the inclusion of those
44 changes. They are relatively minor. There is a couple of
45 places I have explanation for, but that should go pretty
46 straightforward and so that's the overview of what we'll do.
47 With your approval, Mr. Chair, we can get started on Tab G,
48 Number 4.

1
2 **CHAIRMAN BOYD:** I think the most important things that we're
3 going to deal with today are the suggestion from the SSC of
4 integrating the three larger SSCs and I would like to start with
5 that first, if we could, and then the other thing that I think
6 is very important is the staggered terms on the APs. Mr.
7 Gregory, in your Tab G-4, page 6 is the proposed integration of
8 the SSCs.

9
10 **MR. CORKY PERRET:** I have got some questions long before that
11 page, before page 6. I've got a question right at the start,
12 with the introduction, and do we just want to go down the
13 document or, Mr. Gregory, what would you like? How are we going
14 to do this?

15
16 **EXECUTIVE DIRECTOR GREGORY:** My understanding is if we start at
17 page 6 that when we finish with the SSC that we will go back to
18 the beginning of page 1.

19
20 **CHAIRMAN BOYD:** That's what I am proposing and is there
21 something just in the formal process, Corky, or --

22
23 **MR. PERRET:** Mr. Gregory, and I quote, there is no formal
24 provision for replacing members who resign before the end of
25 their term, yet I don't see a proposal on how to handle that and
26 so it seems to me we should have -- If we don't have a formal
27 provision, let's have one and that would be for the AP and the
28 SSC. I don't have a suggestion, but I just think we need to
29 have something, a formal provision.

30
31 **CHAIRMAN BOYD:** Would you be okay making a motion within the
32 proposed integration of the two, as a part of that process?
33 Okay.

34
35 **EXECUTIVE DIRECTOR GREGORY:** My idea was if we have staggered
36 terms and we are reappointing somebody every year, that is the
37 provision for replacing somebody on an annual basis, rather than
38 waiting two or three years.

39
40 **MR. PERRET:** Okay and if that language is in the document, then
41 that takes care of it, in my opinion. Thank you.

42
43 **CHAIRMAN BOYD:** If it's not, we'll get something to that in
44 there.

45
46 **UPDATE ON AP AND SSC APPOINTMENT PROCESS AND STRUCTURE**

47
48 **EXECUTIVE DIRECTOR GREGORY:** On page 6 is the background

1 information and on page 7, we have the proposed SSC integration.
2 One thing I've done in this document is I've highlighted draft
3 motions. This was to kind of give a heads-up to the council
4 where I thought a decision needed to be made, so we just didn't
5 get through the document and go, okay, well that's that.

6
7 I am not trying to put words in your mouth, but this is
8 something I think the council needs to consider and make a
9 decision and so we're the only council that has three major
10 SSCs. We are also the only council that has what we call
11 Special SSCs.

12
13 The Special SSCs have been a part of this council since the
14 beginning and the original intent of that was to bring in the
15 specialists of a particular species, whether it was mackerel,
16 red drum, red snapper, the ichthyologists, the biologists, the
17 behaviorists, which is critical to us today, because the SSC now
18 is populated and we're trying to populate it mostly with
19 quantitative people.

20
21 The Special SSCs were to supplement that core knowledge we have
22 on the Standing and so I am not proposing to change that. What
23 has happened over the years is the Socioeconomic Advisory Panel
24 was created by the council to help the stock assessment panels
25 provide information to the council. I think Robin was on one of
26 the early Socioeconomic APs.

27
28 Then when the decision was made to pay the SSC a stipend for
29 their work, the council staff said we've got these socioeconomic
30 scientists and let's make them an SSC and pay them too, because
31 it seemed unfair not to pay them if you pay these others and so
32 they became an SSC and they have been operating independent of
33 the Standing SSC, even though our SOPPs say they're a subunit of
34 the SSC and they answer to the Standing SSC, but they have never
35 operated that way.

36
37 We have an Ecosystem SSC that was created to help with a grant.
38 When the grant ended, that group continued on and they meet, in
39 the past, sporadically and more frequently now jointly with the
40 Standing SSC.

41
42 Since we're the only council that has this variety of SSCs and
43 we have clearly many more members than any other council, I have
44 been working on and talking to the different SSCs about
45 integrating the three major SSCs into one.

46
47 We will go from thirty-seven people down to eighteen or twenty
48 people and the Standing and the Ecosystem SSC have endorsed

1 pretty much what this proposal is and the Socioeconomic SSC
2 didn't really endorse it when they addressed it two or three
3 years ago, before I became Director, and so what I am proposing
4 here is that we integrate them and in talking with the Standing
5 SSC, what I have learned is they want an emphasis on
6 quantitative biologists to help with the stock assessment
7 reports.

8
9 We have SSC members go to each stock assessment meeting, the
10 data workshop, the assessment workshop, and the review workshop,
11 and they need more people to help spread the load. We need more
12 expertise also. The South has always had a difficult time with
13 stock assessments, in that the expertise, the need, wasn't here
14 historically. I am talking the 1940s and 1950s, after World War
15 II.

16
17 We are one of the regions that never had an international
18 fishery and it's in the Northeast and the Northwest where there
19 are international fisheries that really the stock assessment
20 expertise at the universities and in the agencies really
21 developed.

22
23 We want to strengthen that as much as we can with whatever
24 expertise we have here in the Southeast. We can go outside the
25 Southeast. The South Atlantic Council does that and grabs
26 people from other regions.

27
28 The ecosystem people will be serving on the SSC and what I am
29 proposing is the seven stock assessment people we have on page
30 7, under the proposed SSC integration, three ecosystem
31 scientists, three economists, and we currently have two, three
32 quantitative anthropologists, and we currently have one, one
33 environmental scientist, and one other scientist from any of the
34 other disciplines or from one of the above.

35
36 In talking with the Standing SSC at the last meeting, there was
37 some concern that we would lose too many economists and
38 anthropologists if we only had three of each on the Standing and
39 so I am suggesting here that we consider creating a Special
40 Socioeconomic SSC to be comprised of two economists and two
41 anthropologists that we would bring in to meet jointly with the
42 Standing SSC whenever we address something that is strongly
43 economic or social in nature, much like we use the other
44 biological Special SSCs. That would keep the strength we have
45 now in the economic and the social area. Do you want me to just
46 go through all of this and then come back to the draft motions
47 or --

48

1 **CHAIRMAN BOYD:** No, let's go ahead and have some discussion on
2 these points now.

3
4 **MR. PERRET:** Doug, you give us, for the APs, the current
5 structure and so on and so forth and can you refresh our
6 memories now of how many do we have on the current SSC and what
7 are their backgrounds? How many economists and all of that kind
8 of stuff? First off, how many are on the SSC now?

9
10 **EXECUTIVE DIRECTOR GREGORY:** We have fourteen.

11
12 **MR. PERRET:** The bulk of those members are the quantitative
13 biologist, stock assessment types?

14
15 **EXECUTIVE DIRECTOR GREGORY:** Correct. We have two economists,
16 one anthropologist, no ecosystem people, per se, and the rest of
17 them are -- There's probably four or five quantitative people
18 and then other biologists that aren't as quantitative.

19
20 **MR. PERRET:** You conferred with the different SSC committees
21 that we have and basically got their input and this was the
22 suggestion from the scientists as well as the staff, for this
23 type of makeup?

24
25 **EXECUTIVE DIRECTOR GREGORY:** I conferred with the Joint
26 Ecosystem and Standing SSC I think in February of last year and
27 they didn't really discuss it. It was just brought up and they
28 kind of passed it on. The Socioeconomic SSC looked at it two
29 years ago when Dr. Bortone was looking at the SSC structure and
30 I brought up the idea of integrating it, because I was on the
31 Standing SSC at the time. I think Greg might have been there.

32
33 The Socioeconomic SSC people, in general, were not favorable to
34 integrating and I assume they did not want to lose what stature
35 they had. Then I came back to the Standing SSC at this last
36 meeting and presented it in more detail and we did have a
37 detailed discussion and so that was the only real detailed
38 discussion we have had.

39
40 In talking privately with some of the Ecosystem people, they are
41 concerned that since they were created to serve a grant and that
42 grant has gone away that they might just not meet that often and
43 there is a need to integrate ecosystem with stock assessments
44 and I think all of us feel that there should be better
45 integration there and I think they're more favorable to being
46 integrated with the Standing.

47
48 **CHAIRMAN BOYD:** Any other discussion?

1
2 **MR. DAVID WALKER:** I would like to see us sort of in the Gulf
3 set an example. I think the Socioeconomic is -- That SSC is
4 quite important in the decision making. You know we have the
5 calibration thing that's being looked at and I think the social
6 and economic -- I think you need to keep the professionals, the
7 experts in that field, to keep looking at those and I would
8 speak against consolidating them.

9
10 If you want to add some members to the Standing SSC to get more
11 knowledge, I would definitely support that, but when it comes to
12 social and economic decisions, I don't know of any council
13 member that can make those without the advice of a panel like we
14 have now.

15
16 **CHAIRMAN BOYD:** Other discussion?

17
18 **DR. BONNIE PONWITH:** Of course I'm not on the committee, but I
19 appreciate the care that's being taken in contemplating the
20 makeup of this committee and it's a challenge. You want to keep
21 it right sized for the job, but certainly these different
22 disciplines all bring some very, very important expertise to the
23 difficult decisions that the council is facing.

24
25 The one aspect that I appreciate the extra care on is ensuring
26 that we don't lose that core group of people with the
27 quantitative expertise. The challenge is that we've gone --
28 Peer review was an important issue last year.

29
30 We are attentive to National Standard 2 and the requirements for
31 posting to the Federal Register the council's procedures for
32 peer review and the SSC makeup ensuring that there are people
33 who have adequate skills on the quantitative side to be able to
34 monitor those stock assessments and in some cases actually
35 participate and then holding out enough people at the end who
36 had no hand in the development of that assessment to actually be
37 part of the peer review team is really important.

38
39 That's particularly true with the update assessments, which are
40 now, under our procedures, done in-house, to be able to have
41 people who are a fresh set of eyes to take a look at that
42 assessment and make sure that we've met our obligation for peer
43 review of the assessments.

44
45 My understanding is that the committee, as it stands right now,
46 has a good number of people who have those quantitative jobs and
47 I certainly wouldn't want to see that number drop anything below
48 the proposed seven and if it were higher than that, I would be

1 happy about it too.

2

3 **CHAIRMAN BOYD:** Thank you, Bonnie. Go ahead, Greg.

4

5 **DR. GREG STUNZ:** Doug, thanks for letting me address your
6 committee and Bonnie made much of my points that I was going to
7 make and for Doug Gregory, I don't know that I have a better
8 suggestion, but looking at the numbers, fighting that critical
9 mass for sitting on stock assessments and that kind of thing and
10 having done that for many years, if we -- I am just concerned we
11 can find those number of people.

12

13 On the other hand, if we're looking at or trying to calculate
14 eight people that may not be quantitative, many times that
15 committee is way down in the weeds and very heavy quantitative
16 issues that the economists or socioeconomists may not be that
17 engaged with and so that concerns me a little bit and the same
18 thing on the other hand.

19

20 Are you going to have half the people in the room not really
21 engaged in that discussion and then you're giving up other
22 people that could be sitting on other committees? Now, Doug, I
23 don't have a better suggestion on how to do it, because, having
24 been there, there is this real need for integration and the
25 committees not talking to one another and so I don't know and
26 I'm just trying to throw that out there, is that you might have
27 eight people in the room not engaged in assessing a model or
28 something.

29

30 **CHAIRMAN BOYD:** Doug, what is the current number of quantitative
31 people on the SSC, on the Standing SSC?

32

33 **EXECUTIVE DIRECTOR GREGORY:** I can't tell you right offhand.

34

35 **CHAIRMAN BOYD:** Is it like twelve, ten or twelve?

36

37 **EXECUTIVE DIRECTOR GREGORY:** No. It's probably five or six,
38 according to Steven.

39

40 **CHAIRMAN BOYD:** Okay and so we're going up.

41

42 **EXECUTIVE DIRECTOR GREGORY:** Most of the people, like myself,
43 are not, quote, stock assessment scientists. There are people
44 with a quantitative background in statistics or math who have an
45 interest and have followed this and so I would five or six that
46 we have now.

47

48 **CHAIRMAN BOYD:** Okay and did you have another comment?

1
2 **EXECUTIVE DIRECTOR GREGORY:** Yes and I think there is an element
3 of inefficiency in a multidisciplinary group. One idea that
4 we've come up with to try to address that is -- The reason I
5 have put three and three and three for the new people on the
6 Standing and also recommending a Special Socioeconomic SSC of
7 two of each is so we have five economists and five sociologists
8 or anthropologists that we can tap into if we need is to let
9 them form working groups.

10
11 If they have an idea or a project, like we did with the ABC
12 control rule, go do your working group analysis and bring it
13 back to the full SSC for a decision, discussion and decision.

14
15 I think if we can do that that we will have enough of each type
16 of scientist that they can pursue avenues on their own as a
17 subgroup and bring back to the main body and so we won't be
18 spending a lot of time discussing things that are not relevant
19 to a third of the people or whatever, but that's inevitable.

20
21 The economists are quantitative, just by definition, and so you
22 will see in here that, and this was a suggestion of the Standing
23 SSC, that we emphasize that we want quantitative anthropologists
24 and if they're quantitative, then they'll have some
25 understanding of it, but, frankly, the new stock assessment
26 models being used, like SS3, there is very few people that
27 understand that and so that's not really the issue of having to
28 have a stock assessment person.

29
30 They need to understand population dynamics and fisheries
31 management and what the jargon is, what we're trying to
32 accomplish. It's really just the foundation of that and support
33 it and to go to Mr. Walker's concern, that's why, based on the
34 discussing with the Standing SSC, I've got in here to create a
35 Special Socioeconomic SSC, so that we would have available to us
36 five economists and five anthropologists. That's about the same
37 amount of expertise we have now on the separate Socioeconomic
38 SSC. If we do that, if the council does this Special, then we
39 really won't lose any expertise.

40
41 **CHAIRMAN BOYD:** Further discussion?

42
43 **MR. WALKER:** I think the way it's set up now is working and like
44 I said, I would like to see the council and the SSCs -- You're
45 looking at biological and social and economic and ecosystem and
46 I would like to see this -- We could set an example for the rest
47 of the nation and maybe some of the other parts of the country
48 would use more SSCs.

1
2 I speak in favor of keeping it the way it is. You've got the
3 experts in that field looking at things that are important and
4 the people coming to these meetings are concerned about the
5 biological and social and economic and the ecosystem. There is
6 a lot of things of value and people are dependent on these
7 experts and I don't see any reason to consolidate at all. Like
8 I said, if you want to add some members to the Standing SSC,
9 some more experts in that field, I am not opposed to that.

10
11 **MR. ROY WILLIAMS:** I am not a member of the committee, but, Doug
12 Gregory, how did this come up? Did staff bring this issue up or
13 did this originate from the SSC itself?

14
15 **EXECUTIVE DIRECTOR GREGORY:** My recollection is that Dr. Bortone
16 was looking at the SSC structure and proposing different
17 structures probably as far back as 2011. As an SSC member, I
18 took an interest in it and at that time, at one of the joint
19 meetings between the Standing and Socioeconomic SSC in 2012, I
20 proposed an integration of the two, because it made sense to me.

21
22 I mean we're the only council that has this thing where you've
23 got three independent groups giving you advice and there is no
24 real communication among those three groups and it just seemed
25 dysfunctional, to me, and so I took what Dr. Bortone started
26 and, with conversations among other SSC members who actually
27 encouraged me to pursue this, I did this and we are unique to
28 the country.

29
30 If you had been at the Science Center review this past year when
31 Dr. Ponwith mentioned that we had seventy SSC members and you
32 heard the gasp in the room, I don't think it's an example, a
33 good example, that we have right now. If we made the two SSCs
34 subunits to where they had to report to the Standing SSC, that
35 would provide some continuity, but then you have the question of
36 why would a group of biologists be reviewing the
37 anthropologists' recommendations and that sort of thing? There
38 is no way around that part, but this is a discussion that's been
39 going on for three years in one form or another.

40
41 **MR. PERRET:** Gregg, like you, I served on the S&S Committee,
42 Standing S&S, for many years and you bring out a good point
43 about some of the discussion. Some of the members may be lost
44 in the weeds because of the technicalities of one field or the
45 other.

46
47 However, saying that, you can attend a council meeting or you
48 can attend any committee meeting we have and there's going to be

1 several people that are going to dominate the conversation and
2 you just have others that don't talk as much as Robin and I, but
3 I am trying to figure out -- We've got a recommendation coming
4 to us and I want to make our S&S and AP process as efficient as
5 we possibly can.

6
7 I have one more question for Mr. Gregory. If indeed we were to
8 propose this to the council and the council approved this, would
9 you see the system working like it does now and that the S&S
10 Committee meets on issues and say the Special Shrimp Committee
11 meets with them? If indeed we were to have the Special
12 Socioeconomic Committee and if indeed there was an issue
13 relative to that aspect or that science, would you foresee them
14 meeting with the Standing S&S Committee and is that how you see
15 this thing operating?

16
17 **EXECUTIVE DIRECTOR GREGORY:** Yes.

18
19 **MR. PERRET:** The same way we're doing it now with the Special
20 S&S Committees? All right. Well, let's see if I can make
21 people mad and we can vote something up or down. Are you ready
22 for a motion, Mr. Chairman?

23
24 **CHAIRMAN BOYD:** If you wish, Mr. Perret.

25
26 **MR. PERRET:** I will try and figure out how to do this. **My**
27 **motion is to propose that we integrate the three large SSCs,**
28 **which currently total thirty-five members, into a single**
29 **Standing SSC of eighteen individuals with the following**
30 **multidisciplinary structure: seven stock assessment or**
31 **quantitative biologists/ecologists, three ecosystem scientists,**
32 **three economists, three quantitative**
33 **anthropologists/sociologists, one environmental scientist, and**
34 **one other scientist from one of the above disciplines or from**
35 **some other field.** That's my motion, Mr. Chairman, and thank
36 you.

37
38 **CHAIRMAN BOYD:** We have a motion on the board and do we have a
39 second on the motion?

40
41 **MR. CAMPO MATENS:** Second.

42
43 **CHAIRMAN BOYD:** Camp seconded. Is there discussion?

44
45 **MR. PERRET:** All I will say is obviously our staff has
46 researched this, as well as the previous Executive Director, and
47 if they think this is going to make our operations more
48 efficient, I am willing to try it. If three or four years from

1 now you guys that are still on, and ladies that are still on,
2 this council and it's not working, I know you will see fit to
3 modify it in whatever way it needs to be modified, but I want to
4 give Mr. Gregory an opportunity. This is his suggestion.

5
6 **CHAIRMAN BOYD:** Further discussion?

7
8 **MR. STEVEN ATRAN:** It just occurred to me and I'm wondering if
9 you might want to change that bottom from one other scientist to
10 two other scientists, so that the total would be an odd number,
11 nineteen individuals. My concern is that if you have everyone
12 attending an SSC meeting that you might end up with a bunch of
13 nine-to-nine votes.

14
15 **CHAIRMAN BOYD:** Corky, do you want to modify your motion or are
16 you okay with the way it is?

17
18 **MR. PERRET:** I would have hoped the staff would have had all
19 this worked out ahead of time, Mr. Gregory, and what do you
20 prefer, an odd number or an even number?

21
22 **EXECUTIVE DIRECTOR GREGORY:** I have no preference, but you will
23 see eighteen pop up quite a bit. In talking with staff, we
24 think a good AP or SSC or any good productive group would be of
25 fifteen to eighteen individuals. If you want to make it
26 nineteen, that's fine.

27
28 Again, this is going to be guidance for the council. I don't
29 think we'll ever come to an appointment meeting where someone
30 will say we've got to have three ecosystem people, but only two
31 applied. We don't want to get caught in that situation and so
32 this is guidance on how the SSC is to be structured and so going
33 to nineteen is fine.

34
35 **MR. PERRET:** I am looking at the seven other councils and five
36 of the seven have even numbers and two of the seven have odd
37 numbers and so I am going to leave it at eighteen, the original
38 recommendation that came to the council. Thank you.

39
40 **CHAIRMAN BOYD:** Further discussion?

41
42 **MS. MARTHA BADEMAN:** Can we note somehow in the motion what Doug
43 had just said, that these are suggestive categories, in case we
44 get in a situation where we're short on one and we've got
45 multiples from another or what do you think about that, Corky?

46
47 **MR. PERRET:** I had the same concern. We may only come up with
48 six assessment types and so I guess, if I may, Mr. Chairman,

1 that if the number in a particular discipline are not available
2 that staff and the council can modify that makeup with another
3 discipline, or something to that effect.

4
5 **EXECUTIVE DIRECTOR GREGORY:** Yes and if we put the word
6 "approximate" after "following" and before "multidisciplinary",
7 that will capture that.

8
9 **MR. PERRET:** That's what I wanted to do. Thank you.

10
11 **DR. PONWITH:** This is circling back to a question that Mr.
12 Perret asked earlier and that was the process for replacing SSC
13 members when someone leaves the SSC before their term is up.
14 Again, it's just that seven stock assessment scientists, to me,
15 is absolute critical mass and the question is if someone dropped
16 out before their term was up, is there a way to replace them and
17 initiate that earlier than waiting, potentially, for the full
18 year?

19
20 **CHAIRMAN BOYD:** Corky, could we put something in here about the
21 seven being not less than seven? That would alleviate Bonnie's
22 concern.

23
24 **MR. PERRET:** That's fine with me, but insofar as if one resigns
25 or whatever, Mr. Gregory's explanation earlier that they would
26 be able to replace them with hopefully a like scientist in that
27 field, but that's fine, yes. **I will accept that modification.**

28
29 **CHAIRMAN BOYD:** Does the board look right to you? My eyes, I
30 can't see that far very well. Not less than seven stock
31 assessment or -- Okay. It's on there. Any other discussion?
32 Bonnie, does that help you?

33
34 **DR. PONWITH:** I think so.

35
36 **CHAIRMAN BOYD:** Hearing no further discussion, let's vote on
37 this proposal. **All in favor of the motion please say aye; all**
38 **opposed to the motion say aye. I believe the motion passed on a**
39 **voice vote.**

40
41 **EXECUTIVE DIRECTOR GREGORY:** The next issue would be whether or
42 not to create a Special Socioeconomic SSC to be comprised of
43 approximately two economists and two anthropologists.

44
45 **CHAIRMAN BOYD:** All right.

46
47 **MR. PERRET:** I move that we create a Special Socioeconomic SSC
48 to be comprised of two economists and two

1 **anthropologists/sociologists.** Thank you, Mr. Chairman.
2
3 **CHAIRMAN BOYD:** Do I hear a second for that motion? I have a
4 second from Camp. Is there discussion on the motion?
5
6 **MR. WALKER:** That's just four, two members of -- Corky, you had
7 four there?
8
9 **EXECUTIVE DIRECTOR GREGORY:** Right.
10
11 **MR. WALKER:** That seems like kind of a small number.
12
13 **EXECUTIVE DIRECTOR GREGORY:** Their intent is to complement the
14 three economists and three anthropologists that are on the
15 Standing SSC and so, in essence, when you have a meeting where
16 they need to discuss something, you will have five of each,
17 which is stronger than the current Socioeconomic SSC, because I
18 don't think you have five anthropologists on that committee.
19
20 **CHAIRMAN BOYD:** This group would be an advisory group to the SSC
21 and is that the way I read it?
22
23 **EXECUTIVE DIRECTOR GREGORY:** They will meet jointly with the SSC
24 and vote with the SSC, just like our Special Mackerel SSC does.
25 They vote as a group and they don't vote separately and so they
26 will be integrated into the Standing SSC meeting when there is a
27 need to have them convened jointly with the SSC. That's the way
28 they will operate.
29
30 **CHAIRMAN BOYD:** Who makes the determination that they are
31 required to meet?
32
33 **EXECUTIVE DIRECTOR GREGORY:** The council, the council chair, or
34 myself. It would be at the request of the Standing SSC.
35 Normally we meet -- We automatically pull the mackerel or the
36 red drum folks in when we're talking about those two topics and
37 in this case, if we were talking about allocation, we would
38 automatically bring that Special Socioeconomic SSC in with the
39 Standing, when it's clear that their expertise is needed.
40
41 **MR. RIECHERS:** Doug, I am kind of reflecting back to us trying
42 to find social anthropologists who really work in fisheries and
43 who kind of have that expertise and how they work into this
44 process. Of course, I may be way off on their discipline and
45 how it's evolving through time, but in the past, it's been
46 difficult in how they insert themselves into this very
47 quantitative process, where we end up kind of finding a way to
48 articulate what they're bringing to the table in terms of our

1 documents and where that heads.

2
3 I think we may be setting ourselves up both in a position here
4 where we're not going to find that many people and, secondly,
5 where we have a lot of people who aren't helping the process
6 moving further because they really just -- Their discipline is
7 not allowing them to do that in this way right now. I just
8 appreciate addressing the committee and I will look forward to
9 where you all come out on this issue.

10
11 **CHAIRMAN BOYD:** Further discussion? I am concerned with this
12 motion that what we've done is we've integrated the entire
13 Socioeconomic SSC into the SSC, is what it appears.

14
15 **MR. PERRET:** Again, I see this special committee just like any
16 of our special committees on reef fish or mackerel or shrimp.
17 If it's a shrimp issue, the Special SSC meets with the Standing
18 SSC and if indeed, like Mr. Gregory used the example of
19 allocation, then I would foresee this special socioeconomic
20 group meeting with the standing group.

21
22 I too have the same concerns that Robin mentioned, because this
23 is a pretty specific discipline and whether we're going to find
24 enough qualified people willing to participate in this process
25 remains to be seen, but I see this special committee operating
26 the same way our other special committees would.

27
28 **CHAIRMAN BOYD:** I have a question for Bonnie. Bonnie, if we
29 have the Special Socioeconomic SSC meeting with them, what does
30 that do to the scientific balance, as opposed to the
31 socioeconomic balance on the committee? Am I making myself
32 clear?

33
34 **DR. PONWITH:** I see no problem with having additional economists
35 and sociologists meeting with the group, because often your
36 economists are going to be heavily quantitative in their
37 backgrounds as well and would at least find the stock assessment
38 components of interest. In terms of there being voting problems
39 with people from the social sciences being on the SSC, I don't
40 see a problem.

41
42 **MR. WALKER:** I would just say I speak in favor of the motion.
43 If you're going to dissolve the SESSC, I think this would help
44 at some point -- When it becomes a socioeconomic decision, which
45 is an important decision, I think you need the Special
46 Socioeconomic and it will come in very useful.

47
48 **CHAIRMAN BOYD:** Further discussion? All right. Let's vote on

1 this one. The motion is to create a Special Socioeconomic SSC
2 to be comprised of two economists and two
3 anthropologists/sociologists. **All in favor say aye; all**
4 **opposed. The motion passes.**
5

6 **EXECUTIVE DIRECTOR GREGORY:** The next thing I have here is a
7 draft motion and it really doesn't need to be a motion, but it's
8 just a suggestion from staff that when we go to appoint the
9 special SSCs, let's try to limit them to three to five people.

10
11 **MR. PERRET:** A question. How many are on these special
12 committees now, Doug?
13

14 **EXECUTIVE DIRECTOR GREGORY:** Well, we have seven on the Special
15 Coral and we have three on King Mackerel and we have six on Red
16 Drum and five on Reef Fish and six on Shrimp and four on Spiny
17 Lobster and so we're pretty close to that now.
18

19 **MR. PERRET:** I want to move to limit the size of the Special
20 SSCs to no more than five members each.
21

22 **CHAIRMAN BOYD:** Do I hear a second to that motion? I have a
23 second. Is there discussion on the motion? **Hearing no**
24 **discussion, all in favor of the motion say aye; opposed to the**
25 **motion.**
26

27 **MS. BADEMAN:** Doug, the motion that Corky said is not what's on
28 the board. Hang on a second.
29

30 **CHAIRMAN BOYD:** Okay. Let's get it on the board.
31

32 **EXECUTIVE DIRECTOR GREGORY:** It should read "to no more than
33 five members".
34

35 **CHAIRMAN BOYD:** I am going to read it and then we'll vote again,
36 to make sure everybody understood the motion. The motion is to
37 limit the size of the Special SSCs to no more than five members
38 each. Any discussion?
39

40 **MR. WALKER:** It reads "no more than five" and does that mean
41 they can be as little as one? When you were saying three to
42 five --
43

44 **EXECUTIVE DIRECTOR GREGORY:** It's not likely we will go to one.
45 I mean most of them are four to six now.
46

47 **MR. WALKER:** That just concerns me that it could be limited to
48 one and that's my only concern, or one of my concerns.

1
2 **EXECUTIVE DIRECTOR GREGORY:** That's a council decision when you
3 review the applications and decide who you appoint and so that's
4 a decision you would make at that time. If there is -- That has
5 never happened. I don't think you've ever had one with just
6 two. I think it has gone as low as three people.

7
8 **CHAIRMAN BOYD:** Further discussion? We will vote on the motion.
9 The motion, again, is to limit the size of the Special SSCs to
10 no more than five members each. **All in favor say aye; all**
11 **opposed. The motion carries.**

12
13 **EXECUTIVE DIRECTOR GREGORY:** The last thing is a request I have
14 of the council and it's to postpone the selection of the SSC
15 appointments until the June meeting, due to the forty-five day
16 lead time needed for the statement of financial interest to be
17 submitted.

18
19 What we're going to have to do for people who are not on the
20 SSCs now that are going to apply, they have to get their
21 statement of financial interest in forty-five days before the
22 council meeting and so we need a good lead time to advertise
23 that and to make people aware, because we have never enforced
24 that before and it would be simpler for us if we do that for the
25 SSC in June and appoint the APs at the March/April meeting.

26
27 **CHAIRMAN BOYD:** Is there committee discussion on this concept or
28 this request?

29
30 **MS. BADEMAN:** I would be willing to make the motion.

31
32 **CHAIRMAN BOYD:** All right. Go ahead.

33
34 **MS. BADEMAN:** Postpone selection of the SSC appointments until
35 June of 2015 due to the forty-five day lead time needed for
36 SOFIs to be submitted and to reduce potential confusion and work
37 load during the transition to staggered terms and the online
38 application process.

39
40 **CHAIRMAN BOYD:** Mr. Greene seconds. Mr. Gregory, how many open
41 positions do we have at the current time?

42
43 **EXECUTIVE DIRECTOR GREGORY:** How many positions on the SSC?
44 Seventy.

45
46 **CHAIRMAN BOYD:** How many do we consider to be open at this
47 moment and not filled?
48

1 **EXECUTIVE DIRECTOR GREGORY:** None.
2
3 **CHAIRMAN BOYD:** Didn't we have one person drop off this year?
4
5 **EXECUTIVE DIRECTOR GREGORY:** Well, Greg was on the SSC and like
6 I said in the introduction, we don't have a process for
7 automatically appointing seats. We don't have specific seats
8 like we're trying to establish and so there is no recognition.
9 The Standing SSC at one time was seventeen or eighteen members.
10 When I became the Director, I really wasn't replaced and Greg
11 wasn't replaced and so we haven't kept track of that.
12
13 **CHAIRMAN BOYD:** We have a motion on the board and I am not going
14 to read the motion again. I believe everybody knows what it is.
15 Any further discussion? **All in favor of this motion say aye;**
16 **opposed to the motion say aye. The motion carries.**
17
18 **EXECUTIVE DIRECTOR GREGORY:** That completes the SSC portion.
19
20 **CHAIRMAN BOYD:** All right. Myron, do you have a question?
21
22 **MR. MYRON FISCHER:** Thank you, Mr. Chair. Just for
23 clarification, when would we be populating the SSCs, whether
24 it's the Special Socioeconomic or --
25
26 **EXECUTIVE DIRECTOR GREGORY:** In June.
27
28 **MR. FISCHER:** Okay. With enough lead time, could you furnish us
29 the present breakdown and -- Because we may -- I don't want to
30 say swap out, but we may want to look at some of our state
31 people in a different light with this new recalibration of the
32 SSCs and could you furnish that to us in some timely manner so
33 we could get the information?
34
35 **EXECUTIVE DIRECTOR GREGORY:** Certainly and, again, the Special
36 SSCs are not necessarily populated with quantitative people like
37 the Standing is intended to do, but we can do that and we will
38 do that probably in the next couple of weeks.
39
40 **CHAIRMAN BOYD:** Okay, Mr. Gregory, what else in Tab G-4?
41
42 **EXECUTIVE DIRECTOR GREGORY:** We can go back to page 1 and so,
43 again, my intention was that if the council agrees with doing
44 staggered terms and having a term be three years instead of two
45 years and we appoint a third of all the members each year, then
46 that is the process for filling seats in a timely manner.
47
48 Other than that, if you wanted to have a more formal process

1 that we fill seats as soon as one becomes vacant, we possibly
2 could be having closed sessions at every meeting or every other
3 meeting during the year just for one or two people. I didn't
4 think that was necessary and so I haven't proposed anything like
5 that here.

6
7 The first thing here is the proposed terms and term limits and
8 none of our APs or SSCs have term limits at this point in time
9 and staff thought it might be useful to have term limits similar
10 to what the council itself has and so the first suggested thing
11 or motion is that the AP seats may, at the pleasure of the
12 council, be reappointed for two additional terms after their
13 first term, and so that gives them three terms.

14
15 However, AP members may be reappointed to the same advisory
16 panel after having been off the advisory panel for at least one
17 year. Your current policy is no individual can serve on more
18 than two APs simultaneously and so the suggestion is to have the
19 AP seats be similar to council seats as far as term limits go
20 and we have never had term limits before and we are not
21 proposing term limits for the SSC.

22
23 **CHAIRMAN BOYD:** I think we have two different things we're
24 dealing with here and, Doug, would you be okay if we divided
25 this and talked about the staggered terms first and then talk
26 about term limits? I see those as separate.

27
28 **EXECUTIVE DIRECTOR GREGORY:** Yes and the next item under this
29 section is AP and SSC terms will be staggered to provide for the
30 appointment of one-third of the membership of the SSC and AP
31 each year.

32
33 The council had a difficult time during the last reappointment
34 process and we have over 250 people that serve on the APs and
35 SSCs. Right now, you do this every two years, every odd year
36 actually, in 2013, 2015. We thought that if we staggered the
37 terms and you did this every year to a third of the people there
38 would be less confusion on that part.

39
40 The potential problem with staggering the terms is confusion on
41 the part of the AP members themselves. They will now, each one,
42 have a different term and when we advertise a seat, we need to
43 make it clear to the existing members whose seat is being
44 advertised and whose seat is not being advertised. I think
45 there is potential confusion there. Right now, everybody has
46 the same term and everybody gets reappointed or not reappointed
47 at the same time.

48

1 **CHAIRMAN BOYD:** Is there committee discussion?
2

3 **MR. MATENS:** Doug, you and I have discussed this before and this
4 just occurred to me and I have two questions. How do we choose
5 which sitting members are going to be one, two, or three-year
6 members, one? Two is under your guidelines, it is possible for
7 someone who is a sitting member and would remain a sitting
8 member to apply for a seat that would bring him or her further
9 into the future? If I have one more year left in my term, could
10 I apply for a three-year term coming up and then get four years?
11 You have to forgive me. I am from Louisiana.
12

13 **EXECUTIVE DIRECTOR GREGORY:** I haven't thought of that, but I
14 did develop a sophisticated mathematical model for determining
15 what the term limits are. First, we are going to alphabetize
16 all the members that you appoint to the AP and then we'll start
17 at the top and go 1, 2, 3, 1, 2, 3. That will be their initial
18 term and then from that point forward, everybody has three
19 years, but the issue you brought up I hadn't even considered.
20

21 **MR. PERRET:** Doug, we use comparisons to other councils when
22 it's to our advantage and not so much so when it's to our
23 disadvantage or to a disadvantage and what's the status on term
24 limits and staggered terms for the other seven councils?
25

26 **EXECUTIVE DIRECTOR GREGORY:** I do not know.
27

28 **MR. PERRET:** I don't know about this one. Camp has brought up a
29 good point and, of course, he comes from a state with term
30 limits, but they just serve their term in the House and then
31 they run and they become a Senator and they go back and forth
32 and so I guess they could do that too, but have we had a problem
33 or what is the problem that we're trying to fix, other than the
34 staggered thing?
35

36 I can see a hundred coming up at the same time or whatever that
37 number is and I can see a need for that, but we've had
38 difficulty enough trying to get qualified people to serve on a
39 lot of these committees and if indeed we have people that are
40 willing to serve and are contributing, why would we want to
41 limit their time?
42

43 **CHAIRMAN BOYD:** Let me just speak to that for a second. I think
44 there's two different issues here and that's why I wanted to
45 break them apart. One, the staggered terms is, in my opinion,
46 strictly a logistical administrative problem that we deal with
47 every time staff has to advertise and go through all of the
48 applications and then we make appointments. The other issue,

1 I'm with you that we need to have a deep discussion about that.

2
3 **EXECUTIVE DIRECTOR GREGORY:** I recognize I'm putting a lot
4 before you. We are also developing an online application
5 process for both the SSC and the AP and I can demonstrate that a
6 little bit at the full council meeting. It's not live yet, but
7 we have links to some pages, so what you get when you do the
8 reappointment will be consistent among all the different
9 applications, because in the past, sometimes we get an email
10 saying I want to be on that panel and sometimes we get a resume
11 and so we are going to try to develop a form for that.

12
13 The other thing we can concentrate on is not just sending out
14 email notices to existing members, but also mail, paper copies,
15 of their need to be reappointed, because in two or three
16 instances in 2013, we lost people on panels because they thought
17 they applied or they say they never got the notice to reapply
18 and they weren't aware of the process.

19
20 We can strengthen that and we can reevaluate and see if we have
21 similar confusion this year and not do the staggered terms now,
22 but maybe reconsider that at a future date, because I do have
23 mixed feelings about staggered terms. On the one hand, it might
24 simplify our process, but it might turn out to be more confusing
25 for the people that serve on these APs and it may be more work
26 for them than it saves us and so staff doesn't have strong
27 feelings about the staggered term issue.

28
29 **CHAIRMAN BOYD:** Okay and is there further discussion?

30
31 **MS. BADEMAN:** I realize that transitioning to staggered terms is
32 kind of awkward, but I think it would be a good thing. I think
33 it would cut down a lot of the confusion in trying to appoint
34 all those people at one time. It's a lot, I think, thinking
35 back to a couple of years ago, in April. I think it was
36 tedious, to say the least. If we can get there, I am onboard,
37 but how we get there, I don't know.

38
39 **DR. PONWITH:** Again, this is speaking strictly from a logistics
40 standpoint and I don't have any stake in the decision that the
41 council makes, but in managing groups like this internally,
42 staggering makes sense if you have a term limit and staggering
43 becomes almost moot if you don't.

44
45 If the decision for term limits is accepted, then staggering
46 almost becomes an imperative, because you don't want to
47 destabilize your panel by losing too high a percentage. Mr.
48 Gregory's approach makes the sense, the 1, 2, 3, 1, 2, 3. The

1 catch is that a one-year term is a pretty short term and so an
2 alternative way to do that is to have 2, 3, 4 for the first time
3 and then after that, land on a 3. That way, you don't have a
4 group of people that come in and serve one year and are gone.

5
6 **MR. WILLIAMS:** The staff load problem could be solved by just
7 doing a third of the committees every year too though, couldn't
8 it, rather than -- Just say do Mackerel this year and a couple
9 of the smaller ones and next year do Reef Fish and a couple of
10 the ones that meet less often, but that might not integrate so
11 well with the term limit problem, when Bonnie said that. That
12 might not work so well. That's another way to do it and it
13 would be less confusing, in some ways, but it might create
14 another problem if you go to the term limit thing.

15
16 **CHAIRMAN BOYD:** Wouldn't you still have the same problem of
17 figuring out which committee is going to be two years or three
18 years or four years as you do with -- Is there further
19 discussion? We need to keep moving and we are going to run out
20 of time here pretty soon on this committee. Any further
21 discussion on the concept of staggered terms for the SSCs?

22
23 **MR. PERRET:** This would delay things, but I would just like to
24 know, Doug, if you would check with the other seven councils and
25 see if any of them do that and how it's working. If they do it
26 and it's working great, I am all for it and if they do it and
27 it's not working worth a darn, then I think we ought to put it
28 to bed.

29
30 **MS. BADEMAN:** I was just going to note, and Zack can correct me
31 if I'm wrong, but the South Atlantic just started doing term
32 limits this year, right?

33
34 **MR. ZACK BOWEN:** I think it went into place last year.

35
36 **MS. BADEMAN:** Okay, but you all have had staggered terms for
37 some time and is that right or did you just start that too?

38
39 **MR. BOWEN:** I think we just started that as well, but I can
40 check and clarify and get back with you if you need me to, but
41 the term limits just started last year, I believe.

42
43 **MS. BADEMAN:** Okay and so there's one council.

44
45 **CHAIRMAN BOYD:** All right. Martha, did you make a motion a
46 while ago or am I --

47
48 **MS. BADEMAN:** I think we took care of it. It was the one about

1 delaying. I think we voted on it.

2

3 **CHAIRMAN BOYD:** Mr. Gregory and then we'll need a motion on this
4 suggestion from staff.

5

6 **EXECUTIVE DIRECTOR GREGORY:** Both the term limits and this is
7 something we can bring back to the council in March with more
8 information and the council can decide at that point, because
9 this doesn't affect your appointment process in March.
10 Everybody is going to have to reapply.

11

12 When we advertise it, and I am looking at Charlene for
13 confirmation, but when we advertise it, we can say the council
14 is considering term limits and staggered terms and that may be
15 part of the appointment process, instead of telling them that
16 we're going to do it that way. We can bring both of these
17 issues back to the council in March and that will give us time
18 to find out what the other councils do and bring that to you for
19 consideration.

20

21 **CHAIRMAN BOYD:** All right and with that, is there a motion that
22 anyone wants to make or are we just going to continue on?
23 Hearing no motion, Mr. Gregory, we will continue on.

24

25 **EXECUTIVE DIRECTOR GREGORY:** The next item, on page 2, is -- I
26 don't know if you need to approve the process. We are working
27 on an online process for application, to get formal
28 applications. We have some suggestions for things for the
29 council to consider when they are appointing people to the AP
30 and SSC.

31

32 We will also, at the request of the council, be available to
33 send out hard copy applications to individuals who don't want to
34 do an online application and so people can apply by regular mail
35 as well as online, but they will have to complete a standard
36 form and I can show you all the standard form at the council
37 meeting if you want. We don't have it live right now.

38

39 That's what we intend to do this year to try to make it easier
40 on the public and on yourself in evaluating the applications,
41 but I am not sure a motion is needed here for that.

42

43 **CHAIRMAN BOYD:** I agree. I don't think we need one. That is
44 administrative. Any discussion? All right, Mr. Gregory.

45

46 **EXECUTIVE DIRECTOR GREGORY:** On page 3, we have a section called
47 Proposed Updates to the Advisory Panel Structure and, again, I
48 brought this to you at two different meetings. At the last

1 meeting, it was suggested that we not try to develop categories
2 by eastern and western Gulf of Mexico and so what you have
3 before you is kind of a new set of numbers of people.

4
5 You have also told us, based on the experience of the South
6 Atlantic Council, that these categories are not fixed in stone.
7 These are suggestions for the council to follow when they are
8 making the appointments, but these are ideas for how to broaden
9 -- Staff ideas on how to broaden the makeup of the APs so that
10 all stakeholders are represented.

11
12 I am not trying to say we should propose each one individually,
13 but that's at your discretion. If one particular advisory panel
14 recommendation of stakeholders looks inappropriate, you can
15 address them one at a time or we can just go forward with this
16 and I can present this to the council when you make the
17 appointments for your guidance.

18
19 That's all it is and I don't think -- I know there has been some
20 concern about once we do this and once we make a motion that it
21 becomes something you have to do and I don't see it that way.
22 It's advisory and we don't have to put it in the SOPPs that this
23 is the structure of our APs. It's just something for us to
24 consider.

25
26 **MR. FISCHER:** Once again, I would like to make certain, whatever
27 decisions we -- They are just called rough guidelines, because
28 as far as the east and west, and it could even be regionalized
29 tighter than that, but I do think we understand if we're
30 discussing a red grouper or a spiny lobster or a stone crab
31 issue, it should weigh very heavily on input from the eastern
32 and southeastern Gulf, as opposed to if we're doing shrimp work
33 and we need an AP involved with shrimp and it probably should be
34 heavier maybe towards the western Gulf and we just have to think
35 about where that species -- What its habitat is and
36 geographically where it's from. Although I know we're not
37 creating our committees all that way, it's something we still
38 have to consider.

39
40 **MR. MATENS:** I have two kind of nagging concerns about the --
41 The first is about the makeup of some of these. There are some
42 in here that I am a little uncomfortable about the way they're
43 made up.

44
45 Secondly though, more generally, I am uncomfortable about no
46 matter what we say about this and it could just be advice only,
47 limiting ourselves and putting ourselves into a box. I am just
48 still mulling through that in my mind.

1
2 When we start talking about other stakeholders, I mean there's a
3 lot of stakeholders out there and not just the ones that we have
4 on this list and so, for what that's worth, that's kind of what
5 is going through my mind right now.
6

7 **MR. RIECHERS:** I am not on the committee, but sharing some of
8 the same concerns that Camp has, I -- I think our targets for
9 advisory panels, I think we've always done a good job of
10 outlining those targets as we try to think about those panels
11 and pull them together.
12

13 More recently, we have kind of gone to a structure where we've
14 grabbed more ad hoc panels and that, in and of itself, typically
15 is designed to grab certain folks specifically for those areas.
16 I think if we put this in -- Even though it's advisory in
17 nature, I am not certain that it won't be brought up as you were
18 supposed to be targeting these areas and you set it in the past.
19

20 Frankly, I just am at the point here that I think we need to
21 make a decision this meeting whether we go forward or not and it
22 would be my preference not to go forward with this. We are
23 trying to do some other things with structures and term limits
24 to help us and I think we just need to decide which way we're
25 going here at this meeting and we've spent enough time on this
26 discussion continually over the last couple of meetings and we
27 just need to decide one way or the other.
28

29 **MS. MARA LEVY:** I just wanted to say that I don't see a problem
30 with having an advisory type of list, but if it's going to be
31 advisory, I guess what I'm hearing is it's advisory, but we just
32 don't feel comfortable necessarily following it.
33

34 When I hear that, then, to me, there doesn't really seem to be
35 much point in having this list about who you are going to
36 potentially appoint or what types of interest, because it's
37 advisory, but there's people that are uncomfortable with it and
38 don't really want to be following it.
39

40 I don't think that making the list mandates that you do it, but
41 if there is not going to be sort of a consensus that there's
42 going to be an attempt to follow this guideline and perhaps
43 deviate in certain circumstances, then it doesn't seem
44 necessarily worthwhile to have the guideline.
45

46 **MR. JOHNNY GREENE:** Kind of following on what Camp had said
47 earlier about the makeup of some of the committees, in the past
48 we have had APs that were put together where it was all one

1 particular user group, such as, for example, as the Data
2 Collection AP for Recreational Anglers was strictly all
3 recreational anglers.

4
5 Then we have other APs that are made up where we have a cross-
6 section of recreational and for-hire and commercial, et cetera,
7 et cetera, and so I think that if we're going to look at this
8 from a holistic point of view, we need to decide are we going to
9 put groups of people together specifically for a particular
10 topic and it's going to be just those individuals or are we
11 going to make it a unilateral decision that we're going to have
12 commercial, environmental, for-hire, recreational, and we're
13 going to populate all the committees the same and go from that.

14
15 Now, I understand that there may be a special scenario that we
16 may have to deviate from that and I think that's something that
17 we should look into.

18
19 The other issue I have is looking back through some of the
20 makeup of the APs in the past and I looked at particular
21 individuals and I noted that on several occasions they were
22 people who had put down that they were part of several of the
23 groups that are listed on the board.

24
25 Currently on the screen you see, for example, private anglers,
26 for-hire, environmental groups, and commercial hook and line, et
27 cetera. Well, if you have one individual that clicks multiple
28 categories, then that becomes somewhat confusing, because you
29 could argue that every one of them is an environmentalist or
30 whatever and so on and so forth.

31
32 I think that in moving forward that if we're going to solicit
33 this that we should have people click the box that most suits
34 them, as opposed to multiple boxes where they are trying to make
35 sure, well, if I can't get on under this category, I can get on
36 under this one or I can get on under that one. It seems a bit
37 confusing to me.

38
39 **MR. PERRET:** One thing consistent with this Gulf Council, and
40 I'm sure the other councils, since we started in 1979 is the
41 difficulty or the issues appointing people to these advisory
42 panels.

43
44 In the early days, the discussion was what type of fishermen
45 from what part of the Gulf and so on and so forth and then the
46 environmental community came in the 1980s, I guess it was, and
47 more and more and so every time we have ever had this type of
48 discussion there has been these issues of what's fair and what's

1 equitable and so on and so forth.

2
3 Those of us that take the oath of office, part of that oath is
4 the greatest overall benefit to the nation. One thing I think
5 we definitely should have on these panels is a consumer. Now,
6 we can say every member is a consumer, which they obviously are,
7 but I do think there is a consumer league in each state that
8 probably we should have members of consumer organizations.

9
10 I think we have done a pretty darned good job with populating
11 these panels with geographical representation and various
12 interests, direct interests, in the fishery and members of the
13 environmental community and we're going to have some
14 disagreements and that's why there is seventeen of us that make
15 these decisions.

16
17 It's tough. It's really tough and Myron brought up a point
18 about, well, if it's an issue with spiny lobsters, I think
19 probably the experts or the advisors should be from that
20 particular geography and with shrimp, I agree with him on the
21 west Gulf, except for pink shrimp. That's primarily a Florida
22 fishery and we probably should have the right people from that
23 area on that. This has always been an issue and it's not going
24 to change and hopefully we're in pretty good shape and if we can
25 improve it, so be it.

26
27 **CHAIRMAN BOYD:** Mr. Gregory, I am not hearing a lot of support
28 for the structure that you proposed and in all due respect to
29 our former administration, committee chairman, Mr. Riechers,
30 does the committee want to send the direction, in the form of a
31 motion and a vote, to staff about continuing to work on this or
32 not work on it or what's the pleasure of the committee?

33
34 **EXECUTIVE DIRECTOR GREGORY:** I understand and if there's no
35 motion, then we don't go forward with it.

36
37 **CHAIRMAN BOYD:** I am hearing no motion and so I think we just
38 discontinue work on this particular recommendation.

39
40 **EXECUTIVE DIRECTOR GREGORY:** Okay, but we do have a couple of
41 things we want to try to address here with the ad hoc panels.
42 It was discussed I think one time before. When we do an ad hoc
43 panel, we --

44
45 **MR. PERRET:** Do we want to do something with the Data Collection
46 thing, the AP, and consolidate it? That seemed like probably a
47 good idea to me and we could have some discussion on it, but
48 that's before your ad hoc stuff.

1
2 **EXECUTIVE DIRECTOR GREGORY:** The Private Recreational Data
3 Collection is an ad hoc committee and so the proposal is that we
4 discontinue that and integrate that function into the overall
5 Data Collection AP. Now, I don't know why this separate AP was
6 formed and I don't have the history to that and so I'm just
7 bringing it to your attention. According to staff, and I have
8 talked with John Froeschke, who is our data collection liaison
9 to the council, and he thought that was a good idea.

10
11 That was one thing we wanted to ask you to do before we start
12 advertising and the other thing was to establish a sunset date
13 for the ad hoc and if not now, at a future date consider it and
14 also, we were asking to eliminate the three state habitat APs,
15 because you did not populate them at the last meeting and we
16 don't use them and we don't address state-level coastal
17 construction projects like the council did in the 1980s and
18 1990s.

19
20 Those are three actions that we're asking the committee and the
21 council to consider and the first one is what Corky brought up,
22 is to integrate the Private Recreational Data Collection AP into
23 the overall Data Collection AP.

24
25 **CHAIRMAN BOYD:** I think there's the possibility of several
26 motions there, if I am listening correctly, and if there
27 discussion by the committee?

28
29 **MR. PERRET:** Mr. Chairman, I move that we discontinue the
30 Private Recreational Data Collection AP and integrate function
31 into the Data Collection Advisory Panel.

32
33 **CHAIRMAN BOYD:** You have a motion and do I have a second?

34
35 **MR. MATENS:** Second.

36
37 **CHAIRMAN BOYD:** I have a second from Mr. Matens. Is there
38 discussion? Hearing no discussion, the motion is to discontinue
39 the Private Recreational Data Collection AP and integrate
40 function into the Data Collection AP. Mr. Pearce, you don't
41 have any comment on that, since that's your committee?

42
43 **MR. PEARCE:** No, I mean it was useful at the time and I think
44 they're moving way past that now and we've got a lot of things
45 that are going to go on that we're ready to go with and so I'm
46 fine with that.

47
48 **CHAIRMAN BOYD:** All right. Then let's go ahead and vote on this

1 motion. **All in favor say aye; all opposed like sign. Hearing**
2 **none, the motion passes.** Mr. Gregory, what's the next possible
3 topic for a motion?
4

5 **EXECUTIVE DIRECTOR GREGORY:** To establish a sunset date of May
6 2018 for each ad hoc AP. That can be renewed for an additional
7 period at the council discretion and we just put May of 2018
8 just to have a starting point of discussion. That's three years
9 in advance, three years from now. If the APs are not intended
10 to be ad hoc, then we can make them permanent, but by definition
11 of ad hoc, they are there to do a specific purpose and they
12 should go away when that purpose has been completed.
13

14 **MR. PERRET:** I've got a little problem with this and I won't be
15 around in 2018, but what if the council forms an ad hoc
16 committee at the January 2018 meeting? Does it sunset in May?
17 It seems like we're going to -- The council is going to be
18 setting ad hoc committees for a particular purpose at a
19 particular time and it seems to me if we want a sunset date, we
20 ought to make it May of 2015 and if we've got to renew whichever
21 ad hoc committee it is, we do it, but going that far out, I
22 think we could be creating some problems.
23

24 **EXECUTIVE DIRECTOR GREGORY:** Any new ad hoc committee, when you
25 develop the purpose and need for that committee, you should
26 probably establish a sunset date at the time that you then
27 reconsider and if the purpose and need hasn't been completed,
28 you simply extend it for another period of time, but this is
29 just an attempt to force a decision on not having these by
30 default become ongoing, permanent-type committees, but we call
31 them ad hoc.
32

33 **CHAIRMAN BOYD:** Corky, do you think we need more information
34 about what we're trying to do here or is that sufficient?
35

36 **MR. PERRET:** Again, the current ad hoc panels that I'm looking
37 at, I think they're all active and May of 2018 is fine, but in
38 the future, if you set an ad hoc committee up, say at the end of
39 2017, is it going to automatically sunset on that date? I don't
40 know and, Doug, if you're satisfied with it, I will make the
41 motion to set it at 2018, if you think that takes care of what
42 you're trying to do.
43

44 **EXECUTIVE DIRECTOR GREGORY:** There is an alternative approach.
45 See the dilemma staff has is we've got to advertise for all
46 these APs after this meeting and so March and April is not the
47 time, I don't think, for you all to decide to discontinue one of
48 these. Ideally, you would reevaluate this every year and so the

1 date was simply a way to try to get that started.
2
3 If you want, we can simply address the existence of each of
4 these every January and then advertise it if you all decide to
5 keep it going forward.
6
7 **CHAIRMAN BOYD:** Yes and do we just want to eliminate those that
8 are not useful right now and then have you just go forward with
9 the ones that are?
10
11 **EXECUTIVE DIRECTOR GREGORY:** If we did that annually, that would
12 serve a similar purpose.
13
14 **MR. PERRET:** Would something to the effect of establish an
15 annual review of ad hoc committees -- In January of every year,
16 establish an annual review of ad hoc committees and for those
17 that have fulfilled their obligation, they would be sunsetted or
18 something to that effect? Okay. Let's see.
19
20 **I move that in January of each year the council evaluate each ad**
21 **hoc advisory panel and if they deem the panel has completed its**
22 **assignment that the panel be disbanded.**
23
24 **CHAIRMAN BOYD:** We have a motion on the board and is there a
25 second on the motion?
26
27 **MR. GREENE:** Second.
28
29 **CHAIRMAN BOYD:** Johnny Greene seconds and is there discussion?
30 I think this is a good cleanup motion.
31
32 **MR. WALKER:** Does the council -- I am just trying to think
33 historically and has it always met in January? I just want to
34 make sure that's clear or the first meeting in each year.
35
36 **CHAIRMAN BOYD:** The point there I think is to get it in timely
37 so that we can do the proper advertising for the next round of
38 appointments.
39
40 **MS. LEVY:** That was actually my comment. I was going to suggest
41 that you say the first council meeting of each calendar year,
42 rather than January, so that if you don't meet in January, then
43 you still do it at the first meeting.
44
45 **CHAIRMAN BOYD:** Corky, are you all right with that?
46
47 **MR. PERRET:** Yes.
48

1 **CHAIRMAN BOYD:** All right. The motion is that in the first
2 council meeting of each year the council evaluate each ad hoc
3 advisory panel and if they deem the panel has completed its
4 assignment that the panel will be disbanded. Any further
5 discussion? **All in favor of this motion say aye; opposed to the**
6 **motion. Hearing none, the motion carries.** Mr. Gregory, do we
7 want to go ahead as an Administrative Committee and define some
8 of those for this meeting, to try and clean it up for you? Or
9 we could do it at full council if you want to come back with a
10 list of ad hoc committees that you think --

11
12 **EXECUTIVE DIRECTOR GREGORY:** We have three and they're in the
13 document here. We have an Artificial Substrate Committee, a Red
14 Snapper IFQ Committee, and a Red Snapper For-Hire IFQ Committee.
15 The Artificial Substrate was created in October of 2012 and the
16 Red Snapper IFQ in August of 2013 and the Red Snapper For-Hire
17 IFQ in June of 2014.

18
19 **CHAIRMAN BOYD:** Okay, committee, any comments or questions?
20 Hearing none, we will move on, Mr. Gregory.

21
22 **EXECUTIVE DIRECTOR GREGORY:** In April of 2013, when you reviewed
23 the AP applications, you did not populate the three state
24 advisory panels and staff is not clear if that was intended to
25 eliminate those advisory panels. We have kept them on our
26 website blank and we don't work with state habitat advisory
27 panels like we did in the 1980s and 1990s to review and comment
28 on coastal construction projects that might impact habitat. I
29 just wanted clarification if the council wanted us to eliminate
30 those three advisory panels.

31
32 **CHAIRMAN BOYD:** Comments from the states?

33
34 **MR. PERRET:** Mr. Gregory, what's your recommendation?

35
36 **EXECUTIVE DIRECTOR GREGORY:** To eliminate them.

37
38 **CHAIRMAN BOYD:** Corky, let me just ask from the states who are
39 here, what is you all's opinion on that? Is there any comment
40 or no comment?

41
42 **MR. MATENS:** We in Louisiana are fine with that elimination.

43
44 **CHAIRMAN BOYD:** Okay, Corky, thank you.

45
46 **MR. PERRET:** Mr. Chairman, I move that we eliminate the three
47 state habitat advisory panels.

48

1 **CHAIRMAN BOYD:** We have a motion and a second?

2
3 **MS. BADEMAN:** I will second it if nobody else will.

4
5 **CHAIRMAN BOYD:** We have a second by Martha and, Martha, did you
6 have a comment a while ago?

7
8 **MS. BADEMAN:** I was just going to say I'm fine with this and
9 that's all.

10
11 **CHAIRMAN BOYD:** Any further discussion? **All in favor of the**
12 **motion to eliminate the three state habitat APs say aye;**
13 **opposed. Hearing no opposition, the motion carries.**

14
15 **REVIEW OF NMFS/NOAA COMMENTS ON 2012 SOPPS**

16
17 **EXECUTIVE DIRECTOR GREGORY:** The next item on the agenda is Tab
18 G, Number 5. That's a copy of our SOPPs as of August of 2012
19 that was submitted to National Marine Fisheries Service based on
20 their recommendations for model SOPPs. They are trying to get
21 all the councils to develop consistent SOPPs that are similar.

22
23 Where there were comments by the reviewers, I retyped the
24 comments in italics and I will just go through this and
25 highlight some of this, what we think, what staff thinks, is
26 worth bringing to your attention. Most of the other stuff is
27 editorial and of little consequence.

28
29 It was interesting that the first comment on page 1 was that we
30 put these SOPPs on our website in 2012 when we submitted them to
31 NMFS and he is suggesting that they shouldn't be there because
32 they haven't been approved.

33
34 This was an issue that I resolved a year ago with our liaison in
35 D.C., Bill Chappell, and the question is what SOPPs do the
36 council follow, the ones that they approve or the ones that NMFS
37 approves and that was the dilemma, because it takes two years or
38 more for NMFS to approve SOPPs.

39
40 The response was that we follow what we approve and so this
41 comment is incorrect and we had the right SOPPs on the website.
42 We follow the SOPPs that this council approves and, as you see,
43 these are suggestions by the Department of Commerce on things
44 that we should change.

45
46 They did some reshuffling of council functions and
47 responsibilities. There is nothing new really there. That was
48 on page 2. On page 4, they just noted that that comment was

1 redundant to something said earlier in the document and whenever
2 we mention "member", they want us to say "voting member". Each
3 voting member, on page 5, must take an oath of office.
4

5 **MR. PERRET:** A question. It seems to me that a voting member,
6 and that's fine, in my opinion, under the appointed voting
7 members, but the oath of office in 2.2 below, as trustees of the
8 nation's fishery resources, each voting member -- To me, that
9 should be each at-large and obligatory member, because you've
10 got five state directors that do not take the oath of office,
11 yet they are voting members. I think that would clarify it,
12 that that's talking about those that are appointed as at-large
13 or obligatory members and that's my suggestion for a possible
14 modification.
15

16 **MS. LEVY:** When you talk about voting members appointed to the
17 council, you are only talking about those that are nominated by
18 the Governors and appointed by the Secretary of Commerce and so
19 that automatically doesn't include the state directors and the
20 Regional Administrator.
21

22 **MR. PERRET:** I will buy that, but it's still confusing when you
23 read the oath of office in a different section below. It talks
24 about members appointed. The director of the agency has
25 appointed Myron.
26

27 **MS. LEVY:** I understand that, but as the term is used in the
28 Act, it's those that are appointed by the Secretary of Commerce.
29

30 **EXECUTIVE DIRECTOR GREGORY:** I mean we can make that
31 clarification without contradicting anybody. That's easy enough
32 to do. Right above the oath of office is a paragraph that
33 they've suggested that non-voting members of the council may
34 serve on committees and may serve as chairs and may initiate and
35 second motions, as well as vote on matters that pertain to
36 committee.
37

38 At the meetings of the council, the non-voting members may do
39 neither of those. They may not initiate or second motions nor
40 vote on matters and I think we follow that policy now and so
41 this is just clarification of that. The non-voting members have
42 more leeway in committee than they do in the council.
43

44 The next interesting point is on page 16 and, again, we will --
45 I will come back to the council and this committee at the next
46 meeting with the SOPPs again, where we will start reviewing
47 staff recommendations and integrate those with these and with
48 the ad hoc committee recommendations that we've done earlier.

1
2 I didn't want to confuse things and so I'm doing this in a step-
3 wise matter, but on page 16, the comment was when we say that
4 knowingly and willfully submitting false information to the
5 council is a violation of federal law -- We say that in our
6 chairman's statement and we say that in the public hearing
7 statement, but the question here is which law is violated and
8 it's the Magnuson Act.

9
10 Mara sent me the Section 307 of the Magnuson Act and it says
11 that it is unlawful for any person to knowingly and willfully
12 submit to a council, secretary, or governor false information,
13 and then it has a parenthetical phrase, regarding any matter
14 that the council, secretary, or governor is considering in the
15 course of carrying out this Act and so we got that
16 clarification.

17
18 You can see the person that made that comment may not have been
19 that familiar with the Magnuson Act. A number of different
20 departments review these, the Ethics Department and -- I wrote
21 it on the front cover, but the Financial Assistance Law
22 Division, the Ethics Division, the General Law and Employment,
23 and the Labor Law Office. That's why a couple of these comments
24 don't seem relevant.

25
26 The next major comment is on leave, page 24, and the comment was
27 that much has been left out from the model SOPPs in this section
28 and that we may want to reference 50 CFR 600 and so we're going
29 to take that and put that in there and what that is, it's a
30 paragraph on leave accounting and our suggested wording is going
31 to be: An account shall be maintained -- This from the CFR. An
32 account shall be maintained to pay for unused sick or annual
33 leave, as authorized, and will be funded from the council's
34 operating allowances. Funds may be deposited into this account
35 at the end of the budget period, for us every year, if
36 unobligated balances remain in our budget. Interest earned
37 stays in the account along with the principle for the purpose of
38 paying unused annual and sick leave.

39
40 We have such an account. In fact, we have two accounts. We
41 have one for sick leave and one for annual leave and they are
42 fully paid up. It says budgeting for accrued leave will be
43 identified in the other object class category in the budget we
44 submit to NMFS and so we do that and so we will add that to our
45 SOPPs.

46
47 I don't believe there is anything else that staff thought was of
48 real consequence. They clarified -- They say they will follow

1 the General Service Administration reimbursement rates for
2 mileage. We don't follow that strictly. We are more lenient
3 than that and so I'm going to put in there that the council
4 generally observes and see -- We will respond to National Marine
5 Fisheries Service with changes that we are going to make to this
6 and see where it goes from there and eventually we will get a
7 final approval of our SOPPs, but in the meantime, we're still
8 changing them again and so it's like this is just a process that
9 goes on.

10
11 **CHAIRMAN BOYD:** All right and so the committee can expect more
12 changes to come, based on comments.

13
14 **MS. LEVY:** I was just curious and when you get back with your
15 comments on the DOC and NMFS comments, are you going to include
16 the changes that the council is now currently making or
17 considering or we're just leaving that for another time?

18
19 **EXECUTIVE DIRECTOR GREGORY:** I will certainly mention it to them
20 and ask them if they want to see it as we change them or if they
21 want to wait until we finish making changes, but the whole
22 process is not helpful to us. I mean it takes them two years to
23 provide these kind of comments and we're going to be making
24 changes more substantive than that within the two-year time
25 period.

26
27 If it takes that long to get approval from the Department of
28 Commerce or whatever, I don't know what the utility of it is,
29 but we will respond to them and if we -- If the response to this
30 raises a red flag with them, they will tell us and they will
31 tell us you can't do that and so that's the way we'll proceed
32 with that and then once we finish the current revision that we
33 have, we just submit it to them again for approval.

34
35 **CHAIRMAN BOYD:** Thank you, Mr. Gregory. Any other business or
36 comments or questions from the committee? I believe our
37 committee is finished with our work for today.

38
39 (Whereupon, the meeting adjourned at 10:30 a.m., January 26,
40 2015.)

41
42 - - -
43

GULF OF MEXICO FISHERY MANAGEMENT COUNCIL

JOINT ADMINISTRATIVE POLICY AND BUDGET/PERSONNEL COMMITTEES

Battle House Renaissance Mobile Mobile, Alabama

October 20, 2014

VOTING MEMBERS

- Robin Riechers.....Texas
- Kevin Anson (designee for Chris Blankenship).....Alabama
- Martha Bademan (designee for Nick Wiley).....Florida
- Leann Bosarge.....Mississippi
- Doug Boyd.....Texas
- Pamela Dana.....Florida
- Harlon Pearce.....Louisiana
- Corky Perret.....Mississippi

NON-VOTING MEMBERS

- Jason Brand.....USCG
- Dale Diaz (designee for Jamie Miller).....Mississippi
- Dave Donaldson.....GSMFC
- Myron Fischer (designee for Randy Pausina).....Louisiana
- John Greene.....Alabama
- Campo Matens.....Louisiana
- John Sanchez.....Florida
- Phil Steele (designee for Roy Crabtree).....NMFS
- Greg Stunz.....Texas
- David Walker.....Alabama
- Roy Williams.....Florida

STAFF

- Stephen Atran.....Population Dynamics Statistician
- John Froeschke.....Fishery Biologist
- Doug Gregory.....Executive Director
- Beth Hager.....Financial Assistant/IT Coordinator
- Mara Levy.....NOAA General Counsel
- Charlene Ponce.....Public Information Officer
- Cathy Readinger.....Administrative Officer
- Ryan Rindone.....Fishery Biologist/SEDAR Liaison
- Charlotte Schiaffo.....Research & Human Resource Librarian
- Carrie Simmons.....Deputy Executive Director

OTHER PARTICIPANTS

- Luiz Barbieri.....GMFMC SSC
- Jeff Barger.....Ocean Conservancy, Austin, TX
- Randy Boggs.....Orange Beach, AL

1 Steve Branstetter.....NMFS
 2 Gregg Bray.....GSMFC
 3 Gib Brogan.....Oceana
 4 JP Brooker.....Ocean Conservancy
 5 Michael Drexler.....Ocean Conservancy
 6 Cynthia Fenyk.....NOAA
 7 Benny Gallaway.....LGL Ecological, TX
 8 Chad Hanson.....PEW
 9 Ben Hartig.....SAFMC
 10 Margaret Henderson.....Gulf Seafood Institute
 11 Mike Jennings.....Freeport, TX
 12 Robert Jones.....EDF
 13 Kristen McConnell.....EDF
 14 Herb Murphy.....
 15 Laurie Picariello.....Audubon Nature Institute
 16 Bonnie Ponwith.....SEFSC
 17 Katie Semon.....LDWF
 18 Steve VanderKooy.....GSMFC

19
 20 - - -
 21

22 The Joint Administrative Policy and Budget/Personnel Committees
 23 of the Gulf of Mexico Fishery Management Council convened at the
 24 Battle House Renaissance Mobile, Mobile, Alabama, Monday
 25 afternoon, October 20, 2014, and was called to order at 1:18
 26 p.m. by Chairman Robin Riechers.

27
 28 **ADOPTION OF AGENDA**
 29 **APPROVAL OF MINUTES**
 30 **ACTION GUIDE AND NEXT STEPS**
 31

32 **CHAIRMAN ROBIN RIECHERS:** I am calling to order the Joint
 33 Administrative Policy and Budget/Personnel Committees. To
 34 remind everyone, our membership present is myself, Kevin, Ms.
 35 Bosarge, Mr. Boyd, Ms. Dana, Mr. Pearce is with us, Mr. Perret,
 36 and Ms. Bademan.

37
 38 With that, we have got to go through Adoption of the Agenda and
 39 do I hear any changes to the agenda? Hearing no changes, the
 40 agenda is moved as written.

41
 42 With that, we have to approve two sets of minutes, both the
 43 August 2014 Administrative Policy Committee Minutes and we'll
 44 take those up first. Are there any additions, corrections, or
 45 deletions to those minutes?
 46

47 **MR. KEVIN ANSON:** I have several for the Administrative Policy
 48 minutes. On page 6, line 17, change "with" to "within"; on page

1 19, line 16, remove the "of" that's on that line"; on page 20,
2 line 40, delete "members" and insert "Chair and Vice Chair" and
3 on page 26, line 8, change "achiever" to "achieve".

4
5 **CHAIRMAN RIECHERS:** Thank you, Mr. Anson. I assume we've got
6 all those on the record and we'll approve with those changes.
7 Mr. Perret also had his hand up, if he has further corrections
8 to the minutes. Mr. Perret, you had your hand up for some
9 changes to minutes?

10
11 **MR. CORKY PERRET:** I was going to move for adoption with the
12 modifications, if it's appropriate.

13
14 **CHAIRMAN RIECHERS:** That is appropriate now and do I hear a
15 second? Ms. Bademan seconds. All those in favor say aye; all
16 those opposed same sign. The minutes pass of the Admin Policy
17 Committee. Now for Budget/Personnel Committee minutes, do we
18 have any changes or corrections to those? I am going to make
19 sure Mr. Anson heard that call. Okay and no changes there?
20 Seeing no hands for other changes, then we will adopt the
21 minutes as written from the Budget/Personnel Committee.

22
23 With that, of course, Tab G, Number 3 gives you some guidance as
24 to what we're trying to get done today, but we will move on to
25 Tab G, Number 4, and what we're going to do is cover Review of
26 2010-2014 Expenditures and Budget Carryover into 2015. Ms.
27 Readinger is going to do that and is she on by phone or how are
28 we going to do this, Mr. Gregory? It's up to you and her now to
29 lead us through this. It's Tab G, Number 4.

30
31 **EXECUTIVE DIRECTOR DOUG GREGORY:** Cathy, are you ready? It's
32 Tab G, Number 4.

33
34 **REVIEW OF 2010-2014 EXPENDITURES AND BUDGET CARRYOVER TO 2015**

35
36 **MS. CATHY READINGER:** I am. If you look at Tab G-4, this is
37 actually an overview of our five-year budget that we just went
38 through that expires on December 31 and so our actual
39 expenditures for the period ending December 31 of 2013 was about
40 \$12.3 million. Our actually accrued expenditures through August
41 31 of this year is \$2.6 million and so our estimated obligations
42 are --

43
44 **CHAIRMAN RIECHERS:** Cathy, hold on a second. We are not getting
45 it -- At least I'm not getting the sound and I don't know
46 whether we're too close or --

47
48 **MR. KEVIN ANSON:** I am trying to move the microphone. We are

1 having some trouble on this end, Cathy. It might be the
2 connection, but if you can go ahead and continue.

3
4 **MS. READINGER:** Okay. That brings our total expenses, or
5 estimated expenses, for the five-year period to be approximately
6 \$16 million. Our NOAA funding was \$17.3 million and so we
7 estimate that our unobligated funding for the five-year period
8 to be \$1.3 million.

9
10 We identified in August \$374,000 in activities that Carrie
11 outlined for you at that time and a possible no-cost extension
12 that we might want to request NOAA to allow us to carryover to
13 2015. Since that time, we've identified an additional \$550,000
14 in additional activities and positions. With that being said,
15 we still have approximately \$387,000 in surplus funding for this
16 five-year period.

17
18 **CHAIRMAN RIECHERS:** Are there any questions of Cathy in regards
19 to this carryover amount, which basically suggests that we have
20 somewhere in the neighborhood of unexpended funds of \$387,000?

21
22 **MR. PERRET:** Cathy, so that \$387,277 should be spent through
23 December 31 and is that what I understand?

24
25 **MS. READINGER:** I am going to need someone to repeat his
26 question.

27
28 **MR. PERRET:** The unexpended funds, which is good news, \$387,277,
29 what is the period of time we would have to utilize those funds
30 without losing them?

31
32 **MS. READINGER:** Unless we can identify more activity that can be
33 justified in a twelve-month no-cost extension, that would carry
34 through December of 2015.

35
36 **MR. PERRET:** If I may, Mr. Chairman -- Cathy, does that include
37 past activities that the states may not have billed the council
38 for for council activities?

39
40 **MS. READINGER:** Again, I'm sorry. Someone is going to have to
41 repeat the question or get closer to the microphone or the
42 phone.

43
44 **EXECUTIVE DIRECTOR GREGORY:** Cathy, does that include -- Let's
45 say we've got the state liaison program and if some of the
46 states have submitted for more money than what we've reimbursed
47 them for, could that excess be included in this and we pay the
48 states for what they've submitted?

1
2 **MS. READINGER:** If the council approves it, yes.

3
4 **MR. PERRET:** Thank you. I would like to make a motion, Mr.
5 **Chairman.**

6
7 **CHAIRMAN RIECHERS:** Certainly you can, Mr. Perret, but do we
8 want to cover G-5 first, which was some of the staff discussion
9 regarding possible uses of this money, and then maybe have your
10 motion after that? Who is covering G-5 then? Doug, I'm sorry.

11
12 **REVIEW AND DISCUSSION OF POTENTIAL CONTRACTUAL PROJECTS**

13
14 **EXECUTIVE DIRECTOR GREGORY:** A part of the G-4 was also talking
15 about carryover stuff and so we can come back to that, if you
16 like. G-5 is a list of potential contractual projects. What
17 we've identified are not projects for your approval, but some
18 ideas of what we might be able to do with carryover money that
19 can be accomplished through 2015.

20
21 We learned I guess last month a number of councils have entered
22 into research contracts with their funds and what we would like
23 for the council to do is get conceptual approval to follow this
24 route and leave it up to myself and the Chair to actually make
25 decisions on the funding of particular projects and how much
26 money is available for those projects, because we've got from
27 now until the end of the year to make these decisions.

28
29 We're not going to have another council meeting then and we
30 don't know how much of the carryover activities we're proposing
31 is going to be approved by NOAA and so we're kind of scrambling
32 here.

33
34 **CHAIRMAN RIECHERS:** Okay and you had mentioned, as you went into
35 that, and I didn't mean to preclude discussion regarding
36 carryover, but do you want to go ahead and hit the discussion of
37 carryover that you were going to hit under G-4 and I assume it
38 has to do with maybe some of that timing and how you're working
39 with NOAA in that regard?

40
41 **EXECUTIVE DIRECTOR GREGORY:** Carrie, are you ready to start
42 that? I can introduce it by saying that we showed you about
43 \$371,000 worth of carryover activities in the last meeting in
44 August and so we're not going to talk about those again, but,
45 since then, we've identified other activities that we think we
46 can carry over.

47
48 We've met with the program administrator from NOAA and got a

1 favorable preliminary review, but we won't know until we
2 actually submit these to NOAA and have them go up to
3 Headquarters and be reviewed to see what we can really carry
4 over or not.

5
6 There's been some confusion here. Three weeks ago, NOAA
7 contacted us through the program officer saying they wanted to
8 have a meeting with all the council EDs and Administrative
9 Officers the last week in October, but we have never received an
10 official invite to go to D.C. I have heard rumors that now they
11 want to have a conference call and so I think what has happened
12 is somebody in Headquarters wanted to try to standardize all the
13 councils' approaches to this end of the year and beginning of
14 the next five-year budget and they either couldn't get everybody
15 together or something.

16
17 We really don't know what kind of advice they're going to give
18 us at that point and so we have a lot of questions and unknowns
19 now, but Carrie can go over and highlight some of the major
20 things that we've identified since August that we think we can
21 carry over.

22
23 **DR. CARRIE SIMMONS:** Thank you, Mr. Chair. In August, we went
24 through various activities, specific activities, that we had
25 budgeted for and so in April, when we went through the 2014
26 budget, we had very specific activities that we originally
27 included in that budget.

28
29 In August, we went through those activities, as to which ones
30 staff identified the potential of us not being able to complete
31 by the end of this year. In August, we went through each of
32 those very specific activities during that council meeting and
33 that's the \$374,000 or so that you have in front of you.

34
35 After we had the meeting with our NOAA program officer, we
36 discussed some general categories and potential activities that
37 we could put forward in a request for the no-cost extension,
38 especially because the 2015 funding is going to be at the 2014
39 level. In the past, we have operated with our carryover funds
40 and we thought it was important to try to identify anything that
41 would be relevant in a no-cost extension, to give us a little
42 bit of a buffer for next year.

43
44 These are some of the potential activities that we're proposing.
45 Due to those limited 2015 budget numbers and the fact that the
46 council is hosting the Council Coordinating Committee meetings,
47 both of them, next year, we are requesting some additional
48 travel funding, approximately \$20,000, for the opportunity to

1 accommodate additional staff and additional council members for
2 the opportunity to come to that meeting. There are two. There
3 is the February and June meeting and also various supplies and
4 materials, printed materials, that we may need for that meeting.

5
6 Similarly, in June of 2015, we have scheduled a series of joint
7 committees with the South Atlantic Council. Currently those
8 council meetings are the same week and there's the potential for
9 us, in order to meet with those joint committees and complete
10 our council business, that we may need additional days than the
11 five days we currently had in the 2015 budget.

12
13 What we're proposing is three extra council days or committee
14 days that we could have council members there, in the case that
15 we would need to complete our committee agenda items, plus any
16 additional council meeting days we may need and I think we said
17 something around \$20,000 for that.

18
19 Additionally, there was some work with the five-year review, the
20 essential fish habitat review document. Not only do we have to
21 complete that by 2016, but we are looking at changes either in a
22 generic or omnibus amendment that could take quite a bit of time
23 and so we're requesting some carryover funds there as well in
24 addition to the formation of several working groups, so that we
25 have some buffer there.

26
27 You may recall that in 2014 we have formed the Red Drum,
28 Ecosystem, Coral, and Shrimp Working Groups. We think we're
29 going to need those working groups to convene, plus potentially
30 others, to review these changes to the various essential fish
31 habitat work that we're doing on this amendment.

32
33 Additionally, the deepwater coral areas, the HAPCs, we have to
34 do a review of that as well as a potential amendment and the
35 fact that NOAA published a final rule establishing twenty-two
36 species of coral as threatened under the Endangered Species Act.
37 That was not finalized until September 9 of 2014.

38
39 Seven of these species occur in the Gulf of Mexico and, again,
40 this was originally scheduled to be released in early 2014 or
41 mid-2014 and due to our delayed release of funds, we feel like
42 this is another potential activity that could go into our no-
43 cost extension and is warranted because of the late release of
44 these species and the fact that we're also looking at these
45 areas of concern for the deep water corals. We are asking I
46 think it's around fifty-thousand-plus there to have some buffer
47 for that work as well, primarily staff time.

48

1 Also based on new information about the Caribbean spiny lobster
2 landings, this panel we're putting together, we are requesting
3 some carryover funding for that as well. Also, we received
4 notification from NMFS that all fishery management plans will
5 need to be updated with standardized bycatch methods, reporting
6 methods.

7
8 I believe that was due to a lawsuit that was lost in the New
9 England region and this is probably going to be a very large
10 amendment. It's probably going to encompass quite a bit of
11 staff time and we are requesting some carryover funding for that
12 as well, around \$55,000.

13
14 Another activity is the implementation of the Gulf Council's
15 Aquaculture FMP and there's the potential that it could be
16 finalized in early 2015 and as part of that fishery management
17 plan, we need to put together a special working group and we
18 have some potential regulatory actions that we're going to have
19 to take care of that and was potentially an unforeseen activity,
20 based on the fact we didn't know when the Aquaculture FMP was
21 going to be finalized until recently.

22
23 Then as part of our ongoing effort to improve public outreach
24 and education, we are requesting around \$15,000 to better our
25 equipment for making the recordings that Emily and Charlene do
26 to post online and so I think I forgot to mention for the
27 Aquaculture FMP we requested around \$25,000 or \$26,000. With
28 that, I think that's all I have, Mr. Chairman.

29
30 **CHAIRMAN RIECHERS:** Okay and so what we've heard is items that
31 we've identified that we believe can certainly carry over.
32 Suggested items in G-5 that may or may not be ripe for carry
33 over, but discussion is going to be ongoing with NOAA regarding
34 that and so I think the guidance we're looking for is, is that
35 acceptable to the council on those items as well as giving Doug
36 and Kevin some authority to execute that, since there will not
37 be an opportunity to have another meeting before the time they
38 would have to do that? Is that where we basically stand? Then
39 I have Corky for a motion that he would like to make as well,
40 but, Doug, you've got something first?

41
42 **EXECUTIVE DIRECTOR GREGORY:** We don't have this in the briefing
43 book and we've been working on this day in and things have
44 changed almost weekly, if not daily. I just emailed to the
45 entire council a list of activities that Cathy just emailed to
46 us this morning that Carrie was reading from.

47
48 If there's anything on there that you want to ask us questions

1 about at the council meeting, and I know you don't have time to
2 look at it now, that would be fine, but to give you something to
3 look at and that's being emailed to you now.

4
5 **CHAIRMAN RIECHERS:** We certainly appreciate that and people may
6 want to look at that, if you want to look at it in more detail
7 as opposed to what had just been briefly discussed in open mic
8 session, do that and be prepared at the full council. With
9 that, I will turn to Mr. Perret.

10
11 **MR. PERRET:** I think I've got three motions to make, if I may,
12 the first being relative to the 2010-2014 Expenditure and Budget
13 Carryover to 2015. **I move to have staff submit to NOAA**
14 **activities to be funded in the carryover budget extension**
15 **request.**

16
17 **CHAIRMAN RIECHERS:** We're getting it up on the board for
18 everyone who is following that and then do I hear a second
19 regarding that?

20
21 **EXECUTIVE DIRECTOR GREGORY:** To be funded in the carryover
22 budget extension request.

23
24 **MR. PERRET:** Is that what we need to do, Mr. Executive Director?

25
26 **EXECUTIVE DIRECTOR GREGORY:** Yes.

27
28 **MR. PERRET:** Thank you. That's my motion.

29
30 **CHAIRMAN RIECHERS:** Do I hear a second? I think Mr. Pearce was
31 seconding over there a while ago. Okay. Mr. Pearce seconded
32 and any further discussion regarding the motion? **Hearing none,**
33 **all those in favor of the motion say aye; all those opposed same**
34 **sign. The motion carries.** Back to you, Mr. Perret.

35
36 **MR. PERRET:** Thank you, Mr. Chairman. **Relative to the**
37 **contractual projects, which it's G-5, I would move to give staff**
38 **and the Council Chair the authority to decide on projects to**
39 **fund with 2015 carryover funds.**

40
41 **MR. PEARCE:** Second.

42
43 **MR. PERRET:** It's been moved by Mr. Perret and seconded by Mr.
44 Pearce and Ms. Bosarge has a question or a discussion item.

45
46 **MR. PERRET:** To give staff and the Council Chair the authority
47 to decide on projects to fund with 2015 carryover funds. That's
48 my motion, Mr. Chair.

1
2 **CHAIRMAN RIECHERS:** I am going to ask Doug for a little
3 clarification. It's 2014 funds we're carrying over into 2015?
4

5 **EXECUTIVE DIRECTOR GREGORY:** Yes.
6

7 **CHAIRMAN RIECHERS:** Just so that we make that clear for the
8 record at least. Any further discussion regarding the motion?
9

10 **MS. BOSARGE:** I am assuming this refers to the G-5 document on
11 potential contractual projects that they gave us some ideas on,
12 their brainstorming?
13

14 **EXECUTIVE DIRECTOR GREGORY:** Correct.
15

16 **CHAIRMAN RIECHERS:** But I would suggest we even want -- At least
17 in my mind, we're giving them the flexibility, because there are
18 still apparently ongoing conversations with National Marine
19 Fisheries Service in regards to what might and might not work
20 and I think the notion is to spend money on some good things
21 that we can find to do and hopefully we have them here, but
22 maybe we don't.
23

24 **MR. PERRET:** Hopefully we will indeed have this amount of money
25 to utilize for these projects. You know when he gets his
26 conference call or his meeting in Washington, we may find out
27 the news is not as good. Hopefully it will even be better, but
28 anyway, trying to provide rationale in the event we have the
29 money to do so.
30

31 **MS. BOSARGE:** What Carrie went over, G-5, has some actual
32 projects that are a little different than what Carrie was
33 mentioning there and I don't think we've gone over them yet, but
34 just for the record, I was reading through these and there are
35 some excellent ideas on there, especially for some problems that
36 we've run up against data-wise here in 2014.
37

38 They have an incentive-based management for private recreational
39 anglers project listed on there as well as one that is more --
40 It looks like it's more commercially oriented, where it's
41 surveys to collect post-harvest data. That could be the better
42 data collection that we needed when we were looking at the
43 economics on red snapper on the commercial side. There are some
44 really great projects on there and so I support the motion.
45

46 **CHAIRMAN RIECHERS:** Excellent point and certainly more than
47 enough work to do if it can fit within the framework of them
48 allowing us to move forward with any or all of those types of

1 projects and then, of course, how much those projects actually
2 cost and how much we end up with will also help dictate that.
3 Any other comments?

4
5 **MR. BOYD:** I basically support the motion, Corky, but I think
6 that the council should have some final say as to which projects
7 are more important and I would like for you to consider changing
8 that so that it's staff and Chair, with the final authority
9 resting with the council.

10
11 **MR. PERRET:** I thought about that too and I leaned more towards
12 what you're saying and so I would make that modification, staff
13 and the council.

14
15 **CHAIRMAN RIECHERS:** That was a friendly amendment. Does Mr.
16 Pearce accept that friendly amendment as well?

17
18 **MR. PEARCE:** That's fine.

19
20 **CHAIRMAN RIECHERS:** Now, I will have to ask a question about
21 that, the execution of that. What are our options there, Doug?

22
23 **MR. BOYD:** Well, I would think that it would be a presentation
24 by council -- Which Doug? I'm sorry.

25
26 **CHAIRMAN RIECHERS:** I was referring to Mr. Gregory, because I am
27 guessing that he may have thought of how we can carry this out
28 if we don't have a meeting between now and then.

29
30 **MR. BOYD:** To you, Mr. Gregory.

31
32 **EXECUTIVE DIRECTOR GREGORY:** We're not sure. If NOAA gives us
33 guidance that we can identify something in a general manner that
34 we want to do in 2015 and then pick specific projects in 2015,
35 it would be easy to bring it back to the council in January.

36
37 If we have to identify specific projects now, before the end of
38 the year, then we won't be able to bring it back to the council
39 and what these projects are is a combination of projects that
40 have been discussed by our staff and NMFS, the economic
41 projects, and then a couple from the University of Florida that
42 I happened to be in an ongoing conversation with them about
43 potential collaborative research into the future.

44
45 We were just scrambling and we were telling the Chairman about
46 this opportunity and he said, well, come to the council with
47 some specifics and so that's why I presented this as examples.
48 We're not married to any of these and we just were looking at

1 some things that we thought this money could be used for in a
2 general sense and so it depends on how much leeway NOAA gives us
3 in identifying what we're going to do with the carryover funds
4 and so I seriously doubt we will be able to come back in
5 January, but it's a possibility.

6
7 **MR. ROY WILLIAMS:** Robin, didn't I hear Cathy say that we had to
8 have these funds -- I don't know if she said spent or committed
9 by the end of December.

10
11 **EXECUTIVE DIRECTOR GREGORY:** The carryover stuff, we have to
12 identify activities that we want to carry over into 2015 and
13 they could be spent in 2015. Anything we don't identify as
14 carryover we have to spend in 2014 and so I think the next
15 motion that Corky is thinking about doing is something that
16 would have to be done in 2014.

17
18 **DR. SIMMONS:** I think we can certainly do what you guys are
19 discussing with the contracts, but it would probably be a good
20 idea to have everything very lined up for the January council
21 meeting, because that means as soon as the council passes the
22 motion to fund those projects and we have a better number from
23 NOAA that we want to give those people the money right away,
24 because they have until December 31 of 2015 to spend that money
25 and so it's a very short period of time for somebody to do that
26 work and spend that money and so we just want to make sure that
27 don't get a project that's too big and outside of that timeframe
28 and the further we get into the new year, the more difficult
29 it's going to be for those people to complete that project, I
30 would assume.

31
32 **CHAIRMAN RIECHERS:** My only concern with the motion on the
33 board, just from a discussion standpoint, is are we giving
34 enough leeway in case they have to have a commitment by December
35 31 with no real way to call the council back together, unless
36 Mara can give us some guidance in that respect.

37
38 Could we do a prioritization of a list of projects by council
39 members by email or something like that or are we breaking too
40 many procedural rules or are we breaking any procedural rules?

41
42 **MS. LEVY:** Do you mean that each council member would submit
43 some sort of list about what projects they would like to see
44 happen in which order?

45
46 **CHAIRMAN RIECHERS:** If, for instance, as they work through it in
47 the next few weeks and they get a list of projects that are
48 reasonable, to the extent that National Marine Fisheries Service

1 believes they can agree to those, but we don't have time to come
2 back and have them present it and actually say we want these two
3 to go forward, could we at least provide the Chair and the Vice
4 Chair a prioritization of those?
5

6 **MS. LEVY:** I am trying to think about what that would mean. I
7 mean so instead of discussing it at full council and saying
8 these are the types of projects we would like, to just
9 individually submit your wish list and see what the Chair does
10 with it, just to make sure I understand what you're talking
11 about?
12

13 **CHAIRMAN RIECHERS:** Well, I mean it's either that or we try to
14 figure out a way to do an emergency call. I mean those are
15 really the options that I see in front of us.
16

17 **MR. PERRET:** Doug, Texas Doug, that was why I had it the way it
18 was, because of the timing thing. What about this? If indeed
19 the decision has to be made by the end of this calendar year,
20 the staff and the Council Chair would have the authority. If we
21 have additional time, then the staff and the council would make
22 the decision and is that reasonable?
23

24 **MR. BOYD:** I think that's reasonable. The reason that I brought
25 this up is because I can see that there might be council members
26 who have projects that they think are as important as these and
27 this may be a staff list of projects, but I don't know that the
28 council might have different projects that they feel are more
29 important and that's why I was trying to get the council
30 involvement.
31

32 **MR. PERRET:** Okay and let's -- Maybe I can try and massage it.
33

34 **MR. BOYD:** We've got this deadline problem, obviously. That's
35 the issue.
36

37 **MR. PERRET:** **If additional time is provided, then staff and the**
38 **council will make the decisions.** Thank you.
39

40 **CHAIRMAN RIECHERS:** I think we've got to go back and clean up
41 the first line now, because it has to say the "Council Chair".
42 Then additional time -- I think if additional time is provided,
43 just say -- Maybe if the decision can move into next year or
44 something like that. That's all we're talking about.
45

46 **EXECUTIVE DIRECTOR GREGORY:** I think we're going to have to make
47 a decision by the end of the year, but we would welcome other
48 suggestions, say within the next two weeks or three weeks, for

1 consideration and just open it to that, because this wasn't --
2 I'm sure once you put things down, it becomes more solidified,
3 but this was not intended to be all the things we would
4 consider, but clearly, given the timeframe, there's not a whole
5 lot of time to solicit other ideas, but if council members have
6 other research ideas that they would like to consider for 2015
7 carryover funds, we can certainly flesh them out and look at
8 them.

9
10 **CHAIRMAN RIECHERS:** If any council members have an idea and can
11 do a three or four-sentence description, much like you're
12 included here, you would be looking for us to provide you with
13 that as soon as possible or did I see your hand up behind me or
14 are we still working on the motion? It takes a village here to
15 do the motion.

16
17 **MR. WILLIAMS:** Robin, looking down this potential contractual
18 projects, these are -- Really, I would like to see some input
19 from the Chair of the SSC on this too or maybe the SEP. Do you
20 ever do stuff like that? I mean could we delegate this to a
21 small committee of the Chair of the SSC and what we used to call
22 the SEP and the Chair of the council and the Executive Director?
23 Is that ever done?

24
25 **MR. PERRET:** I don't care who provides input, but we're under
26 the gun time-wise. If we have time for the SSC and the AP and
27 any member of the public, I am all for it, but I'm just trying
28 to accommodate the staff.

29
30 We're in a fortunate situation and we may have some additional
31 money and I certainly would want us to utilize it in the Gulf
32 rather than it go back to D.C., where who knows what's going to
33 happen to it.

34
35 **MR. WILLIAMS:** But my point is we do have -- These are
36 scientific projects, both sociological and biological science
37 stuff, and I would sort of like to get the input from somebody
38 from the SSC.

39
40 **EXECUTIVE DIRECTOR GREGORY:** We just had the SSC review and it's
41 something you're going to look at under the SEDAR Committee, the
42 research priorities. The thing that's limited this list to more
43 economic and social stuff is these are like surveys.

44
45 Biological research really can't be conducted within a twelve-
46 month time period, but surveys can be and so that was kind of
47 why this is mostly economic and social rather than biological.

48

1 **MR. WILLIAMS:** If I may follow up, who was the Chair -- I guess
2 are we doing away with the SEP and just merging them into one?
3 There was some discussion of that, but I mean who would be the
4 Chair of that group that might be a good person to consult on
5 this with you? Who is the chief economist or do we have one?
6

7 **EXECUTIVE DIRECTOR GREGORY:** We did consult with the National
8 Marine Fisheries Service economists in the Regional Office and
9 in the Science Center on this and we have the SSC's comments,
10 including from the economists on the SSC, on the research
11 priorities and so we have that in hand.
12

13 **MR. WILLIAMS:** Relative to this?
14

15 **EXECUTIVE DIRECTOR GREGORY:** Not relative to this list, but they
16 were available to us and this list was identified for things
17 that could be done within a year, that wouldn't take more than
18 one year to complete and most of the biological research we came
19 up with -- Field research takes more than a year.
20

21 **CHAIRMAN RIECHERS:** I think point well taken, Roy, that maybe as
22 they figure out more of what funds are available and the size of
23 the projects then they can maybe obviously reach out to some of
24 our scientific bodies as well, maybe the Chairs of those two
25 groups, to see if they have any suggestions or prioritizations
26 as well, but I wouldn't say we want to limit them to whatever
27 comes out of that body, given we're going to have to show a
28 great deal of flexibility here, is all. Any other further
29 discussion? **Hearing none, all those in favor of the motion say**
30 **aye; all those opposed. The motion carries.** Mr. Perret, you
31 have a third motion coming up? You're almost batting 1,000
32 here.
33

34 **MR. PERRET:** I am on a roll and I have a third one. **Again, we**
35 **are in a fortunate situation and it looks like we've got some**
36 **funds that we need to try and obligate for important council**
37 **activities and, saying that, I would move that we have a one-**
38 **time increase in the liaison funding to the Gulf states and the**
39 **Gulf States Marine Fisheries Commission for up to an additional**
40 **\$20,000 per state.** I am asking for additional funds up to
41 \$20,000 for each of the member states and Gulf States for the
42 liaison contract. That's my motion, Mr. Chairman.
43

44 **CHAIRMAN RIECHERS:** Do I hear a second for the motion? The
45 motion is seconded. Any discussion regarding this motion?
46

47 **MR. PERRET:** Just by way of rationale, I know firsthand just how
48 much time state resource agencies spend on council activities

1 and they don't always bill for it. Saying that I realize, if
2 this motion passes committee and the council, this money would
3 have to be spent by the end of this calendar year and so that
4 does not give a lot of additional time and hopefully -- I am
5 sure there are states that have billed over their current
6 liaison amount and that if indeed those states are over that
7 some of this additional money would be able to be funded for
8 some of that additional time and equipment and materials,
9 supplies, whatever they did relative to council activities.
10 Thank you, Mr. Chairman.

11
12 **CHAIRMAN RIECHERS:** Any other discussion? **Hearing none and**
13 **seeing no hands up, all those in favor say aye; all those**
14 **opposed same sign. The motion carries.** That's three-for-three,
15 Mr. Perret. You're batting 1,000. With that, I think we move
16 on then and I believe that covers everything under Tabs G-4 and
17 G-5 and I think we move on to Tab Number G-6 and who is going to
18 -- You're going to take it, Mr. Gregory? Okay.

19
20 **UPDATE ON AP AND SSC APPOINTMENT PROCESS AND STRUCTURE**

21
22 **EXECUTIVE DIRECTOR GREGORY:** Yes, sir. Tab G-6 is the proposed
23 improvements to the advisory panel and SSC appointment process.
24 We looked at this at the last meeting and the council gave us
25 some suggested changes and asked us to continue working on that.
26
27 We've incorporated the suggested changes. We are moving forward
28 with developing an online application process, with the
29 recognition that some people will still want to submit a paper
30 copy, which then staff will put onto the online system, so that
31 people can check online to make sure that their application has
32 been received and is available.

33
34 We are proposing, because we have over 200 people that we
35 appoint, proposing to stagger the terms into three-year -- Maybe
36 everybody a three-year term instead of a two-year term and then
37 reappoint or reconsider appointment of a third of each of the
38 total group in every year. We will go through that and we will
39 see how that minimizes the workload and find out if it actually
40 creates more confusion among the fishing public.

41
42 We're going to have something for you in January or before the
43 end of the year, an online application process for you to look
44 at and experiment with and to see how it goes and that online
45 process will have an application form. We won't just accept an
46 email saying I want to be on there and we won't accept detailed
47 résumés, but just enough information to make it pertinent for
48 the advisory panels or the SSC and in which case, for the

1 advisory panels, it will have -- The application form will have
2 a statement that they've had no fishery violations within the
3 last five years.

4
5 For the SSC, it will have the statement of financial interest
6 form that NOAA has developed. We have a new form and most of
7 you all will see it in January. The new council members have
8 already had to fill out the new form. I think it's much more
9 complicated than in the past and it takes more time to fill out
10 if you do have businesses that you're associated with where
11 there's a potential conflict of interest in that, but that will
12 all be available online.

13
14 The only snafu we expect is with the SSC, because the NMFS or
15 the NOAA guidelines says that anybody appointed to the SSC must
16 have their statement of financial interest on file with National
17 Marine Fisheries Service Regional Office forty-five days before
18 they can be appointed. That's not a policy that we have
19 followed in the past and we're going to try to follow that
20 policy, but we will come back in January with a detailed
21 timeline of how that might work, but that's the only
22 complicating thing and they have to file that with the Regional
23 Office and so that's the online process.

24
25 There is three parts to this and the second part is the advisory
26 panel structure and the third part is the SSC structure that Mr.
27 Williams referred to earlier.

28
29 For the advisory panel structure, we took your advice to say
30 that these categories of advisory panel stakeholders are for
31 guidance only and they are not hard and cold and fast
32 categories, because we don't want to have positions that go
33 unfilled simply because nobody in that category applied for it
34 and so these are guidelines only.

35
36 We have changed the word "conservationist" to "environmentalist"
37 and we didn't want to use the term "E-NGO", because there are
38 environmentalists out there and I looked at -- I considered a
39 past council member, Julie Morris, as an environmentalist, but
40 she's not an E-NGO representative and so we changed that to
41 "environmentalist" and Mr. Perret said that was better than
42 "conservationist" and so we're moving with that. We've got
43 private anglers and for-hire people for the recreational
44 sectors.

45
46 This listing here is a staff recommendation of general
47 categories. We need to make a final decision on this in
48 January, because if you're going to consider these in April, we

1 need to know in January how to move forward and start
2 advertising these positions as soon as possible.

3
4 At the end of the advisory panel section on page 5, we have
5 listed the ad hoc advisory panels and the number of members in
6 each without going into the same detail of categorizing the
7 members. The important point I want to get across to the
8 council is we need to establish sunset dates for each ad hoc
9 panel.

10
11 The name "ad hoc" means it's for a specific purpose and some of
12 these have existed for a number of years. Now, the thing is if
13 a panel, ad hoc panel, has not fulfilled its duties and a sunset
14 date comes up, the council simply reconsiders and comes up with
15 a new sunset date and maybe it should be every three years or
16 every two years or something like that, but we want you to
17 consider that between now and January. It's possible an ad hoc
18 committee could become a permanent advisory panel, if that's
19 deemed necessary. I will stop there and take any questions on
20 the online process or the advisory panel discussion.

21
22 **CHAIRMAN RIECHERS:** A question regarding the establishment of a
23 sunset date. In our decision to try to make those sunset date
24 establishments for you, it would probably be useful for us to
25 know when they were previously established, so that -- There may
26 be different or a staggered set of times we want to have there
27 and we may not want to just establish one date for all of them,
28 depending on that.

29
30 The other question I have as I walk through here is what are we
31 searching for when we say "other"? Other than the previous
32 categories here on each set or help me with the notion of
33 "other".

34
35 **EXECUTIVE DIRECTOR GREGORY:** That was intended just as a
36 catchall and without any specificity, because I think staff --
37 Staff currently categories your AP members as charter boat or
38 headboat or -- What I've learned is that the term "other" has
39 been used for things like a fish house operator or owner, rather
40 than a fisherman.

41
42 In my mind, the commercial category would cover both of those,
43 because they're representing that industry, but the "other" was
44 just there as a catchall and if you don't want that or lump that
45 into the other ones, that's fine, but since these are just
46 guidance only, it's just kind of there and we haven't really
47 defined it.

48

1 **CHAIRMAN RIECHERS:** The only thing is as long as we can keep in
2 mind it's guidance only and we don't always have to -- If we
3 have people who are still in the pool who may not fit the other
4 categories who we may or may think are really designed to fit
5 here, we don't appoint them just because we happen to have their
6 name in front of us.

7
8 I think we can make that decision as we go, to some degree, but
9 I was trying to figure out whether we were just looking at
10 others as being anybody different than the previous categories
11 or they could be inside that category or just other names that
12 we may have. Mr. Perret, you had a question?

13
14 **MR. PERRET:** Thank you, Mr. Chairman, and I have two or three
15 questions. Doug, would you please explain the rationale for
16 east and west Gulf?

17
18 **EXECUTIVE DIRECTOR GREGORY:** Let's take the Shrimp Advisory
19 Panel. The shrimp fishery in the eastern Gulf is operated
20 differently, and it's mostly pink shrimp, than the fishery in
21 the western Gulf and the attempt here is to maybe recognize that
22 difference. I didn't want to put -- We could put brown shrimp
23 and white shrimp and pink shrimp, but -- For the Reef Fish and
24 red snapper, that just seems to be a natural break, eastern Gulf
25 and western Gulf, to get representatives.

26
27 **MR. PERRET:** If I may, well, you picked shrimp and let's talk
28 about shrimp. The two main management measures with shrimp are
29 the Tortugas closure and the Texas closure and without the
30 Florida members initially, the Texas closure would have never
31 been in place.

32
33 Many Florida, Alabama, Mississippi, and Louisiana vessels go to
34 Texas to fish when the closure opens and likewise, fishermen
35 from other states go to the Tortugas area when that area opens
36 and so the geography in the shrimp industry is the Gulf of
37 Mexico, in my opinion.

38
39 The only fishery I think that where we really have an east and a
40 western zone is the mackerel. Snapper are throughout the range
41 and reef fish and, of course, some are primarily a Florida
42 fishery and so on, but it just seems, to me, that some of these
43 don't fit well with separating like a line, wherever that line
44 is, and where is the line, the mouth of the Mississippi River?
45 Are you going to divide Louisiana in half? I don't know. I
46 don't know the answer to that. Anyway, I've got a problem with
47 east and west.

48

1 Secondly, something as important as some of these major
2 committees and shrimp, for example, is thirteen members and I'm
3 not saying coral is not important, but coral with ten members.
4 I don't even remember the last time we had a coral committee
5 meeting and so it seems to me that's a lot of members for the
6 coral committee. I think that's probably too high for one and
7 too low for the other, and I'm talking about shrimp.

8
9 I don't know if I'm the only one that has the east/west problem,
10 but I just don't think that's appropriate or necessary and
11 that's one comment. On the S&S Committee --

12
13 **EXECUTIVE DIRECTOR GREGORY:** I would like to respond to those
14 two comments. I understand what you're saying about the Shrimp
15 Advisory Panel, because a number of those operations fish both
16 the eastern and western and move back and forth.

17
18 What we're trying to get at is get a broad representation of the
19 stakeholders so that we didn't end up with a committee where a
20 particular stakeholder group wanted to be on there, but was
21 inadvertently left off.

22
23 For the Reef Fish, red snapper and others, eastern and western,
24 if we tried to divide things by state, we ended up with way too
25 many people. Like take Reef Fish, for example. If we did it by
26 state, instead of two categories, we would have five categories
27 and so we could do it by state, but have maybe one for-hire and
28 one private angler, but if we did that for each state, we're
29 talking about four times five and that's twenty right there.

30
31 We can try to do that if you want between now and January and
32 come up with examples, but that gets -- It just seemed to be
33 getting too specific and if we're using this as guidance only --
34 We can still try to do that and look at it, but eastern and
35 western just seemed to be a natural delineation, in our mind, of
36 getting a broad representation of people to apply without going
37 down to the state level.

38
39 **MR. PERRET:** I still say, okay, east and west and where would
40 the line be for coastal migratory pelagics for east and west?
41 We now have a line and it's the Florida/Alabama line, western
42 Gulf and eastern Gulf, insofar as the fishery, but where would
43 the line be for all these others, the mouth of the Mississippi
44 River?

45
46 **EXECUTIVE DIRECTOR GREGORY:** I think, in my mind at least,
47 Louisiana and Texas is western Gulf and the other three states
48 are eastern Gulf, for this purpose.

1
2 **MR. PERRET:** Other than coastal migratory pelagics, where we do
3 have a distinct line and management measures vary from each and
4 quotas and all that stuff, why not just take out western and
5 take out eastern and instead of having one private east and one
6 private west, have two private anglers and two commercial and
7 two scientists and two -- That's my take and I may be the only
8 one that feels that way.

9
10 **EXECUTIVE DIRECTOR GREGORY:** May I?

11
12 **CHAIRMAN RIECHERS:** Let's hear from Ms. Bosarge first and then
13 you may end up addressing both questions and who knows. Okay.
14 Go ahead. Hers is on something different.

15
16 **EXECUTIVE DIRECTOR GREGORY:** Let's take red snapper. Clearly,
17 it seems to me, and this is -- Nothing is black and white. The
18 eastern charter industry has different perspectives on where to
19 go with management than the western Gulf charter industries. I
20 mean it seems to be the geography is different.

21
22 **CHAIRMAN RIECHERS:** The question is whether spelling them out
23 makes that much of a difference here or if Mr. Perret, using his
24 suggestion, is not spelling them out, but when we go to make
25 appointments, we look for geographic representation. That's the
26 question, I think, because at the end of the day, this is all
27 just a suggestion in how we fill these memberships out and it's
28 not necessarily -- We're not mandating this kind of membership.

29
30 I think that's the question and certainly Mr. Perret has felt
31 strongly enough to bring it up and I don't know if we should
32 offer it as a motion, Mr. Perret, so the full council takes it
33 up that way, or how you would like to do that.

34
35 **MR. PERRET:** It seems like I'm the only one that's got a problem
36 with east and west and so if that's the case, I am not going to
37 burden the staff and --

38
39 **CHAIRMAN RIECHERS:** I am not certain you're the only one, but
40 we'll hear from others.

41
42 **MR. MYRON FISCHER:** I'm not on this committee and so I was
43 trying to refrain from comment, but being Corky cornered me as
44 keeping my mouth shut, and you all know it's very difficult, but
45 my take on it -- I can't give advice to the Chair of the
46 committee or to Doug, who created the chart, but I think the
47 composition should reflect a snapshot of the industry.

1 If the majority of a particular industry is leaning heavily
2 towards the west side of the Gulf, I think that's where the AP
3 members should come from and not necessarily follow that percent
4 down to the percentage.

5
6 If it's a type of fishery, a reef fish fishery, that might be a
7 Florida fishery or spiny lobster or stone crab or whatever
8 fisheries we are still quasi-managing, that's where those
9 members should come from. I really think these committees
10 should reflect the fishery.

11
12 **CHAIRMAN RIECHERS:** Camp, since it's to this point, I'm going to
13 take you and then I'm going to come back to Leann.

14
15 **MR. CAMPO MATENS:** I have been mulling this over and I'm not
16 sure, if we divide in east and west, that all of these
17 categories should be divided on the same line. I mean pelagics
18 is a good example and I think red snapper is a good example.
19 Mr. Perret, do you want to be in the east or the west?

20
21 **CHAIRMAN RIECHERS:** I will let Mr. Perret think about that for a
22 moment and, Leann, I'm going to ahead and take yours, because
23 you've been waiting patiently.

24
25 **MS. BOSARGE:** On a different subject, in the past when we've
26 decided the makeup of these advisory panels, one of the most
27 important things to us as a council has been to make sure that
28 they're balanced and in the past, a lot of that has been
29 balancing recreational versus commercial, as far as the makeup,
30 so that we get input, equal input, from both sides.

31
32 Especially for red snapper, as the recreational process has
33 become more and more divergent between for-hire and private
34 anglers and what their opinions may be, and not necessarily what
35 we're doing, but what the opinions may be, I can see where we're
36 trying to make an effort here to split that recreational into
37 for-hire and private and make sure that we have representation
38 on both.

39
40 My only concern is are we doing that and maybe unbalancing
41 recreational versus commercial? In other words, if you look at
42 the Red Snapper Advisory Panel, in the past would it have been
43 maybe two commercial and two recreational, where you're
44 balanced, and now what I see on the page would be two for-hire,
45 two private angler, two commercial, whereas if you want to look
46 at it just in black and white, recreational versus commercial,
47 as far as an outcome -- I know for-hire and private angler are
48 not on the same page all the time for sure, but I just want to

1 make sure that in trying to balance that aspect, the for-hire
2 and the private angler, that we don't unbalance something else
3 in the process and so just keep that in mind.

4
5 **CHAIRMAN RIECHERS:** Mr. Boyd and then Mr. Perret was going to
6 respond a moment ago and so we'll go back to Mr. Perret after
7 Mr. Boyd.

8
9 **MR. BOYD:** I had two things. One is over the last couple of
10 years, we've talked about staggered terms for the SSC and the
11 APs and I don't think that's gotten a lot of traction, but I
12 just want the council to consider that we have an administrative
13 issue when we have to reconstitute 200 people at one time.

14
15 It's difficult for staff to work with that many résumés and it's
16 difficult for the council to work with that many résumés and so
17 we might want to do one, two, and three-year terms and start at
18 some given point, so that we get into a better administrative
19 routine as well as an experience routine.

20
21 Then the other comment I have, which I was going to bring up,
22 was the same thing that Leann just said. It seems to me that we
23 as a council are moving to two different distinct groups and one
24 is a for-profit group and one is a purely recreational group.
25 In looking at this, I would reiterate what Leann just said. It
26 looks like an imbalance of the profit-making group versus the
27 recreational group in the way that we're suggesting that this is
28 made up. Thank you.

29
30 **CHAIRMAN RIECHERS:** Mr. Perret, back to you. You kind of went
31 down this road and I'm not certain we have solutions at this
32 point. What we do have is I think several things that have been
33 expressed and go ahead, Mr. Perret.

34
35 **MR. PERRET:** Let me respond to Mr. Matens. Mr. Matens, I guess
36 if Louisiana and Mississippi could ever decide on where the line
37 is between the two states, I could make up my mind which side I
38 would want to be on, but look, I'm on a roll and so it's time to
39 get shot down.

40
41 **I am going to make a motion, and believe me, my feelings won't**
42 **be hurt if you all defeat my motion, but I am going to move that**
43 **we do away with the geographical description under the panels,**
44 **i.e., do away with east and west and at-large. That's my**
45 **motion.**

46
47 **CHAIRMAN RIECHERS:** Does Mr. Perret have enough traction to get
48 a second? Ms. Bademan seconds. Obviously we've kind of had

1 some discussion of this before the motion got put up and is
2 there any other discussion one would like to have here? Mr.
3 Gregory, did you want to have a point?

4
5 **EXECUTIVE DIRECTOR GREGORY:** No, I am not going to debate you.
6 I am not speaking against the motion. There is concern about
7 the geographical descriptions and there is concern about the
8 categories we came up with and how many people. We welcome
9 suggestions. We have to make a decision in January one way or
10 the other.

11
12 What I hear in general, in a general sense, is nobody likes this
13 proposal at all and go back to the way you were doing things
14 before and I mean that's what I'm hearing. I mean one person
15 thinks there's not enough commercial people and the other person
16 says there's twice as many as you think there are and it's out
17 of balance and this was our attempt, staff's attempt, to try to
18 have a balance based on what we see as the structure of the
19 fisheries.

20
21 We can scrap it now or wait until January. It really doesn't
22 matter to us. We're not -- I mean it wouldn't bother us. It
23 was just some idea we thought that would help the council to --
24 Because it was to make sure we had some balanced distribution of
25 stakeholders on our advisory panels, because we've seen, in some
26 instances, and I can't name you specifics now, where a
27 stakeholder group was not represented.

28
29 That's what we were attempting to do, to try to make sure -- We
30 can't make sure, but try to help keep the panels representative
31 of the stakeholders that are there on the water and it certainly
32 is not an attempt to, as Myron said, populate the APs based on
33 how many fishermen of each type we have from each area. We have
34 never even considered doing that. That would be a lot more work
35 than just two and two and two. It does seem to be confusing at
36 this point.

37
38 **CHAIRMAN RIECHERS:** I think maybe the full council or people can
39 decide what they would like to do. Let's vote this motion up or
40 down and then possibly in full council, or if someone wants to
41 make a subsequent motion, then this motion may become moot if we
42 in fact just don't want to go forward with this concept at all
43 anymore.

44
45 I think the concept is good. The problem is what you run into
46 is the buzz-saw of trying to implement it, which is everyone
47 seeing it all just a little bit differently in how they look at
48 those categories and how they look at those geographic regions.

1
2 With that, let's go ahead and vote this up or down. **All those**
3 **in favor say aye; all those opposed same sign. The motion**
4 **passes.** With that, we can either -- If someone wants to make a
5 -- Mr. Williams.
6

7 **MR. WILLIAMS:** I was going to have a question for Doug Boyd.
8 Doug, when you talked about the staggered terms to try to reduce
9 staff load whenever we do it, every three years or something
10 like that, or even out the staff load, are you talking about
11 replacing a -- If you're doing this every three years, a third
12 of the Mackerel Committee every year and a third of the Red
13 Snapper Committee or are you talking about totally redoing one
14 committee every three years and just staggering the committees?
15

16 **MR. BOYD:** That's a good question. Doug Gregory and I have
17 talked about this a lot over the past two years and our thought
18 was -- Two premises. One was to keep a body of knowledge always
19 on an AP or on an SSC and the other reason would be to lower the
20 administrative staff time and effort and my thought was that we
21 would have at least a half or a third roll out every year and so
22 if there were twenty members on there, say a third of those
23 twenty members would expire this year and then a third would
24 expire next year and that group would be added back on and so
25 you would reduce from just say 200 a year to a third of that
26 every year. Mr. Gregory, is that what we've talked about?
27

28 It's strictly a -- It's not to try to change the balance or
29 anything else, but it's simply -- Let's say you're a
30 recreational person and you're on an AP. When your slot comes
31 up or your term comes up, we would fill it with another
32 recreational person and not a different type of individual.
33 Does that answer your question?
34

35 **MR. WILLIAMS:** Yes, it does, but I was also thinking that, in
36 terms of what you were just talking about here with Corky's
37 motion, because if you're going to replace a third of the
38 Mackerel Committee every year, you're going to have to have some
39 kind of specific categories, aren't you?
40

41 You're going to have to have a western Gulf king mackerel
42 fisherman and an eastern Gulf king mackerel and so on the one
43 hand, we are getting away from specificity, but under what
44 you're talking about, and I like what you're talking about, we
45 might need some specificity as to how these committees are going
46 to be constituted.
47

48 **MR. BOYD:** There are not many specifics today. That's one of

1 the problems we've got and you could -- What Mr. Gregory and I
2 were talking about was could be done under today's environment,
3 but it would simply be an administrative issue and not a
4 constitution of the AP issue from categories, if that makes
5 sense.

6
7 **CHAIRMAN RIECHERS:** I will chime in here just a little bit. I
8 think you almost have to get more specific if you're going to
9 roll and then, as you suggest, you don't want to roll a whole
10 set of categorical members off at any one time. You would want
11 it to be a cross-the-section category coming off and then being
12 replaced, so that you have some institutional knowledge of each
13 group in there at each time.

14
15 The other problem I see with any of these notions, frankly, is
16 we don't get enough volunteers for these wonderfully paid
17 positions anyhow and so I'm not certain that any of these
18 structures are really going to change who we end up getting to
19 put in these slots and so I think all of them have some
20 challenges in that respect, but I think we should keep thinking
21 about it and see what we may be able to come up with between now
22 and January.

23
24 It seems to me, Mr. Gregory, unless you want to wade back into
25 this buzz-saw one more time, that maybe it's time to move on to
26 the SSC discussion.

27
28 **EXECUTIVE DIRECTOR GREGORY:** It will only get better. On page 6
29 of this document, I go over the SSCs and the number of SSC
30 members by the other councils and ours and a little bit of the
31 history of how we ended up with three major SSCs and a summary
32 of the wording -- Not the summary, but the wording from the
33 Magnuson Act on what the SSCs are supposed to do.

34
35 It seems to me that we would be well served to integrate the
36 three major SSCs we have, the Ecosystem SSC, the Socioeconomic
37 SSC, and the Standing SSC into one Standing SSC, but to do it in
38 a way that we don't lose the diversity of synergies that we have
39 with the economists and with the stock assessment scientists and
40 the ecosystem scientists.

41
42 We don't have any synergy at this point with anthropologists,
43 but we would like to create that. They are the third or fourth
44 major group of scientists that provide us with advice and so
45 what I propose here is to have -- This is based on comments at
46 the last meeting, where someone suggested we needed more
47 biologist types.

48

1 We propose to have six stock assessment or quantitative
2 ecologists. You know the south does not have the university
3 training the other parts of the country have had, historical
4 opportunities, and we do need to have stock assessment or
5 quantitative ecologists that can serve on the SSC to help
6 evaluate the stock assessments and that clearly is a mandate
7 from Congress and that's got to be seen as a priority job of the
8 SSC.

9
10 To include three ecosystem scientists and four economists,
11 because the economic analyses that we've been reviewing are
12 taking center stage and that's become not equally, but almost
13 equally, important area, and three anthropologists. Our idea is
14 that three people in a specialty can form a working group to
15 explore a project or an idea and bring it back to the SSC for
16 review and recommendation to the council.

17
18 I am trying to keep the diversity of expertise that we have with
19 our three major SSCs, but integrate them into one single
20 Standing SSC and then to include environmental scientists, if we
21 can identify one, and then some other scientists, from any of
22 the categories.

23
24 Again, this could be -- This has to be a guidance-type scenario,
25 because we may not get six quantitative ecologists applying for
26 the SSC at any one time and so this is a proposal. This is a
27 major restructuring of the SSC, but it seems to be the
28 appropriate thing to do and it's not that we have three SSCs
29 because the council deemed the three SSCs to be needed. They
30 just evolved that way from advisory panels in the SSCs, because
31 they happened to be advisory panels that were made up of mostly
32 scientists.

33
34 When the council got the opportunity to pay stipends to SSC
35 members, it was decided by staff to make those two advisory
36 panels SSCs, so they could be paid just like the Standing could.
37 That's how they actually became SSCs and it wasn't a conscious
38 effort and so this is an attempt to try to pull things back
39 together into one integrated SSC.

40
41 **MR. PERRET:** Doug, historically, the SSC -- I applaud your
42 efforts on this and I think it's appropriate that we do away
43 with, quote, unquote, three SSC-type panels and try and get it
44 down to one.

45
46 Having been a member of the Standing S&S Committee, and there
47 may be some -- I don't know if any of the others on the council
48 were ever members, but you were, Gregg. Of course, Gregg is a

1 youngster and he doesn't have all the years I had way back then,
2 but originally we had an attorney and a resource manager on the
3 SSC committee and I always found that the resource manager, who
4 had -- Every resource manager that served was a state division
5 administrator or assistant administrator, somebody at that level
6 whose background was marine fish or biology. Have you given any
7 thought to -- This is my question, Doug. Have you given any
8 thought to having a resource manager on the SSC?

9
10 **EXECUTIVE DIRECTOR GREGORY:** No, I haven't. I mean it's --

11
12 **MR. PERRET:** I guess I always thought it was useful. That
13 person in the resource management position has to live with fish
14 management decisions 365 days a year and they do have the
15 biological background and I always thought the scientists
16 present their thing and, hey, this guy or this person or
17 individual may be able to present some actual factual
18 information relative to this type of thing, whether or not it
19 may be workable or not.

20
21 I thought that worked well and I also thought the lawyer was
22 appropriate, but I am not going to go in that direction, but if
23 I'm the only one that feels that way, I think what you've got
24 there seems to be fine.

25
26 **CHAIRMAN RIECHERS:** Any other discussion? Dr. Stunz.

27
28 **DR. GREGG STUNZ:** Thanks for recognizing me, Robin, not being on
29 the committee. Having just been on the SSC, I can tell you,
30 Doug, that funneling down to this is much needed. It was kind
31 of clunky or whatever with all these different SSCs.

32
33 What I'm a little bit just wondering is that first one there,
34 where it's six stock assessment or quantitative scientists, I
35 assume -- Are you calling those something separate or stock
36 assessment is a quantitative scientist sort of together and I
37 don't see the difference there and maybe there isn't one, but
38 then below that, I see the three ecosystem scientists, which I
39 assume that to be more like ecosystem-based fisheries
40 management.

41
42 What seems to be missing there is just the regular fisheries or
43 fisheries ecology and maybe this is just semantics, but I see a
44 very big difference from a fisheries scientist and a stock
45 assessment or quantitative scientist. The fishery ecology, I'm
46 not sure -- Where would those guys fall in? You said, early on,
47 this was more to get some biological-type focus, but I'm not
48 quite seeing that in those terms and so maybe that's just me.

1
2 **EXECUTIVE DIRECTOR GREGORY:** No, we have a series of special
3 SSCs and their intent was to contribute the ecological life
4 history or other species specifics and so we have a Mackerel
5 Special SSC and a Reef Fish Special SSC and that might be where
6 the resource manager could come in as well and that's also
7 unique to this council, but this council has had special SSCs
8 from the very beginning and so I didn't want to touch that.

9
10 It is different than the other councils, but it does provide us
11 an opportunity to get that ecological life history and taxonomic
12 expertise involved in the discussion and I added the
13 quantitative part because, like I said, the south doesn't have
14 the schools and the amount of training the north does in stock
15 assessment scientists.

16
17 One of the SSC members asked me to expand that to include
18 quantitative ecologists and people like yourself and myself and
19 others that aren't really doing stock assessments, but were
20 quantitative enough to understand and to evaluate the stock
21 assessments for the SSC and the council.

22
23 The thought was that if I just said stock assessment scientists
24 that that would be too limiting and so it wasn't intended to be
25 separate, but they were intended to be inclusive.

26
27 **DR. STUNZ:** Okay and that's fine. I just thought those groups
28 should be included, but it makes sense now and especially I
29 should have read one more sentence below that in terms of the
30 other special SSCs and so that's fine.

31
32 **CHAIRMAN RIECHERS:** Any further discussion or suggestions here?
33 I think maybe that hit some of what Corky was at, realizing that
34 the special SSCs are still there, and possibly some of that
35 membership of state and fisheries directors and general
36 biologist types who are working in those positions could
37 possibly come in via that avenue. Any other discussion? If
38 not, we will leave that as it is today and move on to the next
39 item then. That takes us to -- We are moving to G-7(a) and
40 7(b).

41
42 **DISCUSSION OF SSC CONFLICT OF INTEREST POLICY**

43
44 **EXECUTIVE DIRECTOR GREGORY:** Correct. At the last council
45 meeting, in reviewing the SOPPs, which we're going to do later,
46 we got to the point of the SSC conflict of interest policy that
47 was in the old handbook, but it's not in the SOPPs. Again, the
48 council simply moved it from the SOPPs to the old handbook in

1 2012 when they redid the SOPPs, based on a National Marine
2 Fisheries Service template.

3
4 We adopted a new handbook in June which did not include this
5 provision and so I wanted to bring it back to the council, just
6 to make sure that it didn't fall through the cracks, and I was
7 asked to come back with some options.

8
9 There is two major options. One is to discontinue the SSC
10 conflict of interest policy and in 7(b) you have a summary of
11 what the other councils are doing. All the other councils --
12 Now, when this policy was developed, there was no requirement of
13 the SSC to have a financial statement of interest and there is
14 now.

15
16 All but one other council uses the statement of financial
17 interest as their so-called conflict of interest policy and the
18 financial interest statement identifies what potential conflicts
19 exist and puts it out there on the record.

20
21 Only the North Pacific Council has a policy similar to ours and
22 they limit it to this quote: Independent experts on the SSC
23 cannot be employed by an interest or advocacy group.

24
25 I think Option 1 is to discontinue this explicit conflict of
26 interest policy and Option 2, based on comments from the council
27 at the last meeting, was to identify options for what was
28 personal remuneration and what time period do we want to
29 consider to go back to.

30
31 Our violation statement that we have for the AP goes back five
32 years and so we're looking at the past two years or the past
33 three years, currently, the past ten years, for the time period
34 of consideration and for the type of remuneration, do you want
35 to do like the North Pacific has and just have it for direct
36 salary or grant-funded salary to an individual or grant-funded
37 salary through an agency? Currently, that is not considered a
38 conflict in our current policy.

39
40 Do you want it to include honoraria or even just travel
41 reimbursements? This is what I've got, based on our
42 conversation from the last meeting.

43
44 **CHAIRMAN RIECHERS:** A question there. If the current NMFS
45 reporting mechanism goes for five years, why would we even
46 consider ten years as an option?

47
48 **EXECUTIVE DIRECTOR GREGORY:** No, our violation of certification

1 for the AP, fisheries violations, goes back five years.
2
3 **CHAIRMAN RIECHERS:** I am sorry. Okay. I didn't hear you
4 correctly there and any questions or comments regarding these
5 options?
6
7 **MR. PERRET:** Does the Executive Director, after this exhaustive
8 research, have a recommendation for the council and, if so,
9 what's your recommendation?
10
11 **EXECUTIVE DIRECTOR GREGORY:** I could give a recommendation, if
12 so desired.
13
14 **MR. PERRET:** I am asking.
15
16 **EXECUTIVE DIRECTOR GREGORY:** I recommend Option 1, discontinuing
17 the SSC conflict of interest policy.
18
19 **MR. PERRET:** Do you want me to try? **I will go along with our**
20 **Executive Director's recommendation and move for Option 1,**
21 **discontinue the SSC conflict of interest policy.**
22
23 **CHAIRMAN RIECHERS:** Do I hear a second?
24
25 **MR. PEARCE:** Second.
26
27 **CHAIRMAN RIECHERS:** Mr. Pearce seconds. Do we have any other
28 discussion regarding this? I am going to take the Chair hat off
29 for a second and have a little discussion. Obviously, in some
30 recent times, we've had discussion about this in regards to
31 people on committees and so forth.
32
33 I would just suggest that as we move on, whatever we choose to
34 do here, we make that decision and we stick by those decisions
35 and we not alter those as we see fit as we move through time.
36 Obviously this impacts folks and their deliberations in the SSC
37 or other bodies as they move forward and so that would be my
38 recommendation. Whatever we do here from this point on, we need
39 to make sure that we are willing to stick with that decision.
40
41 We've done this in other decisions regarding violations as well,
42 where we end up deliberating it many times. I would just
43 suggest that once we make this decision that we certainly are
44 trying to adhere to that decision from this point on, at least
45 for a length of time that is reasonable in nature.
46
47 **MR. BOYD:** In Option 1, are we saying that we are adopting the -
48 - I guess it's the NMFS policy of independent experts on the SSC

1 cannot be employed by an interest or advocacy group?
2

3 **EXECUTIVE DIRECTOR GREGORY:** No, that's a policy of the North
4 Pacific Fishery Management Council. If we adopt Option 1, then
5 we simply are using the National Marine Fisheries Service
6 statement of financial interest as the mechanism for identifying
7 potential conflicts of interest.
8

9 **MR. BOYD:** Okay and so I guess my next question would be if
10 someone makes an application and they disclose that they are on
11 the payroll of a special interest group, whoever they are,
12 that's all that matters at that point, if they're approved, that
13 they disclosed it? Is that correct?
14

15 **EXECUTIVE DIRECTOR GREGORY:** Correct.
16

17 **MR. ANSON:** That, I think, is incumbent upon the council then to
18 use that information in its determination of whether or not that
19 person gets actually appointed and so the transparency is that
20 they've reported it and then it's incumbent upon the council to
21 use that information to make whatever decision they come up with
22 and so it provides, I guess, the most flexibility in that
23 regard, in that it's transparent to the public or to the council
24 as to what potentially their interests might be and how they
25 might vote, as it were, and then make that decision.
26

27 **MR. PEARCE:** To be a council member, we just have to have our
28 financial interest report in and we go from there and why should
29 the SSC be any different? I think that we make a whole lot more
30 decisions at the council than we do at the SSC.
31

32 I mean the SSC does the ABCs and a few other things, but why
33 should we hold them to higher standards or stronger standards,
34 whichever way you want to look at it, than a council member,
35 period, and the council member statement of financial interest
36 is all we do to get on this council and so I'm supportive of
37 this motion.
38

39 **CHAIRMAN RIECHERS:** Any further discussion regarding the motion?
40 **All those in favor say aye; all those opposed same sign. The**
41 **motion passes with one abstention.** With that, I believe we
42 travel to the next agenda item. We have one more item, Mr.
43 Gregory.
44

45 **CONTINUED REVIEW OF DRAFT SOPPs REVISIONS**

46

47 **EXECUTIVE DIRECTOR GREGORY:** We are in Tab G, Number 8. We
48 started reviewing the SOPPs at the last meeting. What we're

1 going through are the comments that the, for lack of a better
2 term, the SOPPs Committee made and those items that were in the
3 old handbook that we have dropped with the adoption of the new
4 handbook.

5
6 We got through to page 19 and so if we could start on page 19,
7 we will finish this review and then, if we finish this today,
8 and we're kind of running out of time and so we may not, but at
9 the next meeting, we will finish what we're doing here and then
10 we will also be reviewing the NOAA comments.

11
12 We finally got from NOAA the comments on the SOPPs that we
13 submitted to them in 2012 and so we will review their comments
14 next. I didn't want to bring that to you at this point. We are
15 still working on this one.

16
17 **CHAIRMAN RIECHERS:** The question, before we really get started
18 then, and then I will go to Kevin, but have we looked at the
19 NOAA comments enough to know that our work here today, going
20 through our subsequent comments, is still relevant or did they
21 make wholesale changes or changes in a way that we would be
22 doing work that may not really matter?

23
24 **EXECUTIVE DIRECTOR GREGORY:** No, they have not.

25
26 **MR. ANSON:** Just a point of clarification. For all of the edits
27 that are listed on the document prior to page 19, are those the
28 same or do they incorporate the changes that were made or
29 suggested at the last meeting?

30
31 **EXECUTIVE DIRECTOR GREGORY:** Thank you. I forgot to explain
32 that. Yes, the track changes that are from pages 1 to 19 are
33 based on the comments that were made by the committee and the
34 council at the last meeting and I will do the same thing with
35 the second half of this the next time you see it, but the first
36 half will either stay the same or the track changes will
37 disappear at some point. If there is concern about them as
38 well, we can go back and look at them.

39
40 **CHAIRMAN RIECHERS:** I think the goal was to start back here and
41 move as far through the document as we can and then we'll go
42 back to any of those changes, but obviously we're going to see
43 it again anyhow in January.

44
45 For those trying to get caught up there, we're at 3.9, Stipends,
46 page 19, where that big, bold print says "Start Here Again" and
47 with that, we will just turn to Mr. Gregory and it looks like
48 we're starting with a comment or a question regarding stipends

1 and who other than the SSC we might want to pay stipends to and
2 is that correct?

3
4 **EXECUTIVE DIRECTOR GREGORY:** That's my interpretation of that
5 question from the review committee. The Magnuson Act does give
6 us authority to give stipends to advisory panel members and the
7 council decided not to do that. We could put something like
8 that in this section or just not mention it, but I think -- I
9 don't know of any councils that are paying their advisory
10 committees stipends.

11
12 **CHAIRMAN RIECHERS:** Any comments there? It doesn't sound like
13 there are any comments there.

14
15 **EXECUTIVE DIRECTOR GREGORY:** The next item is on page 20 and
16 it's the highlighted section under Staff Functions and this
17 basically says that if there's any positions that the council
18 wants to authorize for employment that they have the authority
19 to do that and in the paragraphs above, it states that the
20 Executive Director has the responsibility -- It says the council
21 has authorized the Executive Director to recruit, hire,
22 compensate, and dismiss all permanent, probationary, and
23 temporary personnel. It seems a little contradictory, but I
24 think the highlighted things might mean, and we can make it more
25 explicit, that the council still has the authority to employ
26 people at their wish.

27
28 **CHAIRMAN RIECHERS:** I think this is just helping to clarify the
29 point that even though you have a staff roster, you are not
30 limited to only those positions within the context of that
31 roster in the handbook and is that correct?

32
33 **EXECUTIVE DIRECTOR GREGORY:** I think we can make that clearer,
34 yes.

35
36 **CHAIRMAN RIECHERS:** Any comments regarding that? Any questions?
37 If not, what we're going to do is just kind of roll through
38 these and unless I see a hand go up or you're in some way
39 catching my attention, we are going to just keep moving. I will
40 look up and Doug will pause a moment and we will look around,
41 but then we'll just go on. Go ahead, Doug.

42
43 **EXECUTIVE DIRECTOR GREGORY:** The next item is on page 22,
44 Section 4.9, Leave. The question was to define compensatory
45 leave and define how all leave can be accrued, used, and what
46 happens.

47
48 This is the same section that we had in the new handbook and

1 when we come back to this, we will make this section, and any
2 other section that is the same as in the handbook, because it's
3 required to be repeated in both places, we will make them read
4 identically. We've already addressed this in the handbook and
5 so that will be carried over to this one.

6
7 The next item is on page 23, Holidays. In the new handbook, I
8 just wanted to point out that we've added Friday to the
9 Thanksgiving holiday season, which is different than federal.

10
11 Under 4.10, Employee Benefits, we've got highlighted that the
12 council may also approve -- I think the thing here is that these
13 benefits are benefits being provided by the council and they are
14 not guaranteed and depending on the circumstances, the council
15 can change their benefits at any time.

16
17 Under the same page, 4.11, Travel Reimbursement, that has been
18 delegated to be approved by the ED for non-federal travelers.
19 What we did in the new handbook is the Council Chair approves
20 travel for council members and the Executive Director approves
21 travel for everybody else.

22
23 On page 24, the next item, from the old handbook there's a
24 paragraph that we had there and I suggest that we just delete
25 that and not incorporate it, because it's covered basically in
26 the new handbook and elsewhere here.

27
28 Then under 4.12, Foreign Travel, the question was can we explain
29 what the Fly America Act means and the staff response has that
30 explanation and so we will incorporate that into the SOPPs and
31 into the handbook. It's already incorporated into the handbook.

32
33 On page 25, Section 5.2, there is a question of improper
34 political activity needs to be defined. This is perplexing,
35 because there is nowhere in this document, nor in the handbook,
36 does the phrase "improper political activity" occur and so staff
37 doesn't understand that.

38
39 These general standards of conduct come out of either Magnuson
40 Act or the Federal Guidelines Almanac and so I suggest not
41 worrying about defining "improper political activity".

42
43 **CHAIRMAN RIECHERS:** Okay, Mr. Perret. I knew this was his item.
44 I remember that and go ahead, Mr. Perret.

45
46 **MR. PERRET:** I think this might be something I raised, but in A,
47 just below that, no employee, blah, blah, blah, blah, with
48 the council, for the purpose of interfering with or affecting

1 the result of an election to or a nomination for any national,
2 state, county, or municipal election and, to me, that's
3 political activity and so that should suffice and so that, I
4 guess, is the definition of political --
5

6 **EXECUTIVE DIRECTOR GREGORY:** The next item is on page 29, under
7 Procurement. I just added, from the old handbook, a description
8 of check signatures and I suggest we will add this section to
9 the SOPPs as well.

10
11 One thing we do want to address with the council at a future
12 date is that \$2,000 amount. That's a very low amount of having
13 manually-signed checks and what we will do is do an analysis of
14 our checks that are manually signed and give you a range of what
15 the amounts are and see if we can come up with a more realistic
16 number, where we don't have to sign an unusually large number of
17 checks, but it's not so large a number that it would be a
18 problem from an audit standpoint.

19
20 On the same page, under 6.4, Property Management, we can include
21 this in here, that a physical inventory of all property and
22 equipment will be made at least once every two years. That was
23 in the old handbook, which was in the earlier versions of the
24 SOPPs and I think we should put it back in.

25
26 Page 30, under Audits, there was a question whether NOAA
27 conducts an audit and is it less expensive and should we go to a
28 cheaper route? The staff response is that this question will
29 need to be presented to NOAA. We do not think NOAA has
30 sufficient funding to conduct audits of its grant recipients and
31 so we get an audit done every two years by an independent agency
32 and we've been doing that since we started. If you still want
33 us to pursue this, we will see if NOAA does conduct any audits
34 and we could go that route.

35
36 **CHAIRMAN RIECHERS:** Down below it, it does say that NOAA is
37 invited to participate, but I don't know if there's an option
38 and I think that was what the question was, was is there an
39 option to have them do it lieu of this other independent party
40 and whether or not that might be a less expensive option.

41
42 I think your response is you don't even know whether they would
43 have staff to do that appropriately, but maybe we should check
44 into that before the next meeting, possibly, and they may have
45 even addressed this in their comments back to us and I don't
46 know, but --

47
48 **EXECUTIVE DIRECTOR GREGORY:** We will pursue that and see. We

1 will talk to the Department of Commerce Office of Inspector
2 General. The next item is in Section 6.8 on the same page,
3 Financial Reporting. The question is, is this report going to
4 the Grants Office and who are we reporting to?

5
6 On the following page, we have a similar thing from the old
7 handbook and the staff response is, concerning the reports to
8 the council, is that we will provide the quarterly budget
9 reports on our FTP site and that we do report to NOAA with all
10 our grants. They have semiannual financial reporting
11 requirements and so we provide those grant reports directly to
12 NOAA. We will clean up the language so it's more clear.

13
14 The next item is on page 31 and it's the second-to-last item,
15 Definitions. Is this adequately covered and do we have
16 appropriate back-up protocols in place? That's 7.1 and 7.0 was
17 before that.

18
19 From the old handbook, we've got in the event of litigation,
20 compilation of the administrative record for a court case will
21 be under the direction of NOAA General Counsel. We think that
22 should be back in the SOPPs and then the last item is under
23 Definitions and I have no answer for that.

24
25 **MR. PERRET:** I think that was mine also, Doug, because I know
26 what happened to a lot of the department records in Mississippi,
27 as well as a lot of our personal records. We thought we had
28 them well backed up and we had real problems.

29
30 I don't ever anticipate that type of storm doing what it did and
31 you all are on what level of the building? I don't think you're
32 going to flood, but anyway, just make sure you've got good
33 backup is all I'm --

34
35 **EXECUTIVE DIRECTOR GREGORY:** Beth, do you have a microphone
36 nearby? Do you have time to get to one? Beth is our IT person,
37 Beth Hager, and could you briefly describe our backup procedures
38 for all our electronic materials?

39
40 **MS. BETH HAGER:** We have multiple backup procedures in place for
41 our email system and for our file structure and on our server we
42 have a cloud-based backup system, an onsite backup system, and
43 within the server itself and so we have several redundant
44 failovers and is that what you were looking for?

45
46 **EXECUTIVE DIRECTOR GREGORY:** Yes and we scan everything and so
47 everything is electronically stored.

48

1 **MR. PERRET:** All of that hardware is not in the basement of the
2 building, if it ever floods?

3
4 **MS. HAGER:** Actually, that would be my nightmare, yes, and
5 that's why we implemented additional backups in the last few
6 years when they become available technologically and feasible
7 and we do have the web-based backups as well and they are not
8 with the same vendor. We have multiple external vendors that we
9 use so that we have -- If one vendor should fail, we have an
10 additional mechanism in place to pull an archive from and pull
11 backups.

12
13 **EXECUTIVE DIRECTOR GREGORY:** Thank you very much and so that
14 completes the --

15
16 **MR. ANSON:** Beth, I may have not heard you correctly, but you
17 said the cloud and then the onsite servers and such, but your
18 vendors that you have hired, they are considered offsite and do
19 they have hardware that's actually capturing that on their
20 premises away from your office?

21
22 **MS. HAGER:** Yes and one of the primary vendors is Barracuda,
23 which is a federally-approved vendor.

24
25 **CHAIRMAN RIECHERS:** The question dealt with just backups and
26 making sure we were secure in that area and certainly we've had
27 some discussion here that suggests that we have a system that
28 has several redundancies built in for those backup purposes.
29 With that, I think that actually gets to the end of the SOPPs
30 discussion.

31
32 Obviously we are going to come back and we will have a chance to
33 review the comments as they've been cleaned up in here, based on
34 our last two discussions of this document, as well as with the
35 National Marine Fisheries Service suggested edits or changes or
36 places they saw that we needed to work on this as well at the
37 next meeting and so I think we're done with the regularly-
38 scheduled business to come before this committee and is there
39 any other business to come before this committee? I don't see a
40 hand go up and, Mr. Chairman, then that turns it back to you.

41
42 (Whereupon, the meeting adjourned at 3:00 p.m., October 20,
43 2014.)

44
45 - - -
46

Administrative Policy & Budget/Personnel Committee: Action Schedule & Next Steps for Tab G

Agenda Item V: Review of 2014 Carryover and 2015 Budget (Tab G, No. 4)

Timeline Status: Review of Budgets and Funding Approved in 2014.

Background: This Tab contains a summary of 2014 expenditures through January 2015 and the 2015 budget approved by the Council in August 2015.

The Next Step: 2015 Funding has been delayed. One Council is putting all current expenditures onto their 2014 Carryover budget. We would like the Council to approve the same.

Agenda Item VI: Review of Benefits Analysis by Markley Consultants (Tab G, No. 5)

Timeline Status: Initial Review

Background: In April, 2014 the Council approved funds to hire a consultant to conduct a benefit analysis of our retirement plan to determine comparability with federal benefits. It was determined that recent contribution changes to our retirement plan results in recently hired younger employees having a plan equivalent to the federal government but older employees with longer tenure with the Council are below equivalency.

The Next Step: Staff proposes to modify our retirement plan to allow for differential percentage contributions per employee.

Agenda Item VII: Review and Approval of Early Retirement Health Plan (Tab G, No. 6)

Timeline Status: Initial Review

Background: As part of the retirement plan review by Markley Consultants we estimated the costs of implementing a health subsidy for early retirees who are older than 55 and have been with the Council for 20 years. Annual costs through 2054 with 100% and 75% subsidies are provided along with comparable policies from other Councils.

The Next Step: Staff requests Council approval to implement an early retirement plan as presented with either a 100% subsidy or 75% subsidy.

Agenda Item VIII: Review of AP Term Limits (Tab G, No. 7)

Timeline Status: Follow up Review from January Council meeting

Background: In January, the Council requested staff to provide information on AP and SSC term limits from other Councils before consideration of term limits and staggered terms for the Gulf APs. Other Councils appoint members for various terms of 2 to 4 years. Some have staggered terms for APs or SSCs but there is no consistent trend among the Councils.

The Next Step: Staff recommends no term limits or staggered terms at this time. Appointments are at the discretion of the Council and the current 2-year appointment process is adequate. There is also concern that staggered terms could complicate the appointment process and outweigh any potential benefits.

Agenda Item IX: Consideration to Change Title and Appointment Process for Select APs (Tab G, No. 8)

Timeline Status: Initial Review

Background: The Council has four APs and the SMZ Monitoring Team that include non-public government officials who are not appointed, but rather are members due to their position. The Law Enforcement AP is the best example because none of the members are appointed by the Council. The APs reviewed in G-8 include the SEDAR, Outreach and Education, and Aquaculture APs and the SMZ Monitoring Team.

The Next Step: Review staff proposals and consider for approval.

GULF OF MEXICO FISHERY MANAGEMENT COUNCIL BUDGET DETAIL			
	Budget CY 2014	Actual CY 2014 as of 1/31/15	Proposed CY 2015
<u>PERSONNEL</u>			
Council	266.0	176.4	193.2
SSC	84.2	51.5	68.4
Total Full-time Staff Salaries	1,373.3	1,287.0	1,283.1
TOTAL PERSONNEL	1,723.5	1,514.9	1,544.7
<u>FRINGE BENEFITS (incudes SS)</u>			
<u>Employer Taxes</u>			
FICA - (Up to Annual Max.)	0.062		78.5
Medicare	0.0145		<u>19.0</u>
Total FICA/Medicare	104.4	96.2	97.5
<u>Health Insurance</u>			
Health Insurance			309.4
Dental Plan			<u>13.7</u>
Total Health Insurance	305.6	295.2	323.1
<u>Other Insurances</u>			
Disability/Life	15.8	15.0	14.8
<u>Retirement</u>			
14% of Staff Salaries	192.3	304.9	179.6
Annual Leave Account	75.6	111.6	28.8
Sick Leave Account	9.7	17.8	6.2
TOTAL FRINGE BENEFITS	703.4	840.7	650.0
<u>TRAVEL EXPENSES</u>			
Total Council Travel	234.9	156.4	174.1
Total Staff Travel	216.8	194.9	186.0
Total Advisory Panel Travel	174.3	65.5	72.2
Total SSC Travel	184.4	93.4	123.4
Other Travel (Consultants)	11.3	7.9	7.1
TOTAL TRAVEL EXPENSES	821.7	518.1	562.8
PAGE TOTAL	3,248.6	2,873.7	2,757.5

**GULF OF MEXICO FISHERY MANAGEMENT COUNCIL
BUDGET DETAIL**

	Budget CY 2014	Actual CY 2014 as of 1/31/15	Proposed CY 2015
Balance Forward:	3,248.6	2,873.7	2,757.5
<u>EQUIPMENT</u>	115.0	18.6	0.0
<u>SUPPLIES</u>	76.4	86.7	60.1
<u>CONTRACTUAL</u>	611.4	611.7	350.1
<u>OTHER:</u>			
<u>Rents/Leases</u>			
Office Space			163.8
Estimated taxes, utilities			<u>3.2</u>
	162.9	159.4	167.0
Leases Office Equipment	1.7	6.0	13.3
Meeting Rooms	105.0	105.5	106.0
<u>Communications</u>			
Phone (landline, cellular)	14.5	14.0	15.2
Other (Postage, ISP, PSAs, Subscriptions & Air Cards)	18.3	23.6	10.6
Transportation - S/H Chgs.	9.0	6.7	9.3
Printing (includes copy chgs.)	48.8	38.0	30.0
TOTAL OTHER	360.2	353.2	351.4
TOTAL BUDGET	4,411.6	3,943.9	3,519.1

**Gulf of Mexico Fishery Management Council
Staff Summary of Retirement Plan Study
December 2014**

Overview

Markley Actuarial was hired to perform a compliance review of the current retirement program and provide an employee retirement benefits analysis comparing the benefits of the current retirement program with the program employees would have been receiving, if they had been employees of the Federal Government. The plan design study also considers post-retirement medical benefits.

401(k) Compliance Review

Gulf of Mexico Fishery Management Council (the Council) provided Markley with documentation of the Council's legal status and various legal documents related to the Council's qualified retirement plan. The Council's 401(k) Retirement Plan (the Plan) has been reviewed for current compliance and the Council has been reviewed as an eligible employer to sponsor the Plan.

The Adoption Agreement for the Council's 401(k) Plan is in the format of an IRS pre-approved plan document. All plans in this format must be restated on or before April 2016. For the upcoming restatement, a review of plan provisions, recognizing those sections that are not applicable to governmental plans, would assure that the Plan meets the goals and objectives of the Council.

The IRS has a process to request a plan determination letter approving an employer's plan. The next cycle that accepts governmental plans ends January 31, 2016. This process should be reviewed for availability and to determine if the Council would benefit from a determination letter approving the Plan, recognizing the Council's status as a governmental employer.

The Council recently launched an RFP to review the current platform for the 401(k) Plan (ING, now VOYA). After consideration, the decision was made to remain with VOYA in a lower cost plan because Vanguard was not comfortable with managing a governmental 401(k) Plan. To support the decision, the RFP, the responses and the decision-making process should be maintained to document the process to meet fiduciary standards.

The Council should also have an Investment Policy Statement (IPS) for the Plan. The IPS should establish criteria for the selection of funds used in the Plan and benchmarks for the funds. A periodic meeting should be held with the platform representative to review the performance of the funds compared to the benchmarks. Minutes for these meetings should be maintained to meet fiduciary standards.

Employee Retirement Benefits Analysis

The Council sponsors a 401(k) Retirement Plan for employees. If Council employees were

considered Federal Government employees, their retirement benefits would have been determined by the Civil Service Retirement System (CSRS), if hired before 1987, or the Federal Employee Retirement System (FERS). The retirement benefits of the Plan have been compared to the applicable program for federal employees. The Council's program is a defined contribution plan. The plans for federal employees include both a defined contribution and a defined benefit plan. To provide for comparability in the study, all retirement plan benefits have been converted to a "Replacement Ratio", which is:

Retirement Income (through all sources, Social Security and an employer sponsored retirement program) Divided by Final Average Compensation at Retirement

A projected retirement age of 62 was used for this study. A replacement ratio in the range of 70% to 100% is generally thought to meet an individual's retirement security goals. This report measures the replacement ratio provided by employer contributions, employee deferrals and Social Security.

For each employee, benefits of the Council's 401(k) Plan were compared to the applicable plan for federal employees.

Conclusions

Based on the retirement benefit analyses the following conclusions were made:

1. An employee hired around 2010 who is between the ages of 38 and 41 would have an equivalent benefit under each plan, assuming the employee takes advantage of the contribution and match opportunities available.
2. There were 17 participants used in the comparison of the applicable governmental plan versus the Council Plan. Of those participants, only 8 had a higher replacement ratio under the applicable governmental plan. There were 2 participants that had an equivalent ratio and 7 participants had a better ratio under the current Council Plan.
3. One employee qualifies under the CSRS retirement plan.
4. Based on projections of benefits, future employees will receive a comparable benefit through the Council Plan.

The clear conclusion is that longer service employees are the most affected by not being in the applicable governmental plan. There are only 2 employees who have a significantly smaller replacement ratio in the current Council Plan. The likely explanation for the difference is that the Council Retirement program previously provided employer contributions smaller than the current 8% of compensation match and the 6% of compensation profit sharing contribution, for a total of 14% of compensation. We recommend that the Council implement a plan to replace some portion (for example, 33% to 100%) of the benefit provided by the applicable governmental plan that is not provided by the Council Plan.

**Health Insurance Cost Projections
For Pre-Medicare Retirees***

Budget Cycle	Avg. Annual Cost at 100% Coverage	Avg. Annual Cost at 75% Coverage
2015 - 2019	\$16,694	\$12,521
2020 - 2024	\$16,838	\$12,629
2025 - 2029	\$45,133	\$33,850
2030 - 2034	\$98,798	\$74,098
2035 - 2039	\$177,726	\$133,294
2040 - 2044	\$236,942	\$177,706
2045 - 2049	\$111,898	\$83,924
2050 - 2054	\$31,888	\$23,916

* Assumes age 55 and 20 years of service.

Other Councils' Early Retirement Health Benefits (January 2015)

- NEFMC: None
- MAFMC: Pays 75% of pre-Medicare coverage and 75% of Medigap coverage
- SAFMC: Currently under evaluation
- CFMC: 100% coverage to Medicare age
- NPFMC: Subsidy coverage under Alaska's plan (amount unknown)
- PFMC: Some subsidy coverage in a Post-Employment Health Program
- WPFMC: 100% coverage for remainder of life

SSC and AP Membership Term Limits of Other Councils

(February 2015)

North Pacific Council:

The Scientific and Statistical Committee (SSC) is composed of leading scientists in biology, economics, statistics, and social science. The SSC has 15 members, all of which serve one-year terms.

The AP consists of 21 members, all of which serve three-year staggered terms. Members of the SSC and AP may be reappointed or replaced annually.

Western Pacific Council:

SSC-20 members, indefinite terms.

Members of the advisory panels are appointed for four-year terms.

Pacific Council:

At-large members are appointed for three-year terms and may be reappointed. Non at-large federal, state, and tribal agency members shall be appointed by the Council to serve indefinite terms.

Advisory subpanels serve three-year terms.

New England Council:

SSC-19 members, 3-year terms.

Advisors for APs are appointed every three years and advisors are added in the interim as needed.

Mid-Atlantic Council:

SSC- 20 members, Members appointed for a three-year term, and may be reappointed. Appointments are staggered. *Interim or special appointments to the Committee of limited duration (not to exceed one year) may also be made to add expertise in special topic areas being addressed by the Committee.*

Advisory panel members are appointed for three year terms.

South Atlantic Council:

SSC- 19 members, plus 9 for a Socio-Economic panel, 3-year terms.

AP members serve voluntarily and serve for a three year term.

Caribbean Council:

SSC- 8 members, 2-year terms.

AP- 3-Year terms

Consideration to Change Title and Appointment Process for Select APs

Current Situation

The Council has four APs and the SMZ Monitoring Team that include non-public government officials who are not appointed, but rather are members due to their position. The Law Enforcement AP is the best example because none of the members are appointed by the Council.

SEDAR - The purpose of the SEDAR AP is to allow scientific and industry volunteers who do not already serve on an AP or SSC an opportunity to serve in a SEDAR workshop. SEDAR AP member workshop participants are reimbursed travel expenses by SEDAR. Travel expenses incurred by other individuals the Council may want to send to a SEDAR workshop are paid by the Council.

Outreach and Education – Currently each Gulf State has a communications specialists (chosen by each State Director) serving on the AP. Staff would like to establish a similar arrangement among the four Gulf Sea Grant Programs.

Aquaculture AP – The Aquaculture AP does not currently exist but the Aquaculture FMP identifies membership composed of Council and NMFS biologists and social scientists, SSC members, and other state, university, or private scientists with expertise related to aquaculture, as needed. We plan to populate this AP after the final regulations are implemented.

SMZ Monitoring Team – The SMZ (Special Management Zone) Monitoring Team was established originally in 1993 (Amendment 5) and comprised of Council and NMFS staff, as well as others appointed by the Council. The Team last met in 2006.

Recommendations

Staff requests approval to retitle the APs discussed above as Technical Committees, with appointments to the SEDAR, Outreach and Education, and the Aquaculture Technical Committees made jointly by the Executive Director and Council Chair.

For the SEDAR Technical Committee, staff would like the flexibility to appoint people on an as needed basis and to have state or federal scientists automatically qualified to serve as a de facto members.

The Law Enforcement Technical Committee membership is to remain status quo.

Staff recommends discontinuing the SMZ Monitoring Team and reconstituting it as a working group on an as-needed basis.