

1 GULF OF MEXICO FISHERY MANAGEMENT COUNCIL

2
3 ADMINISTRATIVE/BUDGET COMMITTEE

4
5 Renaissance Battle House Mobile, Alabama

6
7 October 22, 2018

8
9 **VOTING MEMBERS**

10 Doug Boyd.....Texas
11 Patrick Banks.....Louisiana
12 Susan Boggs.....Alabama
13 Martha Guyas (designee for Jessica McCawley).....Florida
14 Paul Mickle (designee for Joe Spraggins).....Mississippi
15 Robin Riechers.....Texas

16
17 **NON-VOTING MEMBERS**

18 Kevin Anson (designee for Scott Bannon).....Alabama
19 Leann Bosarge.....Mississippi
20 Roy Crabtree.....NMFS
21 Dale Diaz.....Mississippi
22 Dave Donaldson.....GSMFC
23 Jonathan Dugas.....Louisiana
24 Tom Frazer.....Florida
25 John Sanchez.....Florida
26 Greg Stunz.....Texas
27 Ed Swindell.....Louisiana
28 Lt Mark Zanowicz.....USCG

29
30 **STAFF**

31 Assane Diagne.....Economist
32 Matt Freeman.....Economist
33 John Froeschke.....Deputy Director
34 Beth Hager.....Administrative Officer
35 Karen Hoak.....Administrative & Financial Assistant
36 Morgan Kilgour.....Fishery Biologist
37 Mara Levy.....NOAA General Counsel
38 Emily Muehlstein.....Public Information Officer
39 Ryan Rindone.....Fishery Biologist & SEDAR Liaison
40 Bernadine Roy.....Office Manager
41 Carrie Simmons.....Executive Director

42
43 **OTHER PARTICIPANTS**

44 Luiz Barbieri.....SSC
45 Avery Bates.....Organized Seafood Association of Alabama, AL
46 Eric Brazer.....Shareholders Alliance
47 Shannon Calay.....SEFSC
48 Michael Drexler.....St. Petersburg, FL

1 Joel Fightmaster.....USCG
2 Traci Floyd.....MDMR, MS
3 Susan Gerhart.....NMFS
4 Tim Griner.....SAFMC
5 Ken Haddad.....Lloyd, FL
6 Joe Jewell.....MDMR, MS
7 Rich Malinowski.....NMFS
8 Lawrence Marino.....LA
9 Clay Porch.....SEFSC
10 Ashford Rosenberg.....Shareholders Alliance
11 Chris Schieble.....LA
12 Jim Zurbrick.....Steinhatchee, FL

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TABLE OF CONTENTS

1
2
3 Table of Contents.....3
4
5 Table of Motions.....4
6
7 Adoption of Agenda and Approval of Minutes.....5
8
9 Action Guide and Next Steps.....5
10
11 Approval of Funded Budget.....6
12
13 Review Proposed Modifications to the SOPPs.....11
14
15 Adjournment.....27
16

- - -

1
2
3
4
5
6
7

TABLE OF MOTIONS

[PAGE 11](#): Motion to accept the 2018 proposed budget, as written.
[The motion carried on page 11.](#)

- - -

1 The Administrative/Budget Committee of the Gulf of Mexico
2 Fishery Management Council convened at the Renaissance Battle
3 House, Mobile Alabama, Monday morning, October 22, 2018, and was
4 called to order by Chairman Doug Boyd.

5
6 **ADOPTION OF AGENDA**
7 **APPROVAL OF MINUTES**
8 **ACTION GUIDE AND NEXT STEPS**
9

10 **CHAIRMAN DOUG BOYD:** The Admin/Budget Committee is called
11 together. Let me read the new names of the members. Mr. Boyd
12 is Chair, Dr. Mickle is Vice Chair, Mr. Banks is on the
13 committee, Ms. Boggs, Ms. Guyas, Mr. Riechers, and Dr. Shipp,
14 and Dr. Shipp is absent today. We will start out with the
15 Adoption of the Agenda. Could I have a motion to adopt the
16 agenda?
17

18 **MR. ROBIN RIECHERS:** So moved.
19

20 **CHAIRMAN BOYD:** All right. It's moved and seconded by Ms.
21 Guyas. Approval of the April 2018 Minutes, everyone I'm sure
22 has studied them in complete detail. Dr. Mickle, you were Chair
23 last time. Any comments from you? Are you all right with the
24 minutes? Okay. All right. Is there a motion to accept the
25 minutes?
26

27 **MR. RIECHERS:** Move to accept as written.
28

29 **CHAIRMAN BOYD:** Moved by Mr. Riechers and seconded by Ms. Guyas.
30 The Action Guide and Next Steps, Dr. Simmons.
31

32 **EXECUTIVE DIRECTOR CARRIE SIMMONS:** Thank you, Mr. Chairman. We
33 have two main action items. We have the approval of the 2018
34 funded budget, and so we'll be asking the committee for a
35 motion, after we review that today, and we'll also touch on the
36 2019 planning and then talk a little bit about the next five-
37 year funding cycle. We did receive two additional contracts,
38 \$45,000 with the Regional Office for the Southeast For-Hire
39 Integrated Electronic Reporting efforts, and the essential fish
40 habitat projects, and we had \$75,000, and so we'll talk a little
41 bit about those.
42

43 The other main agenda item that we'll also ask you to take
44 action on today is we have three main sections of the SOPPs that
45 we'll review, and then we have some other minor changes that
46 we'll walk you through, and so we'll ask you for a motion on
47 that as well. Thank you.
48

1 **CHAIRMAN BOYD:** Thank you, Dr. Simmons. Approval for the Funded
2 Budget, Beth.

3
4 **APPROVAL OF FUNDED BUDGET**
5

6 **MS. BETH HAGER:** Turning to Tab G, Number 4, we're presenting
7 the committee here with the original 2018 budget, a proposed
8 budget, based on our total funded for 2018, and the year-to-date
9 expenditures for 2018, with the balances, and so those are our
10 four columns that we're going to review.

11
12 We received an additional \$146,000 this year from NOAA, in mid-
13 July, after the appropriations were completed. Additional funds
14 were given to all councils this year based on the requirement
15 that we complete a comprehensive review of our existing
16 regulations. Staff had completed this effort, and the council
17 reviewed and approved it back in June.

18
19 We have also been notified by NMFS that we need to produce our
20 documents in a format that is compliant with Section 508
21 standards and guidelines, and these guidelines ensure that
22 information and communications are accessible to individuals
23 with disabilities. This effort will require in-depth training
24 of all staff. In consideration of these additional initiatives,
25 and given significant changes in staff this year, it's our
26 intention to utilize the additional funds for staff support.

27
28 We have had two staff members retire, two staff members
29 promoted, and we're currently hiring a replacement fishery
30 biologist. You can see the adjustment between the two budgets
31 from the original and then the funded in the lines of salaries,
32 taxes, and associated benefits.

33
34 Our year-to-date expenditures cover the elapsed 75 percent of
35 the year, of which we have spent 71 percent of our funding.
36 Although we have many activities planned for the last quarter of
37 2018, we have also engaged in several efforts to reduce spending
38 this year.

39
40 We have switched to a lower-cost health insurance plan, and that
41 was a savings of about \$30,000, and we moved our office to less-
42 expensive space, and we also had a delay in moving in, and so
43 that was a total savings of about \$60,000 per year, and I
44 recently renegotiated a fixed-price copier lease for us through
45 GSA, and that's expected to save us more than \$25,000 over the
46 course of the next few years, due to that.

47
48 Overall, we project that 2018 will end slightly under budget,

1 due to these cost-saving measures. As we look toward planning
2 activities in the final year of our five-year award, we will be
3 including two additional contracts that we received to complete
4 the EFH work that Carrie mentioned, and that will be about
5 \$75,000, and to assist with the workshops for the implementation
6 of the for-hire electronic reporting amendment, and that's the
7 SEFHIER, which is \$45,000. Those will be in 2019, but they are
8 not budgeted in the 2018 re-budget. The 2018 re-budget just
9 includes the additional \$146,000 that we received, and that's
10 all.

11
12 **CHAIRMAN BOYD:** All right. Thank you, Beth. Beth and I were
13 talking earlier, and Carrie, and the five-year grant ends in
14 2019, and they're going to be working, starting in the very near
15 future, on the 2020 grants and the budget for that. Any
16 questions for Beth or Carrie on the budget? Kevin.

17
18 **MR. KEVIN ANSON:** Thank you, Mr. Boyd. I'm not on your
19 committee, but just were you still going to talk about those two
20 new funding -- I am particularly interested in the SEFHIER and
21 what the council is going to be doing for that.

22
23 **EXECUTIVE DIRECTOR SIMMONS:** Yes, I can talk a little bit about
24 that, and I will let probably Emily and John help me fill in the
25 gaps there. We are going to do I think it's fifteen in-person
26 workshops with the Regional Office staff, and we're going to
27 help with the planning of those across the Gulf. We're going to
28 do I think it's several webinars, eight or nine webinars, I
29 believe, that we're going to help set up, and we have to really
30 set up some meetings with them and determine the timing.

31
32 I think we're going to hear some presentations later this week
33 about the implementation of that document and where they see the
34 timing going, but I don't know how early next year we're going
35 to be focusing on that, but we are going to be busy helping with
36 those. If you don't mind, I will let Dr. Froeschke talk about
37 the EFH project, because he was more actively involved in that
38 contract.

39
40 **MS. EMILY MUEHLSTEIN:** Okay, and so John is directing me just to
41 fill in a little bit of the gaps about the SEFHIER, because, in
42 front of me, I have our scope of work. What we've done is we've
43 decided to partner with the Regional Office. My understanding
44 is that we expect a final rule to be published in January, and
45 then there are going to be two phases of implementation here.

46
47 In the first phase, we will be requiring the electronic logbooks
48 for the for-hire component of the fishery, and that will start

1 on April 1. Then, on October 1, we will add in the minimum
2 archiving GPS requirement, and so what we have done is we have
3 partnered with the Southeast Regional Office, and we are going
4 to host anywhere from twelve to fourteen in-person outreach
5 meetings across the region to educate our fishermen about the
6 requirements for the upcoming for-hire electronic reporting
7 regulations.

8
9 We noted that, at a minimum, there should be one meeting per
10 region, and meetings can be scheduled anytime between now and
11 May of 2019, and we also committed to holding five webinars to
12 educate fishermen about the requirements, and then we are going
13 to provide a detailed summary of each meeting, much like you
14 have seen in our public hearing reports. I don't know if
15 there's any questions before we move on to the ecosystem stuff.

16
17 **CHAIRMAN BOYD:** Any questions, council? Ms. Boggs.

18
19 **MS. SUSAN BOGGS:** What was the timeline on the AGPS meetings?

20
21 **CHAIRMAN BOYD:** Emily?

22
23 **MS. MUEHLSTEIN:** AGPS?

24
25 **MS. BOGGS:** The archivable GPS, and you mentioned something
26 specifically about those.

27
28 **MS. MUEHLSTEIN:** Got you. Okay. Sorry. We know that the final
29 rule is going to publish in January, and the use of the GPS is
30 starting on October 1, and so these meetings, I think, are all
31 going to be happening before then, but it's my understanding
32 that October 1 is when the GPS component of that ruling is going
33 to be coming out.

34
35 **CHAIRMAN BOYD:** General Counsel.

36
37 **MS. MARA LEVY:** Thank you. I just want to caution a bit,
38 because we haven't published a proposed rule yet, and so I don't
39 think we know exactly when a final rule is going to publish and
40 the exact timing of that, and so these might be sort of the
41 aspirational dates, but we're a little bit ahead of ourselves,
42 in terms of exact timing.

43
44 **CHAIRMAN BOYD:** Kevin.

45
46 **MR. ANSON:** Thank you, again. Emily or Dr. Simmons, this is
47 just for administrative portions then of the new regulations
48 regarding reporting, and it's not going to be anything related

1 to technical aspects or the training that's involved with the
2 implementation of the logbooks or the GPS, correct?

3
4 **MS. MUEHLSTEIN:** Correct. This sum of money is simply to host
5 sort of the outreach component of implementation.
6

7 **MR. ANSON:** Thank you.
8

9 **CHAIRMAN BOYD:** Carrie.
10

11 **EXECUTIVE DIRECTOR SIMMONS:** I guess I was a little confused by
12 your question, but I understand what you're asking now, Kevin.
13 I think we should just -- We do need to have several meetings,
14 and we need to work with the Regional Office staff and really
15 see about the timing on this, and so I think any dates that
16 Emily mentioned, as Mara said, are kind of our goal, but we
17 really need to talk about how we're going to lay these out,
18 especially with any other council activities that we need to go
19 out and cover in the early spring of next year, and so we
20 haven't really gotten to that stage yet, and so we kind of got a
21 little bit more detail than I was hoping to get in at this
22 meeting regarding that project, but we would bring back more
23 once we've met with them in early 2019, at that January meeting,
24 to discuss.
25

26 **CHAIRMAN BOYD:** Thank you. Any other questions? All right. I
27 would like to have a motion to --
28

29 **DR. JOHN FROESCHKE:** The \$146,000, did you want a little
30 information about that?
31

32 **CHAIRMAN BOYD:** Carrie, do you want to comment on that?
33

34 **EXECUTIVE DIRECTOR SIMMONS:** Thank you, Mr. Chairman. I just
35 might clarify that \$75,000 -- I think maybe John could just walk
36 through what the goals and objectives of that additional funding
37 were, if you don't mind.
38

39 **CHAIRMAN BOYD:** All right. John.
40

41 **DR. FROESCHKE:** What this is, just briefly, the councils are
42 required to identify and describe essential fish habitat for the
43 species that we manage across the various FMPs. All councils do
44 this, and it turns out that nearly all the councils do it in
45 different ways, based on data availability, or perhaps other
46 things, and so the objective of this is to sort of take an
47 inventory of all the different methods that they use, whether
48 they be model-based or expert guidance or things like that, and

1 take our own definitions of EFH and apply the various methods to
2 them.

3
4 The point of this would be how would our definition of EFH look
5 if we used, for example, the North Pacific methodology or the
6 Mid-Atlantic or something like that, just to give a better
7 contrast of the manner in which we identify and describe EFH in
8 our region and make sure that it's up-to-date in both the
9 current methods and it reflects the best use of the data that we
10 have, and so, as part of that, we're compiling -- We have some
11 data, both environmental data and the fish data, and we're using
12 that across a variety of methods.

13
14 We have a literature report, and so we'll be producing a white
15 paper kind of document summarizing the changes, or at least
16 describing how different methods would affect what we would
17 identify as EFH. If you recall, last year, we did a five-year
18 EFH review, and we outlined some potential updates to the way
19 that we identify EFH in that, and the Regional Office did give
20 us a response letter, and they asked us -- We'll be asking the
21 council to review their EFH information, as time and priorities
22 allow, and so we'll probably get the Habitat Committee together
23 in January.

24
25 **CHAIRMAN BOYD:** John, I've got a question. Do we coordinate or
26 use the EFH definition that the U.S. Fish and Wildlife Service
27 uses? Is that a part of this?

28
29 **DR. FROESCHKE:** The definition that we use comes from Magnuson.
30 I am not sure what the U.S. Fish and Wildlife is, in terms of
31 that, and I suspect it's similar, but I don't know.

32
33 **CHAIRMAN BOYD:** Thank you. Any further discussion? Carrie.

34
35 **EXECUTIVE DIRECTOR SIMMONS:** I just feel like we've spent a lot
36 of time on those two contracts, and so I just -- I didn't know
37 if anybody had any questions on the actual 2018 funded budget.

38
39 **CHAIRMAN BOYD:** Any questions? One of the things that I wanted
40 to note was that we're going to have some reduction in expenses
41 based on the new office space that we've got, and I don't know
42 what the exact amount is. Beth, do we know?

43
44 **MS. HAGER:** Approximately \$60,000 a year, at least, and that's
45 the initial onset. Then, going forward, the other leases would
46 have been expected to increase much higher and faster than the
47 space that we're in now, and so it's a pretty substantial
48 savings. Even just the move itself saved us about \$38,000 in

1 this year alone.

2
3 **CHAIRMAN BOYD:** Was that a net figure?

4
5 **MS. HAGER:** Yes.

6
7 **CHAIRMAN BOYD:** Okay. All right. Any other questions? If not,
8 I will entertain a motion to accept the budget. Robin.

9
10 **MR. RIECHERS:** I would move that we accept the 2018 proposed
11 budget, as final.

12
13 **CHAIRMAN BOYD:** I have a second by Dr. Mickle. Any further
14 discussion? **All in favor, please say aye; all opposed. The**
15 **motion carries.**

16
17 Next on the agenda is the Review of the Proposed Modifications
18 to the SOPPs. Dr. Simmons.

19
20 **REVIEW PROPOSED MODIFICATIONS TO THE SOPPs**

21
22 **EXECUTIVE DIRECTOR SIMMONS:** Thank you, Mr. Chairman. This is
23 in Tab G, Number 5, and it's in track changes, and so we'll
24 start on page 5, Section 2.5, with the SSC, the Scientific and
25 Statistical Committee.

26
27 You can see the second paragraph there, and we have modified it,
28 the language, to say: "During the appointment process of the
29 Standing SSC, the council shall appoint no more than eighteen
30 individuals, which will include --" Then there are no other
31 changes.

32
33 **CHAIRMAN BOYD:** Any discussion? Dr. Mickle.

34
35 **DR. PAUL MICKLE:** This is the proposed change for 2.5, and don't
36 we currently have nineteen individuals on the Standing SSC?

37
38 **EXECUTIVE DIRECTOR SIMMONS:** Correct, and so we were proposing
39 this language because there was an individual put on after the
40 appointment process, and so we now have more, which is what the
41 original language was, "will consist of", and so we were
42 suggesting this language.

43
44 **CHAIRMAN BOYD:** Dr. Mickle.

45
46 **DR. MICKLE:** To that point, I pulled up the website, and I
47 pulled up the Standing, and it doesn't say, categorically, which
48 scientists are which. It's composing of eighteen individuals,

1 which will include approximately seven stock assessment or
2 quantitative biologists/ecologists, three ecosystem scientists,
3 three economists, three quantitative anthropologists, and two
4 other scientists.

5
6 If someone goes to the website, like myself, and looks, we see
7 nineteen folks on Standing, but I can't figure out which is put
8 into which category, and I know we've had a lot of discussions
9 in the past of the SSC and its overall goals, and I've been very
10 vocal on what I think the SSC, the Standing in particular,
11 should provide to the council and how it should provide it, and
12 I think providing a little clarity on the categorical of who is
13 put into which seven and two and three and what those two others
14 are, and who those two others are would provide a little more
15 structure to the Standing. Thank you.

16
17 **CHAIRMAN BOYD:** Dr. Mickle, are you suggesting that we do that
18 on the website or someplace else?

19
20 **DR. MICKLE:** Yes, I think it's an easy change, just providing
21 the visible structure, on the website itself. I mean, I would
22 like to amend the SOPPs to say that the designated shall be
23 posted on areas where they are identified within the group. I
24 would like to formalize it like that, but, again, input from the
25 group, but it's just something I feel that the Standing needs.
26 Thank you.

27
28 **CHAIRMAN BOYD:** Dr. Simmons, do you think we need a motion to do
29 that, or is that just a simple administrative change?

30
31 **DR. TOM FRAZER:** Doug, I was just trying to reflect on the
32 meeting that we had, and it was in closed session, right, and so
33 I know that, as we were identifying individuals to serve on the
34 Standing Committee, we tried to capture those areas, but I don't
35 know if we have documented that anywhere, and so that's a
36 question, a procedural one, I guess, moving forward.

37
38 **CHAIRMAN BOYD:** Well, what is the pleasure of the committee on
39 Dr. Mickle's recommendation? Do you want to have a motion to
40 clarify? Ms. Boggs.

41
42 **MS. BOGGS:** I have a question back to the first thing that I
43 think that Dr. Mickle was discussing. The document reads
44 eighteen individuals, and we have nineteen, and so do we need to
45 amend the document to reflect nineteen, or do we need to remove
46 one from the SSC?

47
48 **CHAIRMAN BOYD:** Dr. Simmons.

1
2 **EXECUTIVE DIRECTOR SIMMONS:** Let me try to explain. This is
3 what staff was trying to do. We have nineteen individuals. The
4 council put on an additional individual outside of the normal
5 appointment process, but the council put on eighteen individuals
6 during the normal appointment process, and so, instead of just
7 changing the number in the SOPPs, we were just suggesting
8 saying, at the time of the process, you would appoint eighteen
9 members. You can put as many on there as the budget will allow
10 after the fact, but, at the time of appointment, you're putting
11 eighteen members on there, is what we were suggesting.

12
13 To Dr. Mickle's point, I think it's a nice idea. The problem I
14 think we might have is maybe the way the council classified
15 folks. There may be overlap, and maybe they classify themselves
16 differently, or they say they have multiple disciplines. It may
17 seem straightforward, but I'm not sure how that would work with
18 the SSC. Maybe we could talk to the Chair and Vice Chair about
19 it before we just put something like that on the website. I
20 would ask that.

21
22 **CHAIRMAN BOYD:** Dr. Mickle, would you be okay with that? Yes,
23 Mara.

24
25 **MS. LEVY:** A couple of comments. I understand why this is being
26 proposed, but it sort of seems like you have the SOPPs that
27 specifies something, and then you decide to do something
28 different as the council, which we've said the SOPPs aren't
29 really legally binding, but they are supposed to guide how you
30 operate, and then, in order to reflect that, we changed the
31 SOPPs.

32
33 I guess my question is, is changing it right now to reflect what
34 happened during the last appointment process really something
35 that you want to do? Are you going to change it every time you
36 decide as a council that you're not going to do exactly what it
37 says?

38
39 I guess that's up to you, and then the idea of, during the
40 appointment process you can have no more than eighteen, and I
41 guess that's fine with me, but I foresee a time in the future
42 where you might be appointing people to the SSC and someone
43 might say, well, I really want nineteen during the appointment
44 process, and so I guess I'm just asking you to think about why
45 you would be changing it and what the impact may or may not be
46 for the future, and I tend to agree with the designating people.

47
48 I mean, I guess that would be your prerogative, but that would

1 be the council's, or one person's opinion on the council, about
2 where that person falls in those different categories, and it
3 may not be how they classify themselves, or they may have
4 multiple disciplines.

5
6 **CHAIRMAN BOYD:** Dr. Mickle.

7
8 **DR. MICKLE:** To that point, SOPPs are guidance, right, and so I
9 think providing more structure to the SOPPs gives us more
10 direction, and I know this is going to complicate things,
11 because the categorical variables we're going to give these are
12 seven stock assessment or quantitative biologists/ecologists,
13 three ecosystem scientists, three economists, over and over,
14 like I just said, and so, when we go into these selection
15 processes, we're going to have to talk about that, right, and so
16 we're all going to be around the table saying, well, we already
17 have three of that category, and we already have three, and we
18 already have that seven, but that engages all of us to keep our
19 eye on what we want specialized in the Standing, right, and so
20 it brings us back on what we want the Standing to be, and I feel
21 that more structure in the SOPPs give us that, I guess,
22 structure that we need to move forward and to keep those
23 conversations coming up and straying from some things that may
24 lead the Standing SSC into being particularly, maybe even, in
25 the worst-case scenario, a political forum, which we certainly -
26 - I hope none of us want down the road, and so thank you.

27
28 **CHAIRMAN BOYD:** Any further discussion? Yes, John.

29
30 **MR. JOHN SANCHEZ:** Yes, I agree with you, and I was supportive
31 of the change made last time, because of personal, friendly
32 reasons and this and that, but, since then, I've had a chance to
33 think about it, and I think that this body should be science and
34 statistical, and we should try to keep it, in the future, going
35 forward, with people with those backgrounds and that expertise
36 to it, so that we can continue to do science-based management
37 and leave the political science to this group here.

38
39 **CHAIRMAN BOYD:** Thank you, John. Any further questions or
40 comments? All right. Carrie, do you want us to vote on
41 particular sections as we go or the whole document and changes?
42 I would rather do it the whole document and changes, if we can,
43 to save time.

44
45 **EXECUTIVE DIRECTOR SIMMONS:** Yes, that would be ideal. I guess
46 I'm just not sure about the website information. We can maybe
47 have a motion on that separately, if that's what the committee
48 would like us to do, and work with the Chair and Vice Chair and

1 the SSC members individually to classify themselves before we
2 put that on the website, and perhaps we should have that as a
3 separate, stand-alone motion after we're done, if you wouldn't
4 mind.

5
6 **CHAIRMAN BOYD:** All right. We will come back to that then.

7
8 **EXECUTIVE DIRECTOR SIMMONS:** All right. Let's move on to page
9 7. Under 2.6.2, Members and Chair, this considers formalizing
10 the requests of outgoing council members for advisory panel
11 appointments, and this had been done I guess ad hoc with the
12 Executive Director and the Council Chair in the past. I am
13 asking the committee and council if they would like to formalize
14 this, with this text or other language you would like to see,
15 and this is what we're suggesting: "Outgoing council members may
16 request to be placed on an AP of their choice until the time of
17 reappointment."

18
19 At the time of reappointment then, they would have to follow the
20 normal practice of applying, like other advisory panel members,
21 and so that was our proposal there, and then the language in the
22 second paragraph that is struck-through is outdated language
23 regarding our Law Enforcement AP. We don't have that an AP
24 anymore. It's a technical committee, and so I will stop and see
25 if there is questions.

26
27 **CHAIRMAN BOYD:** Ms. Boggs, questions?

28
29 **MS. BOGGS:** I actually just have a comment, and I'm okay with
30 this language, but, based on the conversation we just had with
31 the SSC and what I read in that, I think that we need to add AP
32 of their choice as long as they meet the requirements, because
33 the SSC is specific as to what you want on that committee, or is
34 that not an AP?

35
36 **CHAIRMAN BOYD:** Ms. Guyas.

37
38 **MS. MARTHA GUYAS:** Just so that I'm clear, the council member
39 that is outgoing could request to be placed, or placed, on an
40 AP, but it's still ultimately a council discussion and decision,
41 or is it -- Yes, and I'm seeing head-nods. Okay. I think I'm
42 cool with this then.

43
44 **CHAIRMAN BOYD:** Any further questions or comments? Mr.
45 Chairman.

46
47 **DR. FRAZER:** I would just like to get Carrie to weigh-in on that
48 and clarify it a little bit, to Martha's point.

1
2 **EXECUTIVE DIRECTOR SIMMONS:** We could add some language that
3 says "at the discretion of the council", or something like that,
4 because it hasn't been the whole council. It's been the
5 Executive Director and the Chair in the past. Like I said, this
6 wasn't formalized.

7
8 For example, Dr. Dana is on the Coastal Migratory Pelagics AP,
9 when she came off the council, and Captain Johnny Greene is on
10 the Reef Fish Advisory Panel, until reappointment, and so this
11 is formalizing it, and so, if you would like to put that
12 language in there, we could certainly do that.

13
14 **CHAIRMAN BOYD:** Ms. Guyas? Okay. Any further discussion?
15 Robin.

16
17 **MR. RIECHERS:** A question or a clarification. Really, if we use
18 this language, can we work on the language just a little bit?
19 It just appears to be a little bit -- At least I'm not reading
20 it quite correctly, but what you're really trying to say is
21 outgoing council members may request to be placed on an AP of
22 their choice at the time the AP is reappointed, and is that what
23 you're saying, during the regular appointment process of APs?

24
25 **CHAIRMAN BOYD:** Dr. Simmons.

26
27 **EXECUTIVE DIRECTOR SIMMONS:** Thank you, Mr. Chairman. That's
28 not what we've been doing. If that's what the council would
29 like to do, then I don't think this language is necessary.

30
31 **CHAIRMAN BOYD:** Robin.

32
33 **MR. RIECHERS:** No, it's -- But I thought that's what you were
34 clarifying it to, and so I'm very confused about what you're
35 doing, because, no, you're right that that's not what we've been
36 doing, and I -- Frankly, as long as we're willing to go by our
37 SOPPs, I am certainly not unwilling to go there, and I would
38 even consider Martha's comments further as well.

39
40 Just because we have had a practice for the past X number of
41 years, started in the 1970s, it doesn't mean that now, in 2018,
42 that should be a practice that we're still using in the same way
43 we've used it in the past. It may have served us well, but
44 there may be another discussion element about whether we want to
45 continue doing it that way.

46
47 **CHAIRMAN BOYD:** Leann.
48

1 **MS. LEANN BOSARGE:** Thank you, sir. I'm not on your committee,
2 but I was just going to -- Maybe in different words, what's
3 being said there, so we're all on the same page. Council
4 members roll off the council in some year, right, and say it's
5 this year, and say I roll off and I would like to be on the
6 Shrimp AP, but the Shrimp AP is not up for reappointments for
7 new members until 2021, right, and so, instead of having to wait
8 until 2021, if I'm an outgoing council member, and I requested,
9 if this language is approved, then the Chair and Vice Chair
10 could approve me going on the Shrimp AP, once I'm off the
11 council, but then, in 2021, when it's time to reappoint members
12 to that AP, I would have to apply, just like anybody else, at
13 that point, and be appointed by the Full Council in closed
14 session. This is just to give that outgoing council member the
15 opportunity to go ahead and get on and not have to wait until
16 that reappointment process.

17
18 **CHAIRMAN BOYD:** That's the way I read this also, but I
19 understand the confusion. Any other comments? Robin.

20
21 **MR. RIECHERS:** Well, I understand what you're saying, Leann, and
22 that may -- I am just not reading that sentence that way, and so
23 it may just be me, and we could work for some clarification
24 there, or, if everyone else is reading that sentence that way,
25 then I'm the only one confused.

26
27 **CHAIRMAN BOYD:** Mr. Chairman.

28
29 **DR. FRAZER:** Thank you, Mr. Boyd. I think Leann had this pretty
30 spot-on, what the intent of the language is, and so, as long as
31 the staff is appreciative of that, I think that we can work to
32 go ahead and clarify this, as Robin suggested, because I think
33 it is a little awkward, as written.

34
35 **CHAIRMAN BOYD:** All right. Carrie.

36
37 **EXECUTIVE DIRECTOR SIMMONS:** We can have that language for the
38 Full Council. I guess the other point that I think Ms. Guyas
39 brought up, and also Mr. Riechers, is we didn't have in there to
40 request to who, the Chair or Vice Chair and Executive Director
41 or Chair and Vice Chair, or how would you like me to try to word
42 that for the Full Council?

43
44 **CHAIRMAN BOYD:** Well, I would leave it up to you all. I mean,
45 that's the intent, is the Chair and Vice Chair would go ahead
46 and approve that. Then, once the reappointment is necessary,
47 it's an application. Any other comments? Okay. Carrie, do you
48 want to go on?

1
2 **EXECUTIVE DIRECTOR SIMMONS:** Yes. Thank you. Let's go to page
3 8.

4
5 **CHAIRMAN BOYD:** Carrie, just a minute. John.

6
7 **MR. SANCHEZ:** Just a quick question. Hypothetically, say
8 they're in the 2021 scenario. Say there is a couple of council
9 members stepping off in the interim, from now to then, and they
10 all want to be on the same AP. Now you have loaded it up to
11 twenty-one, albeit that's a temporary problem that will correct
12 itself in 2021, and is everybody okay with doing that, for
13 purposes of having a meeting and having a quorum and having
14 people show up and all that? That's just something to consider.

15
16 **CHAIRMAN BOYD:** Mr. Chairman.

17
18 **DR. FRAZER:** Again, I just think the way that I would handle
19 that, and I'm sure everybody before me would have handled that,
20 is probably use some discretion there and try to make sure that
21 things are balanced and use a little commonsense. If it was
22 totally frontloaded like that, we would probably have individual
23 discussions with those council members to try to place them in a
24 more representative role, I guess.

25
26 **CHAIRMAN BOYD:** Carrie.

27
28 **EXECUTIVE DIRECTOR SIMMONS:** Okay. Moving on to Section 2.7 on
29 page 8, this is new text that staff is proposing regarding
30 technical committees. I think it was in March of 2015 that the
31 council passed a motion to make the Education and Outreach and
32 the Law Enforcement Advisory Panel a technical committee, and
33 also the Aquaculture Advisory Panel, and we have proposed some
34 language that defines the makeup of those technical committees
35 that wasn't in the SOPPs for your review.

36
37 Let's go through, and so, generally, we talk about technical
38 committees can be made up of academics, agency, and industry
39 personnel with expertise in relevant subject matter. They can
40 advise and assist the council by reviewing relevant subject
41 matter and providing recommendations.

42
43 That is very similar, I think, to what you have for the AP
44 members, and then, for the makeup, we have proposed text for the
45 Outreach and Education Technical Committee, and so that's
46 Section 2.7.1 that we have up on the screen. It's composed of
47 fifteen people, or consists of fifteen people, and what that
48 membership makeup would be.

1
2 You also passed a motion, more recently, I think, allowing the
3 use of proxy attendees for this technical committee, and so
4 we've put that text in there as well. Then, for the Law
5 Enforcement Technical Committee, we have some proposed language
6 for the makeup of that committee, and we have asked -- This
7 committee, this technical committee, can actually have official
8 proxies, and those are on our website, or designees, rather, is
9 I think is what you call them, designees for that committee.
10 That was one of the only APs at the time anyways that could have
11 designees, and so you will see those folks reflected on our
12 website, and so we tried to capture that here with this language
13 as well.

14
15 One thing that's been a little bit cumbersome, as far as us
16 trying to track things, is there has been a lot of changes, I
17 think, as far as with this technical committee for law
18 enforcement, with folks that have moved on and they've gotten
19 promotions, and there has been some membership changes. We are
20 just asking to be notified when those occur. Staff did
21 eventually find out, but it was through Steve VanderKooy, and so
22 we're asking -- If the council agrees with this, we'll ask that
23 to be formalized.

24
25 Then also, if they're sending a designee instead of the member,
26 we're asking for that information in advance for both of the
27 technical committees, at least two weeks in advance, because
28 that would be reflected on our meeting authorization, and we
29 would know, for audit purposes, that that individual is that
30 representative for that particular meeting, and we would be able
31 to pay for their travel, and we would know what that person is
32 doing, what they're representing, and be able to categorize that
33 meeting, and so that kind of is all-encompassing of the language
34 we proposed.

35
36 **CHAIRMAN BOYD:** Carrie, just for clarification, could you give a
37 definition of an AP versus a technical committee and the
38 defining difference, just so we're all on the same page? Mara.

39
40 **MS. LEVY:** That was a perfect question for what I wanted to say.
41 I would suggest adding, under Technical Committees, where you
42 say who the members are and you're saying technical committee,
43 that a technical committee is a form of an AP, because, really,
44 the council has SSCs, and you can make advisory panels.

45
46 Whether you call them a technical committee or an advisory
47 panel, under the Act, they're all advisory panels, and so you
48 have decided to call these somewhat different, because I think

1 they're made up of different types of folks, and it seems like
2 state representatives and stuff like that, and so they're a
3 little bit different than your other APs, but, legally, they are
4 still APs.

5

6 **CHAIRMAN BOYD:** Martha.

7

8 **MS. GUYAS:** Thank you. I've got a couple of comments. As far
9 as the two weeks notification for when a proxy will be there, I
10 think that's fine, as long as the agenda is sent out well ahead
11 of that, and the reason I say that, and this relates to my other
12 comment, is, for example, if the Outreach and Education
13 Technical Committee is meeting, and they're going to talk about
14 Facebook, we have a Facebook person that we would want to send
15 to that meeting who may not be specifically the outreach and
16 education person for that technical committee, and so we would
17 just need time to identify who is the right person to send.

18

19 Then, kind of on that note, maybe modifying the membership to
20 include six communications staff from the Gulf states, and maybe
21 communication or outreach and education, because we have
22 different folks who are technically communication folks, versus
23 outreach and education, at least the way our agency is
24 structured, and I think that will be helpful. Thanks.

25

26 **CHAIRMAN BOYD:** Carrie, can you incorporate General Counsel's
27 comments without a motion, or are you going to need a motion to
28 do that?

29

30 **EXECUTIVE DIRECTOR SIMMONS:** Yes, I think we can do that. We
31 just need to make sure we put it in the committee report and
32 that the committee and council is comfortable with that language
33 that we're putting in there.

34

35 I did have a question, if the committee is okay with this, with
36 the changes, or any other changes, but I wanted to go back to
37 Section 2.6.3. I had a question.

38

39 **CHAIRMAN BOYD:** All right. Go ahead. Let's finish this first.
40 Anybody have any other questions about this particular -- Yes,
41 sir.

42

43 **LT. MARK ZANOWICZ:** Thank you. I was just wondering why there
44 wasn't a Coast Guard representative listed on the LETC?

45

46 **CHAIRMAN BOYD:** Carrie, are you looking that up in the language?
47 Thank you. Go ahead.

48

1 **EXECUTIVE DIRECTOR SIMMONS:** I apologize about that, but this
2 was hairy. I mean, we spent a long time, Dr. Lassetter and I
3 did, trying to work with Steve VanderKooy on this and looking at
4 our website and looking through minutes and trying to figure out
5 what we had done, and the fact that the Fish and Wildlife
6 Service -- They have two appointments, essentially, for each
7 region, and so I don't know why it was so difficult, but we
8 seemed like we struggled with it, and so I'm sorry about that.
9 We will add you in there.

10
11 **CHAIRMAN BOYD:** Okay. Thank you. Mr. Chairman.

12
13 **DR. FRAZER:** Thanks, Doug. Just, if you add the Coast Guard,
14 will that change that to ten people? I just want to make sure.

15
16 **CHAIRMAN BOYD:** Carrie, I am not going to be able to follow you.
17 For some reason or another, my Adobe Acrobat wants me to sign
18 into it, and I've never had to do that, and so I'm not going to
19 have it up. Any other questions here? Kevin.

20
21 **MR. ANSON:** I am not on your committee, and I waited until you
22 made your motion, but I am just curious on some clarification, I
23 guess, on the second paragraph on page 8, in Section 2.6.2.
24 There is a strikeout there, and "a period of" has been edited,
25 or modified, and it's been removed.

26
27 It goes back to a comment that John had brought up relative to
28 the timing of the appointments, when they come up for annual
29 appointment and you've got some staggered terms in there. The
30 way I read this paragraph is that, if a council member -- Maybe
31 it's not. Well, how long will a council member be able to stay
32 on, if they request, after they depart? They're able to stay on
33 for how long, I guess? It is just every year they will get
34 appointed, just out of respect, or deference, that first time,
35 and then, next time, they've got to apply, and is that how it
36 would work?

37
38 **CHAIRMAN BOYD:** I will let Carrie respond to that, but my
39 understanding is, in the discussions, that, if they're in the
40 mid-cycle, they would stay on until whatever that next
41 appointment period is. We do that now in October. Go ahead,
42 Carrie.

43
44 **EXECUTIVE DIRECTOR SIMMONS:** Well, we have the terms staggered.
45 They're on our website for the various APs, but the intent was
46 that, after that appointment cycle had ended, like Ms. Bosarge
47 mentioned earlier, you could be put on now, and so you came off
48 the council in August of this year, but you could stay on the

1 Shrimp AP until reappointment process, and, at that time, you
2 would have to go through the reappointment process. You
3 wouldn't just stay on the advisory panel.

4
5 **CHAIRMAN BOYD:** Okay, and so, to clarify, I think Kevin's
6 question is would they be on for three years from at that next
7 appointment cycle, or for the next one, which would be up the
8 next year?

9
10 **EXECUTIVE DIRECTOR SIMMONS:** Can we go back to page 7? I think
11 what staff was trying to say here, and obviously we need to work
12 on the language, but what we were trying to say is that they
13 could be -- The council member could request to be placed on an
14 AP of their choice, with the approval, I guess, of the Chair and
15 Vice Chair, until the time of reappointment. That means, at the
16 time of reappointment, you are no longer on that AP. You have
17 to reapply, and so maybe we could say that even differently, and
18 I don't know.

19
20 **CHAIRMAN BOYD:** Mr. Riechers and then Kevin.

21
22 **MR. RIECHERS:** I think the way to clean the language up is to
23 say it just like you did, but maybe even have a second sentence
24 that says that the council member will reapply along with any
25 other applications during the next reappointment process.

26
27 I think the point that Kevin was getting to though is are we
28 going to appoint someone and possibly their term come up the
29 next meeting, October, and so I think we've got to be somewhat -
30 - We've got to use some reason there, but clearly it could be
31 one year or three years, depending on how we're staggering those
32 terms, and so I think what Kevin is asking is do we want it that
33 way, or do we want to have something different there, or at
34 least --

35
36 I'm not going to ask his question for him, but I think that's
37 what he was alluding to, is it could be as short as one year or
38 less than one year, or it could be as long as, possibly, if they
39 had just been reappointed, maybe three years, given our
40 schedules right now, and aren't we on a three-year cycle?

41
42 **CHAIRMAN BOYD:** Kevin.

43
44 **MR. ANSON:** That was my point, Robin, and thank you for
45 explaining it as well as you did, and that would be my concern,
46 I guess. If one member may want to be on an AP, and the luck of
47 the draw says that they're only able to serve one meeting, or
48 not even one meeting, and the next one will come off and they'll

1 be in a two-year or a three-year situation, and so is there some
2 leeway in there that we can provide, if that is in fact what we
3 want to do, is maybe give them up to three years, and that may
4 be all we need to do, is say up to three years.

5
6 **CHAIRMAN BOYD:** Carrie, and then I have Ms. Boggs.

7
8 **EXECUTIVE DIRECTOR SIMMONS:** Well, I guess I would just work
9 with the Chair and Vice Chair, if that were to be the case, and
10 say, well, just remember that we're going to be reappointing
11 this panel in January of 2021, and Ms. Bosarge wants to be on
12 the Shrimp Advisory Panel, and so maybe we should wait, and the
13 council can address it that reappointment process, or something
14 like that.

15
16 **CHAIRMAN BOYD:** Susan? No? Okay. Any further discussion?
17 Mara.

18
19 **MS. LEVY:** Thank you. I have two comments. One I guess is to
20 Kevin's point. I guess I see a problem with, when you're
21 appointing your APs, when it comes up for a reappointment,
22 you're looking at the whole suite of people, and you're
23 repopulating the AP, and so it seems problematic, to me, to say
24 that a council member is on it even during that whole
25 repopulation, like they're just on it and then they're included
26 in the repopulation.

27
28 I mean, you would do that through your appointment process, if
29 you really wanted them to stay, but to keep them there without
30 putting them in the bunch of applicants that you are considering
31 seems a little bit problematic, just by virtue of the fact that
32 really you have dissolved the current AP and are repopulating
33 it.

34
35 Just a question about I guess this edit. I am not sure what the
36 purpose of taking out "a period" -- I mean, this applies to all
37 APs, right, and so all members and officers that actually happen
38 during the appointment period are appointed for a period of
39 three years. They are not appointed for three years, right?
40 Like, I mean, is there a reason that we're taking out "a period
41 of three years"? Was there a particular purpose, I guess is
42 what I'm asking.

43
44 **CHAIRMAN BOYD:** Carrie.

45
46 **EXECUTIVE DIRECTOR SIMMONS:** Gosh, I thought we just were
47 thinking it was redundant, and so we can certainly leave it in
48 if we think it's necessary.

1
2 **MS. LEVY:** I just think it makes clear that the appointment is
3 for a period of three years. It's not just for three years,
4 meaning you can have appointments and they are all three years,
5 and then they can get reappointed. It's not just a three-year
6 appointment and then you're done, and it goes without the term
7 limits thing, right? I mean, it's referring to the term, I
8 guess, is what I am saying, the period part.
9
10 **CHAIRMAN BOYD:** Mara, your recommendation would be to leave that
11 in? Is that correct?
12
13 **MS. LEVY:** I would leave it in unless there is a particular
14 thing that you're trying to address by taking it out, I guess.
15
16 **CHAIRMAN BOYD:** Carrie.
17
18 **EXECUTIVE DIRECTOR SIMMONS:** I think we thought that was minor
19 and it wasn't necessary, but we can certainly leave it in. I
20 have an answer regarding the Coast Guard representative. This
21 is where the confusion came in, now that Steven sent me an
22 email, Steven Atran. He's keeping us in check still. Thanks,
23 Steven.
24
25 The LEC and the LETC are identical, except that the Law
26 Enforcement Committee includes a Coast Guard representative, and
27 the LEC Coast Guard representative is usually the Coast Guard
28 council representative, and you are on the council, and so you
29 cannot also be an AP member, and so that's why you're not on the
30 LETC. We didn't forget about you.
31
32 **CHAIRMAN BOYD:** Did the council understand that? I am not sure
33 that I followed all of that. You got it? Okay. I go back to
34 my question about APs versus technical committees, and so we
35 still have an AP, and he's on the AP? Mara.
36
37 **MS. LEVY:** I think he's on the Law Enforcement Council
38 Committee, meaning you have a Budget Committee, and you have a
39 Reef Fish Committee, and he is part of the council, and so he's
40 on the Law Enforcement Council Committee, and he's a council
41 member, and so he cannot be on an AP, which a technical
42 committee is, is I think where we're getting at.
43
44 **CHAIRMAN BOYD:** Got it. Any other questions at this point? All
45 right, Carrie. Proceed.
46
47 **EXECUTIVE DIRECTOR SIMMONS:** Let's go to page 17, Section 3.7.3.
48 These are the more minor suggestions here. 3.7.3 is Council

1 Hearing, and I think we said that we wanted to say
2 "Representative", instead of "Officer", and so this is minor
3 language suggestions. Really, officer is -- We refer to
4 officers in the admin handbook as the Executive Director, the
5 Deputy Director, and the Administrative Officer, and so we were
6 just suggesting a word change here.

7
8 The other minor change is on page 23, since we were making
9 changes, Section 4.12, the travel reimbursement for non-federal
10 travelers. It's on page 23. This is language that reflects the
11 changes in the federal guidelines for travel for non-federal
12 travelers. It's minor terminology changes. Instead of using
13 "vouchers", we are suggesting using "reimbursement claims" and
14 using "travel guidelines", and these were just suggested changes
15 because we were making other changes, and staff considered these
16 minor.

17
18 There was one other minor change on page 24, Invitational
19 Travel, 4.15, and so it's "Gulf of Mexico Fishery Management
20 Council" and just strike "Regional". I think that was just a
21 typo from another version. That completes our proposed changes,
22 and I will stop there and see if there is questions.

23
24 **CHAIRMAN BOYD:** All right. We talked a minute ago about
25 approving these changes en masse, rather than each individually,
26 and then the possibility of some motions following that. What
27 is the council's wish? Do we want to go ahead and do some
28 motions to correct it, or do you want to go ahead and approve?
29 Carrie.

30
31 **EXECUTIVE DIRECTOR SIMMONS:** Well, I think you guys have given
32 me enough changes, and I can draft those, and we can have the
33 Full Council look at it and have you look at it before you vote
34 on it, since you made several tweaks.

35
36 **CHAIRMAN BOYD:** Okay. Let's do that. I like that idea. Okay.
37 We had two possible motions, one about putting the categories of
38 applicants on the website and then the other about what I call
39 auto-appointments, and so we'll save those then for Full
40 Council. Any other discussions at this point? Mara.

41
42 **MS. LEVY:** Well, I guess, with respect to those two things, to
43 the extent the committee wants to recommend something -- I mean,
44 you don't have to do it in committee, but, if the committee has
45 a recommendation for those particular things, if you're planning
46 on wanting to change the SOPPs, it might be helpful to know that
47 in advance of Full Council, but, obviously, that's up to you as
48 a committee.

1
2 **CHAIRMAN BOYD:** Council, any comments? I think we've had a good
3 discussion, and I think Carrie and Beth understand the intent,
4 and so we'll come back to Full Council with those changes in
5 there. Track changes to the track changes. Okay. Next on the
6 agenda is Other Business, and we didn't have any other business.
7 I will entertain any, if we have it. Carrie.

8
9 **EXECUTIVE DIRECTOR SIMMONS:** I guess I'm just not sure it was
10 clear to me how we wanted to handle the website and the Standing
11 SSC and if you wanted us to just have staff work with the Chair
12 and Vice Chair on that and come back to the council with some
13 idea if they were okay with putting those certain designations
14 on the website or how you wanted us to handle that.

15
16 **CHAIRMAN BOYD:** Martha.

17
18 **MS. GUYAS:** Just an idea. Since we haven't -- We didn't really
19 do this when we made those appointments before, but, in the
20 future, when the council is filling the SSC, presumably we'll
21 have some kind of table up where we're trying to fill the
22 categories, and, if we designate categories for people, maybe we
23 could put those on the website, but, for now, I don't think it's
24 going to be a good use of our time to try to go back and try to
25 assign people with, I guess, the different seats. That's just
26 my thought.

27
28 **CHAIRMAN BOYD:** Well, for a little clarification, and I was
29 going to bring this up at Full Council, but I will bring it up
30 now. One of the things that we could do, when the applications
31 are submitted, is to have people apply for specific areas of
32 expertise and not just apply it for the AP, but apply for
33 economics or apply for some other category, and that is the one
34 that you're applying for. That way, we know what their
35 discipline is. Go ahead, Carrie.

36
37 **EXECUTIVE DIRECTOR SIMMONS:** I thought we did something like
38 that, but we probably could make it better. I think we ask them
39 to rank the Standing or all the specials they wanted to be on,
40 and then I think, in the past, we've asked them what they
41 consider their highest versus lowest expertise, or rank their
42 expertise, or something like that, when we use the SOPPs, but I
43 can pull that up to be sure, but I think we did something like
44 that.

45
46 **CHAIRMAN BOYD:** Okay. Anything else for the committee? If not,
47 we're adjourned.

48

1 (Whereupon, the meeting adjourned on October 22, 2018.)

2

3

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4