

1 GULF OF MEXICO FISHERY MANAGEMENT COUNCIL

2  
3 ADMINISTRATIVE/BUDGET COMMITTEE

4  
5 Hilton Palacio del Rio Hotel San Antonio, Texas

6  
7 August 23, 2021

8  
9 **VOTING MEMBERS**

10 Phil Dyskow.....Florida  
11 Susan Boggs.....Alabama  
12 Dave Donaldson.....GSMFC  
13 Martha Guyas (designee for Jessica McCawley).....Florida  
14 Robin Riechers.....Texas  
15 Chris Schieble (designee for Patrick Banks).....Louisiana  
16 Bob Shipp.....Alabama  
17 Joe Spraggins.....Mississippi  
18 Troy Williamson.....Texas

19  
20 **NON-VOTING MEMBERS**

21 Kevin Anson (designee for Scott Bannon).....Alabama  
22 Leann Bosarge.....Mississippi  
23 Billy Broussard.....Louisiana  
24 Dale Diaz.....Mississippi  
25 Jonathan Dugas.....Louisiana  
26 Tom Frazer.....Florida  
27 Bob Gill.....Florida  
28 Lisa Motoi.....USCG  
29 Joe Spraggins.....Mississippi  
30 Andy Strelcheck.....NMFS  
31 Greg Stunz.....Texas

32  
33 **STAFF**

34 Assane Diagne.....Economist  
35 Matt Freeman.....Economist  
36 John Froeschke.....Deputy Director  
37 Beth Hager.....Administrative Officer  
38 Lisa Hollensead.....Fishery Biologist  
39 Ava Lasseter.....Anthropologist  
40 Mary Levy.....NOAA General Counsel  
41 Natasha Mendez-Ferrer.....Fishery Biologist  
42 Emily Muehlstein.....Public Information Officer  
43 Ryan Rindone.....Lead Fishery Biologist/SEDAR Liaison  
44 Bernadine Roy.....Office Manager  
45 Camilla Shireman.....Administrative & Communications Assistant  
46 Carrie Simmons.....Executive Director  
47 Carly Somerset.....Fisheries Outreach Specialist

48  
49 **OTHER PARTICIPANTS**

1 Kerry Marhefka.....SAFMC  
2 Jim Nance.....SSC  
3 John Walter.....SEFSC  
4  
5 - - -  
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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 and Action Guide and  
8 Next Steps.....5  
9  
10 Modification of Statement of Organization Practices and  
11 Procedures.....6  
12  
13 Discussion of the SSC's Best Practices and Voting Procedures.....20  
14  
15 Presentation of the 2019-2020 Audit Report.....31  
16  
17 Discussion on SSC Stipends.....31  
18  
19 Adjournment.....34  
20  
21 - - -  
22

TABLE OF MOTIONS

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
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21  
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25  
26  
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PAGE 10: Motion to revise the Statement of Organization Practices and Procedures (SOPPs) language to read as follows: The Council has established a Standing SSC and Special SSCs for individual fishery management plans or areas of expertise to provide expert scientific and technical advice to the Council. The SSC shall review and comment on the scientific adequacy of such statistical, biological, economic, social, and other scientific information as is relevant to the Council's development and amendment of any fishery management plan. During the appointment process of the Standing SSC, the Council shall appoint no more than 17 individuals which will include 8 stock assessment or quantitative biologists/ecologists. The remaining appointees shall include at least 2 economists and at least 2 anthropologists/sociologists, and 5 other scientists. Each member will have demonstrable expertise in one of the above categories. Each Special SSC will be comprised of no more than 3 members, and none of those three shall be a member of the Standing SSC or another Special SSC. When a Special SSC meets with the Standing SSC, members of the combined committees will vote as a whole committee. Council members or their designees may not simultaneously serve on the Council and an SSC. The motion carried on page 14.

PAGE 33: Motion to increase the SSC stipend from \$300/day to \$325/day. The motion carried on page 34.

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1 The Administrative/Budget Committee of the Gulf of Mexico  
2 Fishery Management Council on Monday morning, August 23, 2021,  
3 and was called to order by Chairman Phil Dyskow.

4  
5 **ADOPTION OF AGENDA**  
6 **APPROVAL OF MINUTES**  
7 **ACTION GUIDE AND NEXT STEPS**  
8

9 **CHAIRMAN PHIL DYSKOW:** I would like to call this meeting of the  
10 Admin and Budget Committee to order. The voting members of this  
11 committee are myself, Phil Dyskow, as Chair. General Joe  
12 Spraggins is Vice Chair. Patrick Banks, Susan Boggs, Dave  
13 Donaldson, Martha Guyas, Dakus Geeslin, Dr. Bob Shipp, and Troy  
14 Williamson.

15  
16 The first item on the agenda is in fact the Adoption of the  
17 Agenda. I would entertain a motion to adopt the agenda as  
18 written.

19  
20 **MR. DAVE DONALDSON:** So moved.

21  
22 **MS. MARTHA GUYAS:** Second.

23  
24 **CHAIRMAN DYSKOW:** We have a second. Any opposition to this  
25 motion? Hearing none, the motion carries. Next, we need to  
26 approve the minutes of the June 2021 meeting. I would entertain  
27 a motion to approve the minutes.

28  
29 **GENERAL JOE SPRAGGINS:** I make a motion that we accept it.

30  
31 **CHAIRMAN DYSKOW:** Do we have a second?

32  
33 **MR. DONALDSON:** Second.

34  
35 **CHAIRMAN DYSKOW:** Thank you. Any opposition? Hearing none, the  
36 motion passes. Next, we'll go into the Action Guide and Next  
37 Steps, led by Dr. Simmons.

38  
39 **EXECUTIVE DIRECTOR CARRIE SIMMONS:** Thank you, Mr. Chair. Good  
40 morning, everyone. Our first item is going to be looking at the  
41 Modification of the Statement of Organization and Practices and  
42 Procedures, particularly looking at the section which addresses  
43 the Scientific and Statistical Committee membership and  
44 appointment process, and so we have some draft language for the  
45 committee to consider, and then we have the original language,  
46 and there's not many changes, but this is based on the body of  
47 the special and standing SSCs that were just recently  
48 reappointed during the June council meeting.

1  
2 Next, we're going to cover a discussion of the SSC's best  
3 practices and voting procedures, and we have our new chair, Dr.  
4 Jim Nance, that's going to help us with that discussion. The  
5 SSC, as a body, did review that, and they provided a little bit  
6 of input regarding the voting and how they would like to see  
7 that done, and so we'll go through that and get the committee to  
8 take a look at it and see if they concur and are ready to  
9 finalize it.

10  
11 Next, we're going to have a presentation on the 2019-2020 audit  
12 report, and that is just for your information. That audit has  
13 been completed, and then, finally, we're going to have a  
14 discussion on the SSC stipends for your consideration. Mr.  
15 Chair.

16  
17 **CHAIRMAN DYSKOW:** Very good. Why don't we begin with the  
18 Modification of Statement of Organization Practices and  
19 Procedures for the SSC. Dr. Simmons, I think you're leading  
20 this off, and this would be Tab G, Number 4(a).

21  
22 **MODIFICATION OF STATEMENT OF ORGANIZATION PRACTICES AND**  
23 **PROCEDURES**  
24

25 **EXECUTIVE DIRECTOR SIMMONS:** Yes, and thank you, Mr. Chair.  
26 This is the original text, and I will just tell you where the  
27 major changes were made. We have reduced -- Originally, you had  
28 eighteen individuals, no more than eighteen individuals, on the  
29 Standing SSC, and we are proposing to reduce that to seventeen.

30  
31 Then we reduced the economists to two and removed the word  
32 "quantitative" in front of the anthropologist and sociologist  
33 section, and then we've added a little bit more information  
34 regarding the expertise of the special SSCs, with no more than  
35 three members, and we've also noted that, if you're on a special  
36 SSC, you should only serve on one special SSC or on the Standing  
37 SSC. Mr. Chair.

38  
39 **CHAIRMAN DYSKOW:** Thank you. If that's all on this item, let's  
40 move on to the next item, which is Tab G, Number 4(b). One  
41 point of order, and do we need to approve these changes?

42  
43 **EXECUTIVE DIRECTOR SIMMONS:** Yes, Mr. Chair. That would be  
44 good, to discuss and approve. Yes.

45  
46 **CHAIRMAN DYSKOW:** All right, and so let's open this for  
47 discussion.  
48

1 **DR. TOM FRAZER:** Phil, because you can't see people, if you  
2 would like, I am happy to kind of facilitate and identify people  
3 that are raising their hands, and would that be okay?  
4

5 **CHAIRMAN DYSKOW:** Excellent idea.  
6

7 **DR. FRAZER:** All right. First up, we have Bob Gill.  
8

9 **MR. BOB GILL:** Thank you, Mr. Chairman, and thank you, Mr.  
10 Chairman, for recognizing me, recognizing that I'm not on this  
11 committee, and so, relative to the changes on the SSC, it seems  
12 to me that that ability to fill specific buckets is highly  
13 dependent on the applications received, and they may, or they  
14 may not, be sufficient to fill the buckets that we have  
15 prescribed, and there is nothing in there that addresses that  
16 situation, and so I guess the question for Dr. Simmons would be,  
17 one, would the intent here be that we would not fill, if we did  
18 not get sufficient applications, that bucket, or would it be  
19 better, for example, to include in the SOPPs nomenclature such  
20 as "up to eight stock assessment" or "up to two economists", or  
21 some verbiage of that nature?  
22

23 **DR. FRAZER:** Okay. Phil, again, I'm just going to try to help  
24 you out here, and there's a couple of other people with their  
25 hands up. I thought I saw Robin, and then I saw Dave Donaldson.  
26

27 **CHAIRMAN DYSKOW:** Okay. Let's recognize Robin.  
28

29 **DR. FRAZER:** Robin has his hand down, and so we'll go to Dave  
30 Donaldson.  
31

32 **MR. DONALDSON:** Thanks, Mr. Chair. My comments are similar to  
33 Bob Gill's. In the discussion at the last appointment, there  
34 was confusion, because it said, "no more than seventeen", or,  
35 actually, it was "no more than eighteen", but then we had listed  
36 eighteen people, and so we either can entertain what Mr. Gill  
37 mentioned or just take out "no more than" and just "appoint  
38 seventeen individuals", just to avoid some of the confusion.  
39

40 **DR. FRAZER:** Dr. Simmons and then Robin.  
41

42 **EXECUTIVE DIRECTOR SIMMONS:** Thank you. I believe, based on the  
43 applicants that were appointed in June, you had filled all of  
44 these slots, as amended, with a reduction to two economists and  
45 two anthropologists, and we have one slot, and so you have  
46 sixteen folks on the Standing SSC, currently, and so you have  
47 one slot open at this time, which would be that eighth person on  
48 the stock assessment or quantitative biologist/ecologist

1 section.

2  
3 To me, it would be up to the council to decide if they want to  
4 leave that open, and perhaps readvertise at a future time, or  
5 consider someone else that applied for the special SSCs and ask  
6 them if they would like to serve on the standing. It's purely  
7 up to the council, but that was what we were thinking, based on  
8 the folks that were appointed during the last SSC process.

9  
10 **DR. FRAZER:** Mr. Riechers.

11  
12 **MR. ROBIN RIECHERS:** A couple of things. One is, Dave, I think  
13 you were recommending -- That you thought it solved the issue  
14 that Bob was suggesting, and the way that I heard Bob's  
15 suggestion, and I may have heard it wrong, was that you would  
16 open the opportunity to fill whatever category if you didn't  
17 have enough in a certain category, and did I hear that wrong,  
18 Bob, or not?

19  
20 **MR. GILL:** No, sir, and, if I could comment, that's correct, and  
21 it seems to me that, from the council's perspective, you want as  
22 much advice from qualified, knowledgeable individuals as  
23 possible, and, from that perspective, if, for example, you only  
24 get four stock assessment folks applying, and I recognize that's  
25 not realistic, but, if you do, then leaving four slots just  
26 because we have an artificial bucket that says we have to have  
27 eight doesn't make good sense to me, and I think some  
28 flexibility across -- For the council, in terms of each bucket,  
29 would be a better approach. Thank you, Robin.

30  
31 **DR. FRAZER:** I think, Robin, to that point.

32  
33 **MR. RIECHERS:** Well, now that I have made sure that I understood  
34 what Mr. Gill was saying, Bob was saying, what I will say is I  
35 think we did originally create these buckets for a reason,  
36 thinking about the balance of the disciplines inside of those  
37 buckets, and certainly I think we need to try to achieve what  
38 the buckets are here.

39  
40 Now, if we want to go into a different discussion about the  
41 balance and what buckets should be included, and basically a  
42 whole new round of discussions setting up the membership, I  
43 think that's a different discussion for a different time, or  
44 maybe we start it today, but I don't think it happens that  
45 quickly.

46  
47 Now, as far as what we appointed last month, and I would say we  
48 appointed those and we're done with that until we go for another



1 call, because that was the appointments that were made at the  
2 time, at least from my perspective.

3

4 **DR. FRAZER:** Thank you, Robin. Mr. Donaldson.

5

6 **MR. DONALDSON:** Robin, I misspoke, and I didn't -- My suggestion  
7 wasn't to solve Bob's problem, but it was just another  
8 alternative, and his was giving us a little more flexibility,  
9 and mine was saying, well, if we're going to have seventeen  
10 people in these various buckets, then we need to take out "no  
11 more than seventeen", and just say seventeen, and so either -- I  
12 think we need to do something, and I agree with you, because  
13 there was a lot of confusion when we went through this process  
14 at the last meeting, and so we need to make it as clear as we  
15 can.

16

17 **DR. FRAZER:** Thank you, Dave. General Spraggins.

18

19 **GENERAL SPRAGGINS:** I was just wondering if maybe one word might  
20 change some of this and help it. Where you get to the no more  
21 than seventeen individuals, which will include if you put up to  
22 eight, two, two, and five. That way, it wouldn't say that you  
23 had to have eight, two, two, and five in each one of them, but  
24 it would say up to that point.

25

26 **DR. FRAZER:** Thank you, General, and correct me if I'm wrong,  
27 Mr. Gill, but I think that captures the intent of your original  
28 point, and so what you're looking at then is simply a word  
29 insertion here of "up to" in front of -- "Which will include up  
30 to". Bob.

31

32 **MR. GILL:** Thank you, Mr. Chairman, and thank you, Joe, because  
33 that is the essence of what I was talking about. The only  
34 caution I would argue is that, if you put it there only, then  
35 you can interpret that as only applying to the eight stock  
36 assessment or quantitative biologists/ecologists and that it  
37 doesn't apply to the other buckets, and I don't know if that's  
38 the way you want it to go or not, but my suggestion is that you  
39 add more flexibility than that, but thank you.

40

41 **DR. FRAZER:** Mr. Riechers.

42

43 **MR. RIECHERS:** Well, I mean, I'm not going to get into editing,  
44 but we could do "up to" and a colon there, and then it would  
45 apply to all, and so, I mean, I think there's a way you could  
46 word that where it would solve that, or it would, with  
47 punctuation, solve that.

48

1 **DR. FRAZER:** I think, given the minutes and the record here, I  
2 think we'll capture the intent of the insertion of "up to", if  
3 that's a motion that somebody would like to make.  
4  
5 **GENERAL SPRAGGINS:** I can definitely make that, but I just  
6 wanted to make sure that the committee was okay with it, and, if  
7 you are, then I would make a motion that we change the wording  
8 from "not more than" to "up to".  
9  
10 **DR. BOB SHIPP:** I will second it.  
11  
12 **CHAIRMAN DYSKOW:** Okay. We have a motion and a second. Is  
13 there any discussion?  
14  
15 **DR. FRAZER:** Ms. Boggs.  
16  
17 **MS. SUSAN BOGGS:** Thank you, Mr. Chair. I appreciate the  
18 motion, General Spraggins, but I thought, when we were just  
19 having this discussion, that it would be "shall appoint no more  
20 than seventeen individuals, which will include up to a stock  
21 assessment", blah, blah, blah, blah. I mean, the "up to" is in  
22 the wrong place.  
23  
24 **DR. FRAZER:** I believe that you're correct, and so the way it  
25 should read is "the council shall appoint no more than seventeen  
26 individuals, which will include up to".  
27  
28 **GENERAL SPRAGGINS:** You're correct. I'm sorry.  
29  
30 **DR. FRAZER:** Thank you, Ms. Boggs.  
31  
32 **CHAIRMAN DYSKOW:** Is there any other discussion on this motion?  
33  
34 **DR. FRAZER:** Phil, we've got Dr. Froeschke.  
35  
36 **DR. JOHN FROESCHKE:** Just one comment regarding the language.  
37 On the portion that refers to the eight quantitative biologists,  
38 those biologists, those SSC members, participate not only in the  
39 meetings, but also in the SEDAR process, as reviewers and on the  
40 data workshops and things like that. Given the number of SEDAR  
41 events happening, those SSC members can get spread quite thin,  
42 and so, if we were to include the flexibility that left us  
43 short, that in particular could be problematic.  
44  
45 One suggestion is just move the "up to" to keep the "shall  
46 include eight of the quantitative" and then "up to" for the  
47 other. Put the "up to" language prior to the two economists and  
48 two anthropologists and others. We would just move it down, so

1 that you would have at least eight on that portion.  
2  
3 **DR. FRAZER:** Okay. Phil, I'm going to try to, again, read the  
4 room a little bit and help you out here, and so, given the  
5 comments by Dr. Froeschke, I would look to the motion maker and  
6 ask whether or not you would like to amend, because I thought it  
7 was kind of a friendly amendment to the motion.  
8  
9 **GENERAL SPRAGGINS:** I'm sorry, but I can barely hear you, Tom.  
10  
11 **DR. FRAZER:** Are you good? Okay, and so -- You didn't hear me?  
12  
13 **GENERAL SPRAGGINS:** I couldn't hear what you said. I'm sorry.  
14  
15 **DR. FRAZER:** What Dr. Froeschke had asked is if you could move  
16 where it says "up to", and, actually, he would like to move it,  
17 or suggests that it might be better placed, after the  
18 "quantitative biologists and ecologists", because there is a  
19 particular need to retain a minimum number of individuals that  
20 have that expertise, because of the demands on their time for  
21 the SEDAR process and other things.  
22  
23 **GENERAL SPRAGGINS:** Okay.  
24  
25 **DR. FRAZER:** All right, and so the motion maker has agreed to  
26 move the phrase "up to" after the semi-colon following  
27 "ecologists". I believe that Dr. Shipp was the seconder.  
28  
29 **DR. SHIPP:** That's correct, and that's okay with me.  
30  
31 **DR. FRAZER:** Okay. Phil, again, there's a couple of questions  
32 here, and it looks like Dave Donaldson.  
33  
34 **MR. DONALDSON:** Not to belabor this, but I think, if we're going  
35 to do that, then we need to put "up to two economists, two  
36 anthropologists, and up to five", just so it's clear, because,  
37 before, it was to include to, and then the colon, and then it  
38 listed everybody. Now that we're specifying that we actually  
39 need eight, and not up to eight, but we need actually eight, I  
40 think we need to put the "up to" by each of the other numbers,  
41 just so it's clear.  
42  
43 **DR. FRAZER:** Okay. Any comments on that? Mr. Strelcheck.  
44  
45 **MR. ANDY STRELCHECK:** I guess I'm curious about the five other  
46 scientists, and so, by putting the "up to" language before  
47 economists or anthropologists, is that limiting us to adding  
48 more than two economists or anthropologists? Would they fall

1 under other scientists? It's unclear to me what category that  
2 is for adding the members to the SSC, and so I don't want to be  
3 limiting, if we want to add more membership for certain types of  
4 job activities.

5

6 **DR. FRAZER:** Ms. Boggs.

7

8 **MS. BOGGS:** Thank you, Mr. Chair, and I don't know if this is  
9 possible, but if you did -- If we appoint eight stock assessment  
10 or quantitative biologists/ecologists and -- I am just thinking,  
11 and do you have to specify the number of economists and  
12 anthropologists and other scientists, or would you somehow say  
13 the remaining -- How many -- I can't do my math, but nine, and  
14 it would include economists, anthropologists, and scientists,  
15 and, that way, to Andy's point, if somebody falls into one of  
16 the other two categories, it doesn't prohibit them from serving  
17 on the SSC.

18

19 **DR. FRAZER:** Okay. I am looking around the table, Mr. Dyskow,  
20 and, again, I will just kind of chime in here, and I don't want  
21 to try to take over your responsibilities, Phil, and I  
22 apologize, and you can cut me off at any time, if you want, but  
23 I think the point here that I am hearing is that, irrespective  
24 of the eight quantitative-oriented individuals, there is a need,  
25 or at least a recognized need, to have people with economic  
26 backgrounds or anthropologists or sociologists on the committee,  
27 and so I think that was the point too that Mr. Gill was getting  
28 into.

29

30 I think what we're going to have to do is come up, perhaps, with  
31 slightly different language, because I think that the way it's  
32 written, perhaps, it is a bit ambiguous, and it's not clear what  
33 those other five individuals might actually look like with  
34 regard to their skillset, and so, if it's the intent of the  
35 council to have some flexibility with regard to the  
36 appointments, but you know that you have to have a minimum  
37 number of economists and sociologists and anthropologists, I  
38 think you could word that in a way that says, and I will make  
39 some suggestions, but I don't want to drive the motion. In  
40 fact, I will wait until I hear from other folks. Ms. Guyas.

41

42 **MS. GUYAS:** I mean, to me, it makes sense to have some  
43 flexibility with those five people. We know we need  
44 quantitative people, because we need catch advice from the SSC,  
45 and there's a lot of other things that we need from the  
46 sociological side and economists and all that, but we may,  
47 around this table, as we're filling the SSC appointments, look  
48 at the upcoming year and decide that maybe we really need more

1 social people, or maybe we need more economists for this problem  
2 that we're going to be facing, that we need this advice, and so,  
3 to me, I think it would be good to be able to use those seats to  
4 fill whatever it is that we need at the time.

5

6 **DR. FRAZER:** Ms. Boggs.

7

8 **MS. BOGGS:** I haven't had a lot of time to put this in words,  
9 but could you put a period after "the eight stock assessment or  
10 quantitative biologists/ecologists", period, and the remaining  
11 nine members will include at least two economists and two  
12 anthropologists/sociologists" and the other seats will be filled  
13 with other scientists? So you're saying you need at least the  
14 two anthropologists, but, if you have some additional ones in  
15 the five, it doesn't exclude them from being appointed to the  
16 SSC. I don't know if that helps. Thank you.

17

18 **DR. FRAZER:** I think, Ms. Boggs, that's getting closer to the  
19 language I think that people were intending, but I am going to  
20 let the folks that originally brought up the points weigh-in a  
21 little bit. Bob, I'm going to -- Does that capture kind of your  
22 original sentiments? Then we'll ultimately circle back to  
23 General Spraggins.

24

25 **MR. GILL:** Thank you, Mr. Chairman. Well, I'm not a member of  
26 this committee, and so my input is a whole lot less than the  
27 committee, per se, but I just wanted to raise the point that it  
28 seems to me that this whole process is driven by what  
29 applications fit whatever buckets we create, and we ought to  
30 have sufficient flexibility to deal with that, given that input,  
31 however this committee thinks that ought to be accomplished, and  
32 I probably ought not weigh-in, and I may weigh-in at Full  
33 Council.

34

35 **DR. FRAZER:** Thank you, Mr. Gill. Dave Donaldson.

36

37 **MR. DONALDSON:** I think what Ms. Boggs proposed captures the  
38 issues and gives the council flexibility, and so as long as the  
39 maker of the motion and the seconder is okay with that, I would  
40 be, and I think that's good.

41

42 **DR. FRAZER:** Okay. Thank you, Mr. Donaldson, and so I'm looking  
43 at other folks on the committee, in light of the conversation,  
44 and, General Spraggins, would you care to try to modify this one  
45 more time?

46

47 **GENERAL SPRAGGINS:** No, and I'm good with that. I'm good with  
48 her amendment to the motion, and I'm fine with that, if we want

1 to go with that.  
2  
3 DR. FRAZER: Okay. Ms. Boggs.  
4  
5 MS. BOGGS: I kind of wrote it out, if that helps.  
6  
7 DR. FRAZER: I think that would be helpful.  
8  
9 MS. BOGGS: Okay. Tell me when you're ready.  
10  
11 DR. FRAZER: I think we're ready.  
12  
13 MS. BOGGS: So, during the appointment process of the Standing  
14 SSC, the council shall appoint no more than seventeen  
15 individuals, which will include eight stock assessment or  
16 quantitative biologists/ecologists. The remaining appointees  
17 shall include at least two economists, two  
18 anthropologists/sociologists -- Wait a minute. I'm sorry.  
19 Shall include at least two economists and at least two  
20 anthropologists/sociologists and five other scientists.  
21  
22 DR. FRAZER: Okay. It's up on the board. General Spraggins has  
23 indicated that he is okay with those changes. Dr. Shipp,  
24 likewise?  
25  
26 DR. SHIPP: Likewise. Yes, sir.  
27  
28 DR. FRAZER: Okay. I am going to hand it back to you, Mr.  
29 Dyskow.  
30  
31 CHAIRMAN DYSKOW: Thank you. If there is no further discussion,  
32 I would like to ask for a voice vote from both the live  
33 attendees and the remote attendees. **All those in favor of this**  
34 **motion as written, please say aye; are there any opposed.**  
35 **Hearing none, the motion passes.**  
36  
37 I know this took a long time, but I think it's important,  
38 because the diversity and the integrity of the SSC is very  
39 critical, and there's a lot of people that are concerned about  
40 it, and so I think it was time well spent. Would we like to go  
41 on to the next item, Dr. Simmons?  
42  
43 EXECUTIVE DIRECTOR SIMMONS: Yes. Thank you, Mr. Chair. We'll  
44 pull up Tab G, Number 4(b). You may recall, Mr. Chair, and this  
45 is just to refresh everyone's memory, but this an excerpt taken  
46 from the SOPPs, and it's Section 2.5.2, and folks can pull it up  
47 on their own from the website, regarding the members and the  
48 chair.

1  
2 I won't read you the whole thing, but I will touch on the first  
3 two sections of this and see if the committee wants to provide  
4 any direction to staff regarding any changes they would like to  
5 make that we would bring back for consideration at a future  
6 meeting.

7  
8 Members appointed by the councils to the scientific and  
9 statistical committees shall be federal employees, state  
10 employees, academicians, or independent experts and shall have  
11 strong scientific or technical credentials and expertise.

12  
13 Members and officers of the SSC shall be appointed for a period  
14 of three years, without term limits, and may be reappointed at  
15 the pleasure of the council. Membership on an SSC is determined  
16 by the council during a closed session of its council meeting  
17 and is based on the application provided by the application as  
18 well as the council members' knowledge of the applicant.  
19 Consideration for appointment may include the appropriate  
20 interest, expertise, and past performance, as well as other  
21 factors, such as a record of fishery violations. SSC members  
22 serve at the pleasure of the council and may be removed at any  
23 time without cause. Appointment of new members may be made  
24 during any council session.

25  
26 Mr. Chair, there is some other sections in the SOPPs regarding  
27 this portion, and you asked me to kind of remind the committee  
28 and the council, and so I wasn't sure if any changes needed to  
29 be made. Mr. Chair.

30  
31 **CHAIRMAN DYSKOW:** Thank you, Dr. Simmons. I received a lot of  
32 questions on this point, and so, if there's any committee  
33 members, or non-committee members, that have questions, now  
34 would, I guess, be the time to bring them up.

35  
36 **DR. FRAZER:** Phil, I am kind of canvassing the room for you.  
37 Dr. Shipp.

38  
39 **DR. SHIPP:** I may be a little out of line on this one, but I  
40 think we need to go back to the fundamentals, and there are some  
41 things that I don't know about the SSC, and I guess my question  
42 is must the council follow the SSC's opinion if the council  
43 believes differently? It's not clear, in my mind, where we  
44 stand with that. We're talking about membership, and I think  
45 it's appropriate to discuss it.

46  
47 **DR. FRAZER:** Ms. Levy.  
48

1 **MS. MARA LEVY:** Thank you. I mean, the SSC is an advisory body  
2 to the council, and so you're not necessarily bound by anything,  
3 except that you can't exceed their ABC recommendation when  
4 setting catch limits, because that's in the Magnuson Act, but, I  
5 mean, everything you do is guided by the National Standards, one  
6 of which is the best scientific information available, and so,  
7 to the extent that the SSC is the scientific body and makes  
8 determinations about that, I mean, that's part of the record.

9  
10 That's not to say that you can't deviate from that, but then  
11 there has to be a record made as for why that scientific advice  
12 is somehow not based on the best scientific information  
13 available or what you want to do is based on that, and,  
14 ultimately, the agency decides that question. I think my point  
15 is just that the SSC's advice will weigh into that best  
16 scientific information available question.

17  
18 **DR. FRAZER:** Thank you, Ms. Levy. I am handing it back to you,  
19 Phil.

20  
21 **CHAIRMAN DYSKOW:** Thank you. I have a small point, and the  
22 opening sentence, under 2.5.2, states that federal employees and  
23 state employees can be members, along with academics and  
24 independent experts, and would it make sense to add "qualified  
25 federal employees and state employees", because, if we just put  
26 "federal employees", who is to say that they're not simply going  
27 to represent the NMFS position, as opposed to an independent  
28 scientific position, and so what we want to make sure is we're  
29 putting federal employees on here that are qualified, from a  
30 scientific perspective, and not just people that want to support  
31 the NMFS agenda of the moment. I don't know how everybody else  
32 feels about that.

33  
34 **DR. FRAZER:** Phil, again, I'm not seeing any other hands. Mr.  
35 Dugas.

36  
37 **MR. J.D. DUGAS:** Thank you. I'm not on your committee, but a  
38 question. How did the SSC get to a point of -- Why is there a  
39 three-year term, or I'm sorry, but why is there not a three-year  
40 term as we have, as council members?

41  
42 **DR. FRAZER:** Dr. Simmons.

43  
44 **EXECUTIVE DIRECTOR SIMMONS:** Thank you. Yes, there is a three-  
45 year term, and it's the second paragraph there. Members and  
46 officers of the SSC shall be appointed for a period of three  
47 years without term limits, and that was a council decision, and  
48 I think we did that when Mr. Gregory was the Executive Director,



1 for both the SSCs and the APs, and we did some rotations on the  
2 appointments, if I am remembering correctly.

3

4 **DR. FRAZER:** Mr. Dugas and then Ms. Levy.

5

6 **MR. DUGAS:** Sorry. I confused myself. Why is it without term  
7 limits?

8

9 **DR. FRAZER:** Ms. Levy, do you want to -- Dr. Simmons.

10

11 **EXECUTIVE DIRECTOR SIMMONS:** Well, I will start. I mean, I  
12 think that's a council decision, and, I mean, I think we've  
13 talked about having historical knowledge, and new membership as  
14 well, to have a balanced committee, and you have some people  
15 that have been around for a long time that are very informed and  
16 knowledgeable about the process, including the SEDAR process and  
17 all the current changes, et cetera, and so I will start. Thank  
18 you.

19

20 **DR. FRAZER:** We've got a number of folks, and so I will start  
21 with Mr. Rindone and then Mr. Gill.

22

23 **MR. RYAN RINDONE:** Thank you, Mr. Chair. Just to add to what  
24 Dr. Simmons said, we've seen several evolutions in the stock  
25 assessment process over just the last ten years, and we have  
26 some SSC members that we have been able to retain across those  
27 several changes, and that has certainly helped be able to  
28 maintain the linkage from the past to the present and understand  
29 the best way to navigate the process and get data involved in  
30 the assessment, et cetera, and so there is value there.

31

32 Also, all of these SSC members serve at the pleasure of the  
33 council, and so, if the council determines, after an SSC  
34 member's term is up, or, prior to that, if you believe there is  
35 merit in that decision, of course, that an SSC member should be  
36 swapped out for someone else different or better or otherwise,  
37 that has some other expertise, that is entirely the pleasure of  
38 the council to do so.

39

40 **DR. FRAZER:** Thank you, Mr. Rindone. I had Bob next, but I just  
41 want to make sure that -- Mara, I jumped over you twice, and I  
42 don't want to get you too far away from your original point.

43

44 **MS. LEVY:** Thank you. I just wanted to respond to Mr. Dyskow's  
45 comment about the language and just point out that that language  
46 that's in that first sentence and paragraph comes directly from  
47 the Magnuson Act, and it's repeated in the regulations, and so I  
48 think that's why it's there. I read the "and shall have strong

1 scientific or technical credentials and experience" to apply to  
2 federal employees, state employees, academics, and independent  
3 experts. That phrase applies to all of them, and so I just  
4 wanted to point out why that language is there and where it  
5 comes from, so that you know that.

6

7 **DR. FRAZER:** Thank you, Ms. Levy. Mr. Gill.

8

9 **MR. GILL:** Thank you, Mr. Chairman. I am not on your committee,  
10 but I would argue strongly in favor of Dr. Simmons' and Mr.  
11 Rindone's comments that term limits should not apply to the SSC.  
12 You want that expertise for as much expertise as you get, and  
13 it's not a political office, by any stretch, and so some of the  
14 reasons for term limits don't apply, but, regardless of how long  
15 a member has been on, if they're willing to serve, and we  
16 recognize their expertise in providing advice to the council,  
17 you want that, and so I would very much favor without term  
18 limits in that regard. Thank you, sir.

19

20 **DR. FRAZER:** Thank you, Mr. Gill. I see have John Walter on the  
21 line, and then I will go to Troy.

22

23 **DR. JOHN WALTER:** Thank you, Mr. Chair. Good morning, everyone.  
24 I wish I could be there. Clay is on his way, as we speak, and  
25 so I will be here until Clay arrives. What I did want to say is  
26 just getting to the point about the independence of the  
27 scientists on the SSC.

28

29 I think both federal employees and state employees and academics  
30 and experts can still maintain their independence, and, in fact,  
31 when we do have our staff serving on SSCs, I tell them that they  
32 are an independent scientist in their own right and that they  
33 have their -- They can have their own opinions, and it may or  
34 may not be in any way the opinion of the agency, and they are  
35 allowed to have that difference of opinion, because it is a  
36 scientific body, and so I think, in terms of independence, that  
37 any of the people that are appointed have -- Their scientific  
38 credentials really are what is the rationale for them being  
39 there, and so I support their ability to be independent.  
40 Thanks.

41

42 **DR. FRAZER:** All right. Thank you, Dr. Walter. We had, next,  
43 Mr. Williamson.

44

45 **MR. TROY WILLIAMSON:** Thank you, Mr. Chairman. In looking at  
46 the removal provision, where the SSC members serve at the  
47 pleasure of the council and may be removed at any time without  
48 cause, the Act provides that removal of a council member is a

1 little more convoluted process, and they can be removed, if I  
2 recall correctly, for cause, and there has to be a statement and  
3 a two-thirds vote of the council, or something like that. Am I  
4 reading this correctly, that a simple majority vote will suffice  
5 to remove an SSC member?

6  
7 **DR. FRAZER:** Phil, again, I don't want to hone-in on your  
8 committee, but I think that would be the interpretation of the  
9 language as written. Correct?

10  
11 **CHAIRMAN DYSKOW:** I think that's correct, and this came up at  
12 the last meeting, in discussion, I believe, as well. Unless  
13 Carrie or Mara has a different opinion, I think that is correct.

14  
15 **DR. FRAZER:** It looks like both Mara and Dr. Simmons are shaking  
16 their head in agreement, and so we will go to Mr. Riechers.

17  
18 **MR. RIECHERS:** I am going to go back to the first question,  
19 J.D., and I am not going to speak in favor of no term limits as  
20 loudly as Mr. Gill did, but I will provide some history there.  
21 I do believe Mr. Gill certainly spoke to the history, and it's  
22 that we often don't get enough nominations, frankly, and/or  
23 qualified individuals, and so we often end up using the same  
24 people, from a discipline, time and time again.

25  
26 Then, once they start, many of them choose to stay in that role  
27 for as long as they can, but I will say that I think, as we try  
28 to think about bringing on new individuals and new people with  
29 some different thoughts, us as a council should work to see if  
30 we can't do that some more, because we're also kind of going a  
31 little bit past the thought that there aren't discipline bias  
32 that goes on as well and there is not a teaching from a set of  
33 individuals passed to their students and passed to their next  
34 colleagues and passed -- If it's a work environment, it's the  
35 same way.

36  
37 You can certainly have some of those instances where there is a  
38 train of thought, or a school of thought, that gets passed down,  
39 and sometimes it's good to have and look to maybe changing that  
40 somewhere along the way, or at least giving some other people an  
41 opportunity to bring in different opinions.

42  
43 **DR. FRAZER:** Okay. Thank you, Mr. Riechers. Phil, I am not  
44 seeing any other hands from the committee or non-committee  
45 members, and so it's back to you.

46  
47 **CHAIRMAN DYSKOW:** Thank you very much. I would just like to  
48 comment myself on this, and I think the reason this has become

1 such a talked-about concern is what happened with the SSC's  
2 recommendation involving the Great Red Snapper Count and whether  
3 that should be utilized to alter the whole process of evaluating  
4 Gulf red snapper biomass and everything else, and I think we all  
5 wonder whether that was a truly unbiased decision or whether  
6 there were influences in place that altered their final comments  
7 and recommendations.

8  
9 I think it's worthwhile to have this discussion, and I think  
10 anything we can do to make sure we maintain the scientific  
11 integrity of the SSC is important, and so it's a worthy  
12 discussion. That said, I think we can go on to the next item on  
13 the agenda, which is the SSC's Best Practices and Voting  
14 Procedures. Dr. Simmons.

#### 15 16 **DISCUSSION OF THE SSC'S BEST PRACTICES AND VOTING PROCEDURES**

17  
18 **EXECUTIVE DIRECTOR SIMMONS:** Thank you, Mr. Chair. That is in  
19 Tab G, Number 5. The committee reviewed a draft of this in  
20 June, and a lot of the language here is for the fleshing-out of  
21 what we have already in the SOPPs, which is somewhat limited  
22 regarding this process, and there is nothing in there about  
23 voting, and so what we're trying to do is further flesh that  
24 section out, and so this whole first portion is really talking  
25 about the Magnuson Act and the National Standards, particularly  
26 National Standard 2, dealing with best scientific information  
27 available.

28  
29 We have laid out a process regarding the SSC's participation in  
30 reviews and making recommendations, and the process with the  
31 SOFIs, and those SOFIs are now available on our council website.  
32 Previously, we did not post SSC members' SOFIs, appointed SSC  
33 members' SOFIs, but those are now -- That's a new policy, and  
34 they are posted on our website.

35  
36 If you go down a little bit more, we have two specific bullets  
37 regarding the peer review process, and then you get into the  
38 meat-and-potatoes, which is about the motion and voting  
39 practices, and so this is slightly amended, and you can see  
40 we're struck through what the SSC's recommendations were on this  
41 particular section, and we have Dr. Nance here as well, to help  
42 us answer any questions, but, really, they just tweaked the  
43 language a little bit.

44  
45 When the SSC is acting as a peer-review body for a stock  
46 assessment or other study, an SSC member, or members, should  
47 abstain from any motions and voting on the issue of BSIA if they  
48 have served as an analytical lead or principal or co-principal

1 investigator or had any direct participation as a member of the  
2 analytical team.

3  
4 They felt that those words and text were better -- They better  
5 described, perhaps, any event that could happen in the future  
6 regarding any types of reviews that would come before the SSC,  
7 and then they suggested striking that other language.

8  
9 Then the second part is what you reviewed before, which is,  
10 during the BSIA deliberations, the SSC member, or members, is  
11 free to participate in the discussion and answer questions and  
12 provide pertinent expertise and feedback to the SSC. After a  
13 decision has been reached on BSIA, the SSC member, or members,  
14 are at liberty to motion and vote on the remaining management  
15 advice, for example catch limits, appropriateness of allocation  
16 calculations, and decision tools developed to inform management  
17 actions.

18  
19 Mr. Chair, if the committee can provide any additional edits, or  
20 if they have questions, but we are looking for a motion to  
21 approve these, and, ideally, we would put them on the website,  
22 under the SSC section, and perhaps eventually include them into  
23 the SOPPs. Thank you.

24  
25 **DR. FRAZER:** Okay. Phil, I see a couple of hands. If you want  
26 me to go ahead now and pick on them, I will.

27  
28 **CHAIRMAN DYSKOW:** Sure. Go ahead.

29  
30 **DR. FRAZER:** General Spraggins.

31  
32 **GENERAL SPRAGGINS:** The only thing -- When I looked at this, a  
33 couple of things, and I understand the idea of a person having a  
34 lot of vested interest in it, and it's maybe just me not  
35 understanding as much about the SSC, but how many people are we  
36 talking that are that directly involved? Like, Dr. Stunz, I  
37 know you did this last, and maybe you can tell me how many that  
38 are involved that would be taken out of the vote.

39  
40 **DR. FRAZER:** Dr. Stunz, to that point?

41  
42 **DR. GREG STUNZ:** To that point, and thank you, Mr. Chairman, for  
43 recognizing me, and I'm not on the committee. General, in the  
44 case of the red snapper count, and probably others coming up,  
45 there is a large number of the SSC that are involved, and it's  
46 similar to our discussion earlier that there is only so much  
47 expertise throughout the Gulf, and so, while they should  
48 probably -- I agree with the way that this is phrased here.

1  
2 When you're determining whether it's the best scientific  
3 information available, on a study that you have meaningfully  
4 contributed in, you probably shouldn't be voting on your own  
5 work kind of thing, but, once that occurs, then I think, at that  
6 point, you should be free to make any other decisions, once it's  
7 deemed the best available science, let's say.

8  
9 Then it's irrelevant after that point, and you're a role in  
10 that, and you should be able to make any decision on catch  
11 advice or everything that it says in this motion after that,  
12 but, directly to your question, whether you're talking about the  
13 snapper count or other things, the amberjack count coming up and  
14 a bunch of others, yes, there is substantial expertise on the  
15 SSC that are collaborators or are meaningful that would exclude  
16 them or have some type of conflict in this situation.

17  
18 **GENERAL SPRAGGINS:** I guess my question is -- Thank you, sir,  
19 and Mr. Chairman, but I guess my question to that is, if we take  
20 those out of the vote, how many do we have left? I mean,  
21 there's only seventeen members, and a lot of you are sitting  
22 there working on this, which I know -- I'm talking to you,  
23 because I know about the last thing that you worked on, but I  
24 guess, when you take that many out of it, are you really getting  
25 the best vote?

26  
27 **DR. FRAZER:** We're going to go to Dr. Stunz and then to Mr.  
28 Rindone.

29  
30 **DR. STUNZ:** Yes, General, and that's a very good point, and  
31 that's an issue that I had with the last round, is that, all of  
32 a sudden, you take the expertise out of the room, and kind of  
33 why we were having some of that discussion before, and I don't  
34 really know, necessarily, a way around that, but what it means  
35 is individuals that maybe are not quantitative, that are like  
36 let's say anthropologists or others that may not be fully  
37 understanding the quantitative side, that are on the people  
38 side, making the decision for that, and so that -- I don't know  
39 how we overcome that.

40  
41 I mean, certainly, you don't want people voting on their own  
42 work, but you still want to have enough expertise left in the  
43 room that can make a viable determination on best scientific  
44 information available, and so, unfortunately, I don't have a  
45 good solution to that, but I would predict that, with the new  
46 studies coming out, we're going to be on a very similar  
47 situation on these other studies coming up, and so I don't know,  
48 Tom.

1  
2 Maybe you sort of see ahead of time and run that through the  
3 council and say, hey, you know, it's going to take out a third  
4 of our scientific quantitative fisheries people, and what do we  
5 do? You know, I think we can be flexible, to make sure we still  
6 have that expertise.

7  
8 **DR. FRAZER:** We've got a couple of comments coming up that I  
9 think will help address that point, Greg, and, Ryan, if you  
10 don't mind, I would like to give Dr. Nance an opportunity. For  
11 those of you who don't know, Dr. Nance is the recently-elected  
12 chair of our SSC, and so, Jim, if you want to come up and have a  
13 little chat. I saw your hand go up there in the back.

14  
15 **DR. JIM NANCE:** Thank you. It's nice to be able to be here  
16 today. You know, we talked, at our SSC meeting a couple of  
17 weeks ago, and we spent a little time talking about this, but we  
18 want to make sure that each individual on the SSC has the  
19 opportunity to discuss the things that are brought before our  
20 membership.

21  
22 We want to make sure, also, that, if you have been -- We've  
23 worded this so that we want the most individuals to be able to  
24 vote on each item that comes before us. Now, when you're the  
25 analytical lead, or a principal investigator on a certain  
26 portion of a subject, then you need to not be able to vote on  
27 that particular item.

28  
29 If you have provided data and provided input, those types of  
30 things, you're still able to do that, and we had a big  
31 discussion on that, and so we tried to work this so that as many  
32 people could vote on each item as possible.

33  
34 For the red snapper count, for example, you had many different  
35 studies, and so I would see no problem with being able to vote  
36 on certain sections of that if you were not a lead on that  
37 particular section, and so that's from the SSC's standpoint.

38  
39 **DR. FRAZER:** All right. Thank you, Dr. Nance. All right. Mr.  
40 Rindone, real quick, if you want to weigh-in, and then we'll go  
41 to Mr. Dugas.

42  
43 **MR. RYAN RINDONE:** Sure. Thank you, Mr. Chair. There are three  
44 individuals on the Standing SSC that we would predict would be  
45 precluded from voting on whether or not the study itself is the  
46 best scientific information available, in that respect, and  
47 then, like Dr. Stunz talked about what's on the board, after  
48 that, they are free to vote on anything and everything that is

1 related that comes after that decision.

2  
3 For the study from LGL Ecological Associates for the State of  
4 Louisiana, I have to double-check, but, right now, I think it's  
5 just one person from the Standing SSC that would be precluded  
6 from that, and, in these circumstances when there are some  
7 number of SSC members who might be removed from the voting pool,  
8 if you will, for a particular motion about BSIA, the council has  
9 several special SSCs, which, again, these are populated with  
10 people that are very good at specific things, but that's not all  
11 that they're good at, and I'm sure you guys remember me talking  
12 about some of these CVs from these esteemed scientists that we  
13 appoint to our SSCs, and we have some very intelligent and  
14 multidimensional folks that we could bring in from the special  
15 SSCs to help with these reviews, and it's certainly the  
16 council's prerogative to do that. Where a shortage may be seen,  
17 we can supplant that with expertise from some of our special  
18 SSCs.

19  
20 **DR. FRAZER:** Thank you, Mr. Rindone. I think the point here is  
21 that there's a fair amount of flexibility. I think, to Dr.  
22 Stunz's point, I think that, if there's a recognizable issue, or  
23 potential issue, you want to get ahead of that and be able to  
24 take advantage of some of the expertise that you might have on  
25 one of the other special SSCs, or get into the consultant realm,  
26 if that's necessary, and so I actually think we're in good  
27 shape. It takes a little bit of communication with the SSC  
28 Chair and the chair of the council and the council's Executive  
29 Director to make that happen though. Okay. I see Mr.  
30 Williamson.

31  
32 **MR. WILLIAMSON:** To Dr. Nance's point of allowing people who are  
33 in other parts of the study to vote on parts that they weren't  
34 directly involved in, I think disclosure is the key point here.  
35 We all fill out financial disclosures, and particularly, I would  
36 think in the commercial sector, we have folks that are voting on  
37 issues that may directly or indirectly affect their position in  
38 the commercial sector, and so I would be in favor of letting the  
39 majority, where possible, of the SSC members vote on issues.

40  
41 **DR. FRAZER:** Dr. Simmons.

42  
43 **EXECUTIVE DIRECTOR SIMMONS:** Thank you, Mr. Chair. Just a  
44 reminder that this is just voting on the BSIA portion, right,  
45 and so, if you're directly involved in the study, voting on the  
46 BSIA portion. Once that has been deliberated, then they are  
47 free to vote on the management advice, right, once that has  
48 occurred, and that's essentially what we're trying to lay out



1 here.

2  
3 Recall that both your standing and your special SSCs -- We  
4 convene them together, and they vote together, and so there's  
5 not just the sixteen voting members on the Standing SSC. There  
6 is the Reef Fish Special SSC, obviously, that's involved, and  
7 sometimes the Socioeconomic and the Ecosystem. Everyone else  
8 that may be involved for a particular agenda item would also be  
9 voting together with the Standing SSC.

10  
11 As I think Mr. Rindone mentioned, we brought in three  
12 consultants for the Great Red Snapper review, and they provided  
13 some very comprehensive quantitative advice, and I think that  
14 was very informative to the SSC members, and so we did bring in  
15 outside experts, and the folks that were involved in the Great  
16 Red Snapper Count were able to comment and answer questions.

17  
18 I do have a little bit of pause about, I guess, letting  
19 different PIs that are on one larger study vote on different  
20 pieces, and I think we need to think about that a little bit  
21 more holistically and work with leadership and come back to the  
22 council with a plan on that. Thank you.

23  
24 **DR. FRAZER:** General Spraggins.

25  
26 **GENERAL SPRAGGINS:** I totally understand, and thank you, Mr.  
27 Chairman. I totally understand everybody's viewpoint here, but  
28 I, like Mr. Williamson, I think my question is, when you read  
29 down in this section here, when you get right before the  
30 stricken part there, and it says that, if they have served as  
31 the analytical lead or principal or co-principal investigator,  
32 and what if we took out "or had any direct participation as a  
33 member of the analytical team"?

34  
35 My question is, there, is I can understand the lead and the co-  
36 lead, that those people should not have a vote in the situation,  
37 but there is so many people that are involved in this other part  
38 of it that would have some form of a -- Some type of  
39 participation that it may eliminate them, and I am just worried  
40 about that.

41  
42 I mean, once again, I totally understand that we don't want to  
43 skew something one way or the other, and I totally understand  
44 that, and I understand that we need to try to find the best way  
45 we can to be able to make this vote a viable vote, and it's just  
46 a thought, and I don't know. Maybe that's where I am caught up  
47 with it, and maybe Mr. Williamson is caught up with it the same  
48 way, but it's just a thought.

1  
2 **DR. FRAZER:** Dr. Stunz.  
3

4 **DR. STUNZ:** Thank you, Mr. Chairman. Two points, one to General  
5 Spraggins. I am not on the committee, and so I can't -- But I  
6 think that would be fine. Typically, how we do this in science,  
7 in terms of conflict of interest, is it would be the PI, or the  
8 co-PIs, that would be the ones in charge that would have that  
9 conflict, and so that really wouldn't be an issue.

10  
11 I don't think it would have mattered so much in this situation,  
12 because most of those folks were indeed co-PIs anyway, but, on  
13 the other things, I think that would clean it up, because,  
14 typically, the ones that you're referring to, General, didn't  
15 have that much of a role, and they might have just provided some  
16 statistical expertise and that was it.

17  
18 Tom, back to the real sort of point here, and I think what  
19 happened using the snapper count as an example, is everyone, I  
20 think, that was around the table in the SSC recognized the key  
21 vote of the best scientific information available and abstained  
22 from that vote, because of the conflict, and so the vote  
23 occurred, and it was blessed, or whatever, as the best  
24 scientific information available, but that is where the  
25 confusion then came in.

26  
27 Everyone understood they shouldn't be voting on that, but then  
28 the next vote was about catch advice, and that vote was very  
29 close, and that was -- I don't remember now, but it was coming  
30 down to just one vote from a failed motion or something, and so  
31 it was those votes, in that case, that mattered, because there  
32 was folks confused of were they out of voting for the whole  
33 process or was it just that.

34  
35 I think, Carrie, what would really help, going forward, is that  
36 communication of what we're doing here. It's very clear, and  
37 it's very explicit, and no on the best scientific information  
38 available, but, after that, you're free to vote how you want,  
39 and then, of course, determining how many will be left over,  
40 based on who is co-PIs and who is not, and I think the way we  
41 worked it with the independent consultants coming in, who would  
42 have more knowledge than probably most of the SSC, because they  
43 carefully evaluated it, was a perfect way to ensure that you  
44 have the expertise in the room, but, Tom --

45  
46 Sorry that I'm going on, but just a lot of pre-planning and  
47 communication would go a long way, and that's because this was  
48 the first time of some massive study coming through, and we

1 probably weren't as prepared as we should have been, but that's  
2 to be expected.

3

4 **DR. FRAZER:** Thank you, Greg, for those comments, and I see,  
5 again, that Dr. Nance has his hand up, and I would like to give  
6 him an opportunity to weigh-in.

7

8 **DR. NANCE:** Thank you. I think, last time when we were voting  
9 on that, there was confusion on who could vote for what, and I  
10 think this language greatly enhances that. When we're voting on  
11 whether it's the best scientific information available, you need  
12 to preclude yourself from that vote if you are a participant on  
13 that study, and I have not seen any time on the SSC, that a  
14 person felt like they had an issue, that they didn't abstain.

15

16 The other part is, once we voted on whether it's the best  
17 scientific information available, you have free rein to discuss,  
18 to vote, to make motions and things like that, and I think this  
19 language allows that to be commonplace, where you know, as an  
20 SSC member, what you're able to do, and so I appreciate this  
21 language, and we did talk about that, whether you were an  
22 analytical lead in the investigation, and we talked about that  
23 for a while, and that's why we put that language in, because,  
24 whether you're a principal investigator or a co-investigator,  
25 there are other times when you may be an analytical lead in  
26 that. You're not maybe the lead investigator, but you're an  
27 analytical lead, and so that's why that language is in there,  
28 also.

29

30 **DR. FRAZER:** Thank you, Dr. Nance. I see Ms. Bosarge.

31

32 **MS. LEANN BOSARGE:** Yes, sir. Thank you, Mr. Chairman. I kind  
33 of wanted to touch on that topic, and I'm not on your committee,  
34 and so thank you for allowing me to speak, that Greg was talking  
35 about, and I think he's right.

36

37 I think everybody kind of went along with the process and  
38 understood it and recognized that it is the best path forward,  
39 when people didn't vote on that BSIA motion if they had been a  
40 substantial participant in that study, and I think he's right  
41 that the confusion kind of came in after that, and, honestly, it  
42 was a situation that I had never contemplated before, and so  
43 what happened is that that motion -- In other words, they didn't  
44 bless it as the best scientific information available, and we  
45 have had situations in the past where we've run into that.

46

47 I think gray trigger, right, the gray trigger stock assessment,  
48 and what happened there was it was kind of a hybrid motion,

1 where the SSC said, okay, it's the best scientific information  
2 available, but we don't feel it's suited for management advice.

3  
4 Well, what we realized, after they passed that motion, was that  
5 those two things are actually not -- They're inseparable. If  
6 it's BSIA, then it's useful for management, and so it has to be  
7 used in management.

8  
9 Well, with the Great Red Snapper Count, so it wasn't initially  
10 blessed as BSIA. However, the next motion, or the next topic,  
11 where you went into setting catch levels and ABCs and such, OFLs  
12 and ABCs, it would be -- Those motions actually utilized it in  
13 the same fashion, right, and it was being used for management  
14 advice. It would be the equivalent of having say a federal  
15 stock assessment that we said it's not BSIA, but we're going to  
16 take the catch level recommendations and use it.

17  
18 I think that's where the confusion comes in, and that's where  
19 the discussion has to go a little further. We understand the  
20 recusing yourself on BSIA if you've had a substantial role in  
21 the study, which you're laying out well, I think, in this  
22 paragraph that you have here. However, what happens when you  
23 have a motion that is essentially the same thing coming up next?

24  
25 If you don't bless it as BSIA, but then the next motion uses it  
26 for management, do you continue to recuse yourself or not,  
27 because you're essentially voting on the same thing. Once it's  
28 BSIA, I get it, if you vote yes, but, if you don't, then you  
29 essentially attack it in a different manner that uses it as  
30 such, and what do we do then?

31  
32 **DR. FRAZER:** Okay. Thank you, Ms. Bosarge. Mr. Strelcheck, do  
33 you have your hand up?

34  
35 **MR. STRELCHECK:** Thanks, Tom. I'm not on the committee, but I  
36 do want to just voice my support for the language. I do agree  
37 that there was a lot of confusion at the previous SSC meeting,  
38 and I think we're presented with a fairly new and novel  
39 challenge with regard to having the SSC review such  
40 comprehensive studies and make determinations about best  
41 scientific information available. Yes, they do that with stock  
42 assessments and other things, but, a lot of times, these studies  
43 go through the SEDAR process, first and foremost.

44  
45 One, I think, maybe broader question that we should think about  
46 discussing is just kind of how the process worked and operated  
47 and if there is any thoughts in terms of kind of separating the  
48 determination of a large comprehensive study like this from the

1 SSC's review and that they are essentially doing the second part  
2 once that peer review has already happened and it's been  
3 determined to be the best scientific information, typical of  
4 kind of how a SEDAR stock assessment process works.

5  
6 Because this is so new and novel, obviously, that kind of  
7 changes things of why we're talking about it, but I think that's  
8 the added challenge here. With that said, I didn't -- I think  
9 the vote, with regard to best scientific information available  
10 with the Great Red Snapper Count, was not a limiting factor  
11 here.

12  
13 Really, the controversy surrounds the second component of this  
14 and the confusion surrounding who can or can't vote, ultimately,  
15 on management decisions, and so I think this provides important  
16 clarity to that component of the decision-making process.  
17 Thanks.

18  
19 **DR. FRAZER:** Dr. Stunz and then Ms. Levy.

20  
21 **DR. STUNZ:** Thank you, Mr. Chair. One suggestion that might  
22 help, and, Dr. Nance, maybe, you as the chair, you know how we  
23 have sort of procedural cookbook motions when we're taking final  
24 action on an amendment, and they are very -- I don't know what  
25 you want to call it, but they're boilerplate-type motions, and  
26 maybe that's the suggestion.

27  
28 When you're acting on a stock assessment, or whatever it happens  
29 to be, even outside of these studies, you have a prescriptive  
30 vote that determines the best scientific information available  
31 and don't clutter it with other things that make it confusing.  
32 You, procedurally, get that vote out of the way, and then you  
33 move on to everything else, and then, Andy, maybe that would  
34 make it very clear that, okay, or to Leann's questions that she  
35 had, and it's very clear that you just voted on the best  
36 scientific information available. Okay. That's over, and then  
37 you move on, and so it's more of a procedural thing, Tom. That  
38 would actually help with the communication of that.

39  
40 **DR. FRAZER:** Thank you for those comments. Mara, I'm not sure  
41 if you still had your hand up or if I incorrectly saw it.

42  
43 **MS. LEVY:** Thank you. Well, just to point out that this is -- I  
44 mean, this is supposed to be limited to when the SSC is acting  
45 as a peer review body, right, and so the SSC does a lot of  
46 things that may not be considered a peer review, and this comes  
47 from the fact that the National Standard 2 Guidelines talk about  
48 peer reviews and say that members of a peer review cannot have a

1 conflict of interest.

2  
3 It's narrower, and, obviously, the council is deciding what the  
4 scope of a peer review is and whether that is what the SSC is  
5 doing, but this recusal stuff and this not participating in the  
6 vote is dealing directly with the peer review process.

7  
8 **DR. FRAZER:** That's a good point, Mara. Again, I think there's  
9 been a -- Dr. Simmons, real quick.

10  
11 **EXECUTIVE DIRECTOR SIMMONS:** Thank you, Mr. Chair, and so I  
12 think what we could do, from what I am hearing from the  
13 committee members, and Ms. Bosarge in particular, who is not on  
14 the committee, and I understand, but what we could do is we  
15 could bring back at Full Council -- We could kind of separate  
16 these a little bit more, perhaps some returns, and make it more  
17 clear that these are two different voting processes, and then  
18 add a couple of sentences in about if, during BSIA  
19 deliberations, the SSC cannot reach a recommendation on BSIA,  
20 then X, Y, or Z happens. If it is reached, then you move on to  
21 the management advice, and so we could try to flesh that out a  
22 little bit further and bring that back to you at Full Council,  
23 if that's what the committee would like to see.

24  
25 **DR. FRAZER:** Mr. Dyskow, I am going to turn it back to you.

26  
27 **CHAIRMAN DYSKOW:** I think that makes perfect sense, because I  
28 don't know that we can reach a motion with the information we  
29 have, and so I think what Dr. Simmons recommends is the right  
30 thing to do.

31  
32 Before we move on -- We're way over our time, and I am trying to  
33 be a good manager of that time, and, before we go on to the  
34 audit report, one last item, because we have Mara on the line,  
35 is I would like to see some sort of a criteria, on the record,  
36 of how the council needs to act if they don't agree with the  
37 recommendation of the SSC, and what is the process that we have  
38 to go through to justify an alternative action from the  
39 recommendation of the SSC?

40  
41 **DR. FRAZER:** Ms. Levy.

42  
43 **MS. LEVY:** I don't think you're going to like my answer, just  
44 because it's not going to be a definitive like procedure. You  
45 have to develop the record as to why you're taking a different  
46 path and how that's based on the best scientific information  
47 available.

48

1 **DR. FRAZER:** Thank you, Ms. Levy.

2  
3 **CHAIRMAN DYSKOW:** Thank you. That makes perfect sense. If we  
4 have no more discussion on this issue until we proceed to Full  
5 Council later in the week, perhaps we should go on to the audit  
6 report, and I believe Beth Hager is going to lead this  
7 discussion.

8  
9 **DR. FRAZER:** Beth.

10  
11 **PRESENTATION OF THE 2019-2020 AUDIT REPORT**

12  
13 **MS. BETH HAGER:** This material was presented, and it's Tab G,  
14 Number 6, and this is the results of our biennial audit, and  
15 it's the summary report that basically states that we have an  
16 unqualified opinion, and we didn't do anything wrong or bad, and  
17 there were no significant errors, and there were no errors that  
18 they could find, or anything to report.

19  
20 Then we have a summary of the results of the biennial expenses  
21 on page 5 that compares basically what we spent in the last two  
22 years, for 2019 and 2020, with the last two biennial audits, and  
23 that's it. It's short and sweet and very good.

24  
25 **CHAIRMAN DYSKOW:** Are there any questions regarding the audit  
26 report? If there are none, we will go on to the next item. The  
27 next item is the Discussion of the SSC Stipends, and, Beth,  
28 you're going to be leading us off on this one as well.

29  
30 **DISCUSSION ON SSC STIPENDS**

31  
32 **MS. HAGER:** Yes, sir. In Tab G, Number 7, staff have prepared  
33 information in response to the request from the Vice Chair in  
34 June about information and projections on the SSC stipend rates.  
35 We have created an estimate of costs for the 2021 period, based  
36 on potential changes to the SSC daily pay rate.

37  
38 The table is displayed here at the top of the page, and just  
39 some history here, and we started paying a stipend to SSC  
40 members for participation in meetings in 2009, and the original  
41 stipend rate was \$250 a day. The rate increased in 2014 to the  
42 current \$300 per day. Meetings held via webinar for less than  
43 four hours are paid at a half-day rate, and we do not currently  
44 pay for travel days or meeting prep time. State and federal  
45 employees serving on the SSC are not eligible for stipends.

46  
47 Now, while the stipend rates and pay processes do vary between  
48 other councils, most councils pay their SSC members \$300 per day

1 for full-day meeting participation. The average daily rate for  
2 councils is actually \$308 per day, and so we're right in the  
3 average there, at the moment.

4  
5 So far this year, we have expended \$30,929 towards the \$64,800  
6 that is in the 2021 budget for SSC stipends. As shown in the  
7 first column of the table at the top of page, and based on the  
8 current schedule of planned meetings, we anticipate spending  
9 most of the remaining budget this year, if we are keeping the  
10 rate at \$300 per day.

11  
12 The top table also illustrates what effect changing the daily  
13 stipend rate would now have on the estimated year-end costs for  
14 2021, based on different rates between \$325 and \$400 per day,  
15 and so, if we were to change the rate, that's what we would see,  
16 potentially, at the end of the year on the budget.

17  
18 Then, if we flip down to the next paragraph, we've made a  
19 projection for the next three years, based on the planned  
20 meeting activity from our original five-year budget, and this  
21 indicates that the cost of each \$25 per day increase in the rate  
22 would result in a total annual increase of about \$5,400 in that  
23 budget line. It could require an increase to the SSC stipend  
24 budget of between \$5,400 to \$22,000, just depending on the year  
25 and the amount of the stipend rate change, and these are  
26 generous estimates.

27  
28 In years of lower activity, or during less meeting days, we have  
29 historically spent less than what was budgeted. If we scroll  
30 down just a little bit, we have another table down here at the  
31 bottom, and it shows that, in 2016 to 2019, we actually ended  
32 each year underspent in the SSC budget line item, by an average  
33 of about \$16,000, or 29 percent.

34  
35 At this time, staff is comfortable with an increase of up to  
36 \$350 per day, if the committee wishes to do this. If the line  
37 item becomes overspent, we might need to adjust the budget in  
38 future years, and staff also suggests that, if the council  
39 approves the stipend increase, it would be with the caveat that  
40 this is based on funds availability annually. Does anybody have  
41 any questions about the information that we presented?

42  
43 **DR. FRAZER:** Mr. Diaz.

44  
45 **MR. DALE DIAZ:** I am not on your committee, and Ms. Hager did  
46 mention that I brought it up at the end of the last council  
47 meeting, and my sole reason for bringing it up is it has not  
48 been looked at since 2014, and I do not have any direction or



1 any predetermined suggestions or anything like that, but it's  
2 just been a long time since we've looked at it, and I thought it  
3 would be a good thing for the council to at least have a  
4 discussion on. Thank you.

5

6 **DR. FRAZER:** Thank you, Mr. Diaz. General Spraggins.

7

8 **GENERAL SPRAGGINS:** Thank you, Mr. Chairman. The only question,  
9 and I think you answered it, is that the funding is available if  
10 we decided to raise it to another level, but the funding is  
11 available, at this time, to be able to do it from 2022 to 2024,  
12 and is that what you're --

13

14 **MS. HAGER:** Yes, sir. It would, obviously, depend on what  
15 meetings we had planned in that year and what our final  
16 composition of the membership is, but, yes, we could make it  
17 work, and staff I think feels fairly comfortable that we could  
18 make it work at the \$350. We could do it at the \$400, and it  
19 might just take a different change to the budget, and that's  
20 all. Each year, as the council goes through and approves the  
21 budget annually, we would look at that, and we would say, from  
22 the activities that we planned, based on this rate, this is what  
23 we think that line item would be.

24

25 **GENERAL SPRAGGINS:** The second part to that would be, if we  
26 decide to vote at \$325, or whatever the number is, do we have to  
27 modify the budget for the next year?

28

29 **MS. HAGER:** Well, not at this time. When we actually go through  
30 and approve the budget next year, we will include that  
31 information in those budget projections, and that's all.

32

33 **DR. FRAZER:** Thank you, Ms. Hager. Back to you, Mr. Dyskow.

34

35 **CHAIRMAN DYSKOW:** Thank you. I think the next question is does  
36 the committee wish to recommend an increase or not, and, if they  
37 do, of course, what would the amount be?

38

39 **DR. FRAZER:** General Spraggins.

40

41 **GENERAL SPRAGGINS:** I would like to make a motion, if it's  
42 appropriate at this time, to increase it to \$325 per day.

43

44 **DR. SHIPP:** I would second it.

45

46 **CHAIRMAN DYSKOW:** We have a motion and a second. Is there any  
47 discussion?

48

1 **DR. FRAZER:** I am not seeing any hands around the table, Mr.  
2 Dyskow.

3  
4 **CHAIRMAN DYSKOW:** Okay. I am going to ask for a voice vote  
5 then. **All those in favor of this motion, signify by saying aye;**  
6 **opposed. Since there is no opposition, the motion carries.**

7  
8 Then we'll go on to the last item, and this is item is, is there  
9 any other business that needs to come before this committee?  
10 Since there is none, I would like to thank Tom for his  
11 assistance. Doing this remotely is a little awkward, and so  
12 thank you very much, Dr. Frazer, and, since there is no other  
13 business, I will adjourn this committee. Thank you.

14  
15 (Whereupon, the meeting adjourned on August 23, 2021.)

16  
17 - - -