GULF OF MEXICO FISHERY MANAGEMENT COUNCIL

ADMINISTRATIVE/BUDGET COMMITTEE

Webinar

JUNE 15, 2020

VOTING MEMBERS
10 Phil Dyskow..................................................Florida
11 Patrick Banks...............................................Louisiana
12 Susan Boggs...............................................Alabama
13 Dave Donaldson..........................................GSMFC
14 Martha Guyas (designee for Jessica McCawley).............Florida
15 Paul Mickle (designee for Joe Spragins)......................Mississippi
16 Lance Robinson (designee for Robin Riechers)..............Texas
17 Ed Swindell...............................................Louisiana
18 Troy Williamson...........................................Texas

NON-VOTING MEMBERS
21 Kevin Anson (designee for Scott Bannon).....................Alabama
22 Leann Bosarge............................................Mississippi
23 Roy Crabtree...............................................NMFS
24 Dale Diaz....................................................Mississippi
25 Jonathan Dugas...........................................Louisiana
26 Tom Frazer..................................................Florida
27 Lt. Nicholas Giancola......................................USCG
28 John Sanchez..............................................Florida
29 Greg Stunz...................................................Texas

STAFF
32 Assane Diagne..............................................Economist
33 Matt Freeman...............................................Economist
34 John Froeschke............................................Deputy Director
35 Lisa Hollensead............................................Fishery Biologist
36 Ava Lasseter...............................................Anthropologist
37 Mara Levy..................................................NOAA General Counsel
38 Jessica Matos............................................Document Editor & Administrative Assistant
39 Natasha Mendez-Ferrer.................................Fishery Biologist
40 Emily Muehlstein........................................Public Information Officer
41 Kathy Pereira.............................................Meeting Planner & Travel Coordinator
42 Ryan Rindone............................................Fishery Biologist & SEDAR Liaison
43 Bernadine Roy.............................................Office Manager
44 Charlotte Schiaffo......................................Administrative & Human Resources Assistant
45 Camilla Shireman........................................Administrative & Communications Assistant
46 Carrie Simmons.........................................Executive Director
47 Carly Somerset...........................................Fisheries Outreach Specialist
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<td>PAGE 6: Motion to approve the staff’s suggested text for both Sections 3.0 and 3.6. <strong>The motion carried on page 9.</strong></td>
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The Administrative/Budget Committee of the Gulf of Mexico Fishery Management Council convened via webinar on Monday morning, June 15, 2020, and was called to order by Chairman Phil Dyskow.

**ADOPTION OF AGENDA**

**APPROVAL OF MINUTES**

**ACTION GUIDE AND NEXT STEPS**

**CHAIRMAN PHIL DYSKOW:** I would like to call this meeting of the Administrative/Budget Committee to order. The first item is to adopt the agenda, and so I would entertain a motion to do that at this time.

**GENERAL JOE SPRAGGINS:** Motion from Mississippi.

**MR. DAVE DONALDSON:** Second.

**CHAIRMAN DYSKOW:** Thank you. Any opposition to that motion? Hearing none, the motion passes. The next item is the Approval of the January 2020 Minutes, and I would entertain a motion to accept those.

**MR. LANCE ROBINSON:** So moved.

**CHAIRMAN DYSKOW:** Thank you. I need a second.

**MR. DONALDSON:** Second.

**CHAIRMAN DYSKOW:** Thank you, Dave. Is there any opposition? Hearing no opposition, the motion passes. The next item on the agenda is the Action Guide and Next Steps, which is Tab G, Number 3. Dr. Simmons will lead us with this, and I believe there is a requirement for a motion at the end of this presentation. Dr. Simmons.

**EXECUTIVE DIRECTOR CARRIE SIMMONS:** Thank you, Mr. Chair. Hello, everyone. It’s good to see you, even if it is virtually. I am going to go through Tab G, Number 3. Just a reminder is, during our May council meeting, the council reviewed Section 3.0 of the Council Meetings section of the SOPPs, and they made some changes, you made some changes, to that, and that’s now reflected in Tab G, Number 4.

Then you decided that you wanted to discuss this again in June, and so we’ve put it back on the agenda, and we have included some excerpts from the South Atlantic Council’s SOPPs for you to consider, and they’re in Tab G, Number 4, as well as what’s
currently written in our SOPPs, and then some proposed changes from staff. I will stop there.

**CHAIRMAN DYSKOW:** Are there any questions for Dr. Simmons at this point? Hearing none, I’m going to ask Dr. Simmons to continue.

**DISCUSSION OF SOPPs: SECTION 3.0 - COUNCIL MEETINGS**

**EXECUTIVE DIRECTOR SIMMONS:** Thank you, Mr. Chair. As you recall, I think Dr. Crabtree brought up the South Atlantic Council’s administrative handbook and what they had written in there regarding in-person meetings, and so this is an excerpt from their handbook.

You made a change in May that you have -- It’s the third sentence down: Council members must be physically present at Council meetings in order to present a motion or vote, unless approved to do so remotely by a majority decision of the Chairman, Vice-Chairman, and Executive Director. This is what is currently written in the SOPPs, as amended during your May meeting.

The other part was a lot of discussion about having the public involvement and the importance of in-person meetings, and so staff has proposed two changes. Before the section you amended in May, we’re suggesting the blue text there for your consideration, and so that section, and also, for Section 3.6, for Location, we’re suggesting adding the blue text, or some version of that, under 3.6, Location, in the SOPPs. I will stop there.

**CHAIRMAN DYSKOW:** We will entertain questions at this point, if anyone has any questions. Continue, Dr. Simmons.

**EXECUTIVE DIRECTOR SIMMONS:** I think we might have some questions. Bernie, can you put something on the screen, so we know who has a question? Tom, you had a question, correct?

**DR. TOM FRAZER:** I did. I was just thinking that it might be good, with the tab that was up, showing in blue, if we could reduce the screen size just a bit, so we could see the blue.

**CHAIRMAN DYSKOW:** In the meantime, we had a question from Susan Boggs. Susan.

**MS. SUSAN BOGGS:** Thank you, Mr. Chair. I don’t have a question, but I was just going to make a motion to approve the
staff’s suggested text for both Sections 3.0 and 3.6.

CHAIRMAN DYSKOW: Do we have a second for that motion?

GENERAL SPARRING: I will second.

CHAIRMAN DYSKOW: Okay. We have a motion and a second. Is there any discussion on that motion?

DR. FRAZER: Phil, let’s just slow down for just a second, as we’re working through the technology here, and we’ll let the staff get that motion on the board.

CHAIRMAN DYSKOW: Okay. That’s fine. Tom, while we’re getting that on the board, I have a question that is regard to a point of order. It’s my understanding that the -- Then, at Full Council, we take it for a final vote, and is that correct?

DR. FRAZER: That’s correct.

CHAIRMAN DYSKOW: While we’re doing that, let me just remind everybody of who the voting members of the committee are. It’s myself, Phil Dyskow, Dr. Paul Mickle, who is Vice Chair, Patrick Banks, Susan Boggs, Dave Donaldson, Martha Guyas, Robin Riechers, Dr. Bob Shipp, Ed Swindell, and Troy Williamson, and the two staff members on this committee are Dr. Carrie Simmons and Beth Hager.

GENERAL SPARRING: Real quick, it will be Joe Spraggins as the Vice, because I’m the one that’s on the --

CHAIRMAN DYSKOW: That would be fine. We had two hands up, from Ed Swindell and also from Martha Guyas. Ed, why don’t you go first?

MR. ED SWINDELL: I tried to take my hand down, but it didn’t work, and so I’m okay.

CHAIRMAN DYSKOW: All right. Thank you. Martha.

MS. MARTHA GUYAS: Mine is just a clarification for the suggested language under 3.6. That’s in addition to what’s already in the SOPPs, correct, for that section?

EXECUTIVE DIRECTOR SIMMONS: Correct.

CHAIRMAN DYSKOW: Yes, it would be in addition.
MS. GUYAS: Thanks.

DR. FRAZER: Phil, I think it might be helpful, and we have that motion on the board, if you would be so kind as to go ahead and read the highlighted text in both Section 3.0 and 3.6, for the record.

CHAIRMAN DYSKOW: I will do that. In Section 3.0, the suggested change is: The council prefers in-person meetings with the ability to freely discuss and exchange information and the interaction with the public. However, health, budgetary, and/or time constraints may require virtual participation of a council member when an in-person council meeting is held. Therefore, council members must be physically present at in-person council meetings in order to present a motion or vote, unless approved to do so remotely by a majority decision of the Chairman, Vice-Chairman, and Executive Director.

DR. FRAZER: Thank you.

CHAIRMAN DYSKOW: Mara Levy has a question. Mara.

MS. MARA LEVY: Thank you. I just wanted to -- The part that says “health, budgetary, and/or time constraints”, is that supposed to be some sort of limiting list, or are you just noting those as examples? I mean, I don’t know what else there would be, but I just want to make sure that you’re not -- When we come back later to this, if the intent was for it to be only these three things, that we know that it’s not, or, if it is, that it is.

CHAIRMAN DYSKOW: I would direct that to staff, since they wrote it.

EXECUTIVE DIRECTOR SIMMONS: Thank you, Mr. Chair. Yes, Ms. Levy, it was just a suggestion of examples, and we were also trying to refer and incorporate some of the things that the South Atlantic Council’s handbook had listed in their SOPPs as well.

CHAIRMAN DYSKOW: Thank you, Carrie, for clarifying that. I have one other point of order. I want to make sure that the seconder of this motion was a member of the committee, and could you read back who seconded this motion, please?

DR. FRAZER: I believe that was General Spraggins.

CHAIRMAN DYSKOW: Great. Thank you. If there is no other
discussion, and I see that there are no hands up, I would like to call for a vote on this motion, and, again, this is for the committee members only, and what is your preference, Dr. Frazer? Would you like a roll call vote, or how would you like to proceed?

DR. FRAZER: We want to make sure, Phil, before we proceed -- I am not sure that we read the second part of the modified text, Section 3.6.

CHAIRMAN DYSKOW: I will read that right now. The council prefers holding in-person meetings. However, national emergencies, health pandemics, natural catastrophes, budgetary, and time-sensitive issues may require the use of remote meeting technologies. In these rare cases, the council is prepared to hold virtual meetings using alternative technologies for committee and council meetings. Members of the public will be given the opportunity to provide written and/or verbal comments during virtual meetings of the Full Council.

DR. FRAZER: Thank you, Phil. Just to your point, I think, as a general way of operating in this format, I would exercise some judgment with regard to the amount of discussion, as it relates to the motion, and, if the discussion is limited, or non-controversial, I would probably opt to see if there was any opposition to the motion, or if there’s no opposition to the motion, and we will accept the motion. I will leave it to you, but that would be my suggestion.

CHAIRMAN DYSKOW: Of the two alternatives, one would be a roll call vote of the committee, and the other would be to determine if there’s any opposition, and I agree with the Chair. Let us proceed in that manner. Is there any opposition to this motion from the committee? Hearing none, the motion passes.

Next, we will move on to Other Business. I have only received one comment regarding other business, and a non-committee member pointed out, and no surprise, and it’s been a very disruptive year, and the council has a lot of unfinished business, and that individual, that council member, asked me to bring up the idea of extending the term of the Chair and the Vice Chair for an additional year, to allow them the opportunity to complete the business that we have at hand, and I would like to open that up for discussion. Would the person that made the suggestion like to give any comments?

OTHER BUSINESS

DISCUSSION OF EXTENDING CHAIR AND VICE-CHAIR TERMS
MR. JOHN SANCHEZ: My comments regarding that suggestion, and I appreciate you bringing it up, Mr. Chairman, was that I feel that, due to the pandemic and the disruption that the COVID virus has caused, the Chair and the Vice Chair, who have both done, in my opinion, an exceptional job, haven’t had a true second term, and so, while I don’t want to change our procedure of only allowing two terms, I think an exception to that rule, without rewriting the playbook, might be warranted, given these unique circumstances, and so that is why I brought this up for committee member discussion.

Just to be clear, I would really like it if they had a chance to have a complete, unhindered second term, as that has not been the case, both the Chair and the Vice Chair, assuming they are agreeable to that. Thank you.

CHAIRMAN DYSKOW: We also have a question from Leann. Leann, you have the floor.

MS. LEANN BOSARGE: Thanks, Mr. Dyskow. Yes, I would be in support of that, as an exception in this case to the SOPPs, and my rationale, and I haven’t really thought about this, but, when you take over as Chair or Vice Chair, there is a decent learning curve of things that you have to do and what your role is and logistically how to perform those functions.

That may be a difficult thing to navigate for a new Chair or Vice Chair that hasn’t been in that role before in the environment that we’re in, where we’re doing virtual webinars, and they’re not actually face-to-face and in a meeting with staff right there by their side, and so I would say, yes, this may be a time where we would want to extend that term for an additional year for Dr. Frazer and Mr. Diaz.

CHAIRMAN DYSKOW: Thank you, Leann. Mara Levy also has her hand up for a question.

MS. LEVY: Thank you. When you’re talking about this, I just think we need to be clear whether we’re talking about an exception to the provision that says that the Chair and Vice Chair can serve no more than two consecutive terms, right, and so there’s that piece, and then there’s the idea that they are elected for one-year terms, and that election happens in August.

I think just think about what you’re talking about, because we’re not going to sort of extend their terms at this meeting, necessarily, but I’m just not sure whether you’re saying have
their term be two years instead of one or let’s just make an
exception to that provision that doesn’t allow them to do more
than two consecutive terms.

CHAIRMAN DYSKOW: Thank you, Mara. John Sanchez has his hand
up, and we’ll go on to him.

MR. SANCHEZ: Thank you, Mr. Chair. Again, not a committee
member, but, to Mara’s point, I have no problem being, I guess,
the proponent of this, that we could, in August, when we re-do
these votes on who the Chair and Vice Chair are, if we kind of
couch this as allow them to have one-time exception to be once
again nominated and do an additional year term, and I would be
fine with that.

CHAIRMAN DYSKOW: Are there any other comments at this time? I
think the way to proceed with this, unless Tom views it
differently, is, if we wish to go forward with this, I would
entertain a motion from a committee member, and then we will
vote on that motion, after discussion, and then it will, of
course, go before the full board prior to the end of this
meeting, but we have a question from Susan Boggs.

MS. BOGGS: Thank you, Mr. Chair. Back to I want to clarify
with Mara. Is this something that we would need to take action
on today, or is this something that will be addressed in August,
when the election comes back up? Do we need to do something to
modify our SOPPs today that would allow us to make that motion
and vote in August?

CHAIRMAN DYSKOW: Mara, you have the floor, if you would like to
respond.

MS. LEVY: Thank you. I guess it depends what you’re trying to
do. I mean, if you’re not -- If you don’t want to modify the
SOPPs, per se, and, I guess, my advice would always be that we
should be following our SOPPs, and I know that exceptions come
up, and the SOPPs don’t really allow for exceptions.

You could modify it to allow for exceptions, although I
understand that that might not be desirable, because we don’t
really anticipate this coming up again, and so, to the extent
you want to modify the SOPPs and have them applicable at the
next meeting, you could do that here, and you could probably
also get it done at the next meeting, before you actually take
the vote, because we do that at the end of the meeting, and I
don’t know if anyone wants to reconsider the idea of having the
term limit, meaning -- I assume it was put in there for a
reason, and we have it in there, and so I guess I don’t know how far you want to go, but I think you could either do it here or it could get done at the next meeting.

If you’re not going to modify the SOPPs, then I really think at the next meeting, because, if you’re just going to say for this one time we’re going to make an exception and allow them to be re-nominated for an additional term, then that’s not really — That would apply at the next meeting, and I hope that makes sense.

CHAIRMAN DYSKOW: That makes sense to me. As chair of the committee, what I would prefer is that we have placed this in the record, and it will be in the minutes, and it will be brought up again during our final report to the Full Council, and I think, for right now, let’s just recognize that this is a discussion point within the committee, and we’ve had input from other council members regarding the feasibility and advisability of this, and that we will discuss it further during the full session, and this will give staff time to evaluate this, and maybe we’ll just punt it down to the next meeting, as far as a motion and a vote. Does that make sense to everybody?

MR. DONALDSON: Yes.

CHAIRMAN DYSKOW: Well, if that makes sense, we will do that, and, if staff needs any more input, they can ask for it during our report at the full session, and, Carrie, did you have your hand up?

EXECUTIVE DIRECTOR SIMMONS: No, I didn’t, but I think Mr. Sanchez did.

CHAIRMAN DYSKOW: John, you have the floor.

MR. SANCHEZ: Thank you, Mr. Chairman. The only reason why I brought it up at this meeting, and I was thinking about that, was I didn’t want to, as we’re going into the nominations in August, to kind of surprise the council and the committee members with this, and so I thought a more prudent course would have been to bring it up now and see how everybody feels about it, and then we can collectively look at this in a timely manner and not spring it on everybody in August.

That said, I totally agree that, if you guys want to punt it, as a committee, to Full Council, and then we can get into making motions and such then, I’m absolutely fine with that, too. Thank you.
CHAIRMAN DYSKOW: Thanks, John. What I would ask from council staff is that, when we discuss this at the full session later in this meeting, that you give us some direction on how we would have to proceed with this to be consistent with our operating procedures, and so, during full session, we can revisit this issue, and perhaps you can provide us some input on how we would have to proceed, whether an amendment is required or we can simply do this in a less formal manner, and so, with that said, we can end the discussion on this point, and, coincidentally, that also ends the report and presentation from the Admin and Budget Committee, and so, unless there is any other new business, I will close this meeting of the committee. Thank you.

(Whereupon, the meeting adjourned on June 15, 2020.)

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