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NATIONAL MARINE FISHERIES SERVICE

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OFFICE OF SCIENCE AND TECHNOLOGY

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ATLANTIC HIGHLY MIGRATORY SPECIES ADVISORY PANEL

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WEDNESDAY  
SEPTEMBER 5, 2018

+ + + + +

The Advisory Panel convened in the Magnolia Room of the Sheraton Silver Spring Hotel, 8777 Georgia Avenue, Silver Spring, Maryland, at 8:30 a.m., Bennett Brooks, Facilitator, presiding.

PRESENT

- BENNETT BROOKS, Facilitator
- JASON ADRIANCE, State Representative; Louisiana Department of Wildlife and Fisheries
- PATRICK AUGUSTINE, Recreational
- ANNA BECKWITH, Council Representative; South Atlantic Fishery Management Council
- RICK BELLAVANCE, Recreational; New England Fisheries Management Council
- ROBERT BOGAN, Recreational
- STEVEN CANNIZZO, Recreational; Proxy for Bob Bogan
- BENJAMIN CARR, Environmental Representative

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PRESENT (cont.)

ANDREW COX, Recreational; Marlin Magazine  
 SONJA FORDHAM, Environmental; Shark Advocates  
 International  
 TOM FRAZER, Council Representative; Gulf of  
 Mexico Fishery Management Council  
 GRANT GALLAND, Environmental; Proxy for Shana  
 Miller  
 WALTER GOLET, Academic; University of Maine  
 School of Marine Sciences; Gulf of Maine  
 Research Institute  
 JOHN GRAVES, ICCAT Advisory Committee; Virginia  
 Institute of Marine Science  
 RANDY GREGORY, State Representative; North  
 Carolina Division of Marine Fisheries  
 MARTHA GUYAS, State Representative; Florida Fish  
 and Wildlife Conservation Commission  
 MARCOS HANKE, Council Representative; Caribbean  
 Fishery Management Council  
 LUKE HARRIS, Commercial; Pure Harvest Seafood  
 DEWEY HEMILRIGHT, Council Representative; Mid-  
 Atlantic Fishery Management Council  
 RUSSELL HUDSON, Commercial; Directed Sustainable  
 Fisheries, Inc.  
 ROBERT HUETER, Academic; Center for Shark  
 Research, Mote Marine Laboratory  
 STEPHEN IWICKI, Recreational  
 WALLACE JENKINS, State Representative; South  
 Carolina Department of Natural Resources  
 RAYMOND KANE, Commercial; Cape Cod Commercial  
 Fishermen's Alliance  
 DAVID KERSTETTER, Academic; Nova Southeastern  
 University Oceanographic Center  
 CHARLIE KLUCK, Commercial  
 ANDREW MARSHALL, Commercial; F/V Typhoon  
 GREG MAYER, Commercial; F/V Fishin' Frenzy  
 ROBERT "FLY" NAVARRO, Recreational; Fly Zone  
 Fishing  
 JEFF ODEN, Commercial; F/V Sea Bound

PRESENT (cont.)

TIM PICKETT, Commercial; Lindgren-Pitman, Inc.

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MICHAEL PIERDINOCK, Recreational; CPF Charters  
 "Perseverance"; Recreational Fishing  
 Alliance  
 GEORGE PURMONT, Commercial  
 KIRBY ROOTES-MURDY, Commission Representative;  
 Atlantic States Marine Fisheries  
 Commission  
 MARK SAMPSON, Recreational; Ocean City  
 Charterboat Captains Association  
 MARTIN SCANLON, Commercial; F/V Provider II  
 DAVID SCHALIT, Commercial; American Bluefin Tuna  
 Association  
 JASON SCHRATWIESER, Recreational; International  
 Game Fish Association  
 GREGORY SKOMAL, State Representative;  
 Massachusetts Marine Fisheries  
 SCOTT TAYLOR, Commercial; Dayboat Seafood  
 PERRY TRIAL, State Representative; Texas Parks  
 and Wildlife Department  
 RICK WEBER, Recreational; South Jersey Marina  
 KATIE WESTFALL, Environmental Representative;  
 Environmental Defense Fund  
 ANGEL WILLEY, State Representative; Maryland  
 Department of Natural Resources

ALSO PRESENT:

NICOLAS ALVARADO, HMS, St. Petersburg Office  
 HEATHER BAERTLEIN, HMS Headquarters  
 GENE BERGSON, Blue Harvest Fisheries  
 RANDY BLANKINSHIP, Branch Chief, Southeast  
 Branch, HMS Management Division  
 KARYL BREWSTER-GEISZ, HMS Headquarters  
 CRAIG BROWN, NOAA Fisheries Miami  
 CRAIG COCKRELL, HMS Headquarters  
 BRUCE COLLETTE, IUCN  
 PETER COOPER, HMS Headquarters  
 JENNIFER CUDNEY, HMS, St. Petersburg Office  
 TOBEY CURTIS, HMS, Gloucester Office  
 CHANTE DAVIS, HMS Headquarters  
 GLENN DELANEY, Glenn Roger Delaney Consulting  
 JOE DESFOSSE, Office of Sustainable Fisheries

ALSO PRESENT: (cont.)

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GUY DUBECK, HMS Headquarters  
STEVE DURKEE, HMS Headquarters  
URIAH FOREST-BULLEY, HMS, Gloucester Office  
CLIFFORD HUTT, HMS Headquarters  
LAUREN LATCHFORD, HMS Headquarters  
TROY LUNA, U.S. Coast Guard Fifth District  
CAMI McCANDLESS, NOAA Fisheries Narragansett  
BRAD MCHALE, HMS, Gloucester Office  
SARAH MCLAUGHLIN, HMS, Gloucester Office  
IAN MILLER, HMS Headquarters  
KATIE MOORE, U.S. Coast Guard  
LISA NATANSON, NOAA Fisheries Narragansett  
RICK PEARSON, HMS, St. Petersburg Office  
ANDREW PETERSEN, Bluefin Data  
SAM RAUCH, Acting Deputy Assistant Secretary for  
International Fisheries  
LARRY REDD, HMS Headquarters  
LOREN REMSBERG, Office of General Counsel \*  
MATT SEELEY, Mid-Atlantic Council Staff  
GEORGE SILVA, HMS Headquarters  
CARRIE SOLTANOFF, HMS Headquarters  
TOM WARREN, HMS, Gloucester Office  
TOM WHEATLEY, The Pew Charitable Trust  
JACKIE WILSON, HMS Headquarters

\*Present via telephone

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1 P-R-O-C-E-E-D-I-N-G-S

2 8:38 a.m.

3 MR. BROOKS: All right. Let's get  
4 going here. Good morning, everybody. Welcome  
5 to another HMS Advisory Panel meeting. It's good  
6 to have everybody here. I think you -- probably  
7 most of you know me by now, but my name is Bennett  
8 Brooks with the Consensus Building Institute and  
9 I've been facilitating these meetings for a  
10 couple years now and it's good to be back. So  
11 thank you all for tolerating me up here.

12 As you can see, this is Brad. This  
13 is not Margo. Margo is still on detail, as we  
14 know, and we are lucky to have Brad here. Just  
15 warn you, a little unpredictable. No, we're  
16 looking forward to having Brad up here and  
17 managing the show for the next two days.

18 I think I say this every time, but I  
19 will say it again because I mean it. Thank you  
20 all for being here. We really value the time and  
21 your commitment to be here. These are not short

1 meetings. These are not light meetings.  
2 There's lots of important stuff to talk about.  
3 It's near and dear to all of your hearts. And  
4 we know it's a big ask to get you to give up time  
5 and come here. And so truly thank you all very  
6 much for being here.

7 I'll do a quick agenda review in a  
8 minute, but before I want to do that let's just  
9 go around the table with self-intros, just your  
10 name and organization. I don't think we have any  
11 new members to introduce themselves. We do have  
12 a couple of alternates, so for folks who are here  
13 are alternates, if you could as we go around the  
14 table just let us know who you're sitting in for.

15 So, Brad, we'll start with you.

16 MR. McHALE: Yes, so Brad McHale,  
17 Atlantic Highly Migratory Species. Day job,  
18 branch chief up in the Northeast, but currently  
19 on an acting detail as the division chief.

20 MR. KERSTETTER: Dave Kerstetter,  
21 academic with Nova Southeast University in Fort

1       Lauderdale.

2                   MR. PIERDINOCK:     Mike Pierdinock,  
3       charter boat captain for Massachusetts RFA and  
4       Stellwagen Bank Charter Boat Association.

5                   MR. KLUCK:     Charlie Kluck from Miami  
6       Commercial.

7                   MR. IWICKI:         Steve Iwicki,  
8       recreational out of New Jersey. No affiliations.

9                   MR. HARRIS:     Luke Harris, Gulf Shores  
10      Alabama, commercial.

11                   MS. GUYAS:     Martha Guyas, Florida  
12      Fish and Wildlife Conservation Commission.

13                   MR. FRAZER:     Tom Frazer, Gulf of  
14      Mexico Fishery Management Council.

15                   MR. SCANLON:       Marty Scanlon,  
16      President, Blue Water Fishermen's Association,  
17      commercial.

18                   MS. WESTFALL:     Katie Westfall,  
19      Environmental Defense Fund.

20                   MR. SCHALIT:     David Schalit, American  
21      Bluefin Tuna Association.

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1 MR. CARR: Ben Carr, environmental.

2 MR. NAVARRO: Fly Navarro,  
3 recreational.

4 MS. BECKWITH: Anna Beckwith, South  
5 Atlantic Council.

6 MR. MAYER: Greg Mayer, commercial  
7 charter boat captain from Oregon Inlet and NCWU.

8 MR. GOLET: Walt Golet, University of  
9 Maine, Gulf of Maine Research Institute,  
10 academic.

11 MR. PURMONT: George Purmont,  
12 commercial.

13 MR. HEMILRIGHT: Dewey Hemilright,  
14 Mid-Atlantic Fishery Management Council.

15 MR. SKOMAL: Greg Skomal, Mass.  
16 Marine Fisheries.

17 MR. KANE: Raymond Kane, commercial.

18 MR. AUGUSTINE: Pat Augustine,  
19 recreational.

20 MR. ODEN: Jeff Oden, commercial,  
21 North Carolina.

1                   MR.    ADRIANCE:            Jason    Adriance,  
2           Louisiana Wildlife and Fisheries.

3                   MR.    JENKINS:       Wallace Jenkins, South  
4           Carolina Department of Natural Resources.

5                   MR.    GREGORY:       Randy Gregory, North  
6           Carolina Division of Marine Fisheries.

7                   MR.    TRIAL:        Perry Trial, Texas Parks  
8           and Wildlife Department.

9                   MR.    HANKE:        Marcos Hanke, charter  
10          operator, Puerto Rico.

11                  MR.    PICKETT:     Tim Pickett, Lindgren-  
12          Pitman, Incorporated, commercial.

13                  MR.    TAYLOR:     Scott Taylor, Dayboat  
14          Seafood, commercial.

15                  MR.    BELLAVANCE:   Rick Bellavance, New  
16          England Fisheries Management Council.

17                  MR.    COX:        Andrew Cox, recreational,  
18          South Florida.

19                  MR.            SCHRATWIESER:                Jason  
20          Schratwieser, recreational, International Game  
21          Fish Association.

1                   MR. GRAVES:     John Graves, Virginia  
2     Institute of Marine Science here representing the  
3     ICCAT Advisory Committee.

4                   MR. HUETER:     Bob Hueter, Mote Marine  
5     Lab, academic.

6                   MR. CANNIZZO:         Steve Cannizzo,  
7     recreational, representing Bob Bogan, Point  
8     Pleasant, New Jersey.

9                   MR. MARSHALL:         Andrew Marshall,  
10    commercial, New England.

11                   MS. WILLEY:     Angel Willey, Maryland  
12    Department of Natural Resources.

13                   MR. SAMPSON:     Mark Sampson, Ocean  
14    City, Maryland, recreational.

15                   MR. HUDSON:     Rusty Hudson, Directed  
16    Sustainable Fisheries, commercial.

17                   MR. BROOKS:     Great. And let's go  
18    around the room quickly just so folks know who  
19    else is here. We'll start over there.

20                   MR. DUBECK:     Guy DuBeck, Silver  
21    Spring.

1 MR. MILLER: Ian Miller, HMS, Silver  
2 Spring.

3 MS. LATCHFORD: Lauren Latchford,  
4 HMS, Silver Spring.

5 MR. REDD: Larry Redd, HMS, Silver  
6 Spring.

7 MS. WILSON: Jackie Wilson, HMS,  
8 Silver Spring.

9 MR. SILVA: George Silva HMS, Silver  
10 Spring.

11 MR. SEELEY: Matt Seeley, Mid-  
12 Atlantic Council staff.

13 MR. BERGSON: Blue Harvest Fisheries.

14 MS. McCANDLESS: Cami McCandless,  
15 NOAA Fisheries, Narragansett.

16 MS. NATANSON: Lisa Natanson, NOAA  
17 Fisheries, Narragansett.

18 MR. COLLETTE: Bruce Collette, IUCN.

19 MR. LUNA: Troy Luna, Coast Guard,  
20 Fifth District.

21 MS. MOORE: Katie Moore with Coast

1 Guard Fisheries Enforcement.

2 MR. WHEATLEY: Tom Wheatley with The  
3 Pew Charitable Trust.

4 MS. McLAUGHLIN: Sarah McLaughlin,  
5 HMS, Gloucester.

6 MR. ALVARADO: Nicholas Alvarado,  
7 HMS, St. Petersburg, Florida.

8 MS. DAVIS: CHANTE DAVIS: HMS,  
9 Silver Spring.

10 MR. HUTT: Clifford Hutt, HMS, Silver  
11 Spring.

12 MR. FOREST-BULLEY: Uriah Forest-  
13 Bulley, HMS, Gloucester.

14 MR. WARREN: Tom Warren, HMS,  
15 Gloucester.

16 MR. CURTIS: Tobey Curtis, HMS,  
17 Gloucester.

18 MS. SOLTANOFF: Carrie Soltanoff,  
19 HMS, Silver Spring.

20 MR. PEARSON: HMS, St. Petersburg,  
21 Florida.

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1 MR. DESFOSSE: Joe Desfosse, HMS.

2 MS. BAERTLEIN: Heather Baertlein,  
3 HMS.

4 MS. BREWSTER-GEISZ: Karyl Brewster-  
5 Geisz, HMS, Silver Spring.

6 MR. BLANKINSHIP: Randy Blankinship,  
7 Silver Spring, St. Petersburg.

8 MS. CUDNEY: HMS, St. Petersburg.

9 MR. BROWN: Craig Brown, NOAA  
10 Fisheries, Miami.

11 MR. COOPER: Peter Cooper, HMS,  
12 Silver Spring.

13 MR. PETERSEN: Andrew Petersen,  
14 Bluefin Data.

15 MR. DURKEE: Steve Durkee, HMS HQ.

16 MR. BROOKS: Great. And then do we  
17 have anyone on teleconference yet this morning?

18 MS. REMSBURG: Hi, Loren Remsburg  
19 from the Office of General Counsel.

20 MR. BROOKS: All right. Great. Well  
21 thanks and again welcome.

1           Let me just do a really quick agenda  
2 overview so we can jump into the heart of our  
3 conversations here.

4           So we're just in plenary this meeting;  
5 no breakout sessions, so we'll just all be around  
6 the table today and tomorrow. As always there  
7 will be opportunity for conversation throughout.  
8 We will go until 6:15 this evening and remind you  
9 that we will have a social -- informal social  
10 gathering downstairs starting at 6:15 or 6:30.

11           We will start with the kind of usual  
12 overview from up front here and Brad will hit a  
13 whole bunch of topics that we won't be covering  
14 in depth during the conversation over the next  
15 two days. The remainder of the morning we'll  
16 start with an overview of the Draft  
17 Implementation Plan for ecosystem-based  
18 fisheries management. Then we'll start a focus  
19 on bluefin tuna management initially with a  
20 review of the 2018 year-to-date and then an  
21 update on pelagic longline bluefin tuna area-

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1 based in weak hook management. So just to get a  
2 sense of where the AP members they the agencies  
3 should be heading next on those issues. We'll  
4 break for lunch.

5 And then in the afternoon we'll start  
6 first with some remarks from leadership. So Sam  
7 Rauch will be here to spend a little time with  
8 the panel, share some comments, but also mostly,  
9 as they always do, take questions from you all  
10 and engage in a more informal conversation. Then  
11 we'll sort of come back to the bluefin tuna  
12 conversation and we'll get an update on the A7  
13 three-year review.

14 And then a very initial brainstorm  
15 around what are the Panel's thoughts about where  
16 we're heading with -- where it should head with  
17 bluefin tuna and related fisheries management  
18 issues, a number of issues that have come up over  
19 the years. It will be a chance to really get a  
20 sense of what people are thinking.

21 In the late afternoon we'll hear from

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1 the U.S. Department of State on U.S.-Bahamas  
2 boundary negotiations. We'll hear about HMS  
3 charter/headboat electronic logbook reporting.  
4 And then we'll finish up the day with an A12  
5 update on implementing recent National Marine  
6 Fishery Service National Policy Directives.  
7 Again, we'll take public comment at 6:00 to 6:15  
8 and then we'll adjourn. And then we'll have a  
9 no-host again informal social downstairs.

10 Tomorrow morning we will start at  
11 8:30. Tomorrow is much more of a shark-focused  
12 day, and we'll start with the history and results  
13 of bottom longline shark surveys. Then we will  
14 take a closer look at trends across dusky and  
15 sandbar shark stock assessments. We will talk  
16 about a proposed rule for reducing catch of  
17 shortfin mako sharks. This was discussed in the  
18 spring when it was an emergency rule. Now we're  
19 coming back -- the Agency is coming back with a  
20 proposed rule. And then before lunch we'll get  
21 an update from MRIP on its plans to improve its

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1 rec fishing survey designs.

2 After lunch we will have one last new  
3 topic which will be an update on a number of rules  
4 related to domestic shark quota management. We  
5 will take public comment tomorrow at 2:30 and  
6 then we'll have a wrap-up presentation and we  
7 will get you out of here by 3:00.

8 So I know there has been one request  
9 from Dewey of possible to shift the mako shark  
10 out of the -- I guess it's the 10:00 to 11:00  
11 slot right now, I think, on day 2. And we wanted  
12 to see if there was some interest in shifting  
13 that because of a conflict he has.

14 I don't know if there's any other  
15 agenda items or considerations that folks have,  
16 but I think I want to ask you, Brad, whether we  
17 have any options for shifting that and just also  
18 see if there's any other agenda items that folks  
19 want to make sure we're covering.

20 (No audible response.)

21 MR. BROOKS: Okay. So no other

1 agenda items. So I think then, Brad, the  
2 question is do we have some options?

3 MR. McHALE: Right. So since what I  
4 want to do is canvass you all, so if you have the  
5 agenda available, you'll see that we had the  
6 Amendment 11 discussion slated for 10:00 to 11:00  
7 tomorrow morning. I think some of the logical  
8 options would be is that we could move it to later  
9 in the afternoon, to that 1:30 to 2:30 time slot,  
10 but I'm also aware that some folks are going to  
11 be exiting stage right to catch flights, what  
12 have you, and wanted to get a sense of how many  
13 folks we might be losing for the overall  
14 discussion if we were to -- say to bump that  
15 presentation back.

16 The other option that I was  
17 considering is whether or not to move it up until  
18 later this afternoon and swap that out with the  
19 potential Amendment 12 time slot, which is from  
20 5:15 to 6:00 tonight. One of the drawbacks of  
21 doing that is we don't have Enric here on site.

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1 And so we wanted to have some of the scientific  
2 expertise on site.

3 So those are kind of the options. So  
4 I wanted to kind of see how folks felt about that.  
5 If they're exiting stage right, it would be good  
6 to know and then we can kind of figure out whether  
7 we need to stay the course and -- or if we're  
8 able to accommodate a shift.

9 MR. BROOKS: So, Brad, it sounds like  
10 your preference would be to move it to the  
11 afternoon tomorrow, if that works, because then  
12 we don't lose Enric for the conversation?

13 MR. McHALE: Affirmative.

14 MR. BROOKS: Okay. So any issues?

15 MR. PURMONT: Is there any options  
16 such as starting tomorrow morning at 8:00?

17 MR. BROOKS: So let's try to make this  
18 easy. Does anyone have any objection to shifting  
19 that to the afternoon tomorrow?

20 (No audible response.)

21 MR. BROOKS: Okay. All right. So

1 just make a note to yourselves. We will do --  
2 handle the A14 conversation at 10:00 to 11:00  
3 tomorrow morning and we will shift the mako shark  
4 All conversation to afternoon, 1:30 to 2:30.  
5 Okay?

6 All right. Lastly, just a few  
7 housekeeping ground rules before we jump in.

8 Just a reminder, I know you all know  
9 it, but for any audience that's not here this is  
10 an advisory panel. The point of the conversation  
11 here for people to be informed and for HMS staff  
12 to hear the various perspectives around the  
13 table. This is not a consensus-seeking body.  
14 That's just important to know.

15 The second thing to know is the  
16 conversation is around the table. We do again  
17 have opportunities for public comment at the end  
18 of the day today, end of the day tomorrow, but  
19 otherwise the conversation is around the table.

20 And just for folks who are around the  
21 table, what I ask of you all as participants here

1 to ensure we can have really productive  
2 conversations is, one, contribute. You all have  
3 different perspectives and we really need to hear  
4 it, but as you contribute really keep your  
5 comments focused. Look around. There's a lot  
6 of people, a lot of perspectives and if we're  
7 going to hear from everyone, if people can keep  
8 their remarks focused, that's helpful.

9 As always, engage in a way that is  
10 productive and constructive. People have  
11 perspectives that may be different than yours,  
12 but everyone is coming here from a place of a  
13 legitimate stance, and so we ask you all, as you  
14 do, to treat each other respectfully, ask  
15 questions if you don't understand things, don't  
16 characterize other people's perspectives. Those  
17 are the things that make for good conversations.

18 I think that's all I want to say.  
19 Just as we go along we'll attempt to sort of  
20 summarize what we're hearing from you all.

21 And just a few meeting logistics:

1       When you want to get in the queue, put your card  
2       up on its side so I can see who wants to get in.  
3       I generally take it in the order that you put it  
4       up.     On the other hand, I want to foster  
5       conversations, so if there's a need for back and  
6       forth, we'll do that.  As well if there have been  
7       folks who've been quiet and folks who've been  
8       talking more than others, I will let folks who've  
9       been quiet into the queue just so we hear from  
10      everybody.

11                   Finally, if your cell phones are not  
12      off or on mute, please do so now.  And with that,  
13      any questions from anybody around the table?

14                   (No audible response.)

15                   MR. BROOKS:  If not, Brad, all yours.

16                   MR. McHALE:  Great.  Thank you very  
17      much for that, Bennett.

18                   One other thing I kind of just wanted  
19      to discuss and mention before we kind of really  
20      get down to the business at hand is I want to  
21      take a moment to remind everybody about some of

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1 the basic rules for all of our public meetings.  
2 I wanted to mention that NOAA and NMFS as well as  
3 the division are committed to providing a work  
4 environment; and in the case of the HMS Advisory  
5 Panel meetings, a public meeting place that is  
6 respectful, inclusive to everyone and is free of  
7 any forms of verbal, physical or sexual assault  
8 or harassment. And ultimately any type of  
9 harassment or assault ultimately will not be  
10 tolerated.

11 Our expectation for every individual  
12 at the meeting is that they'll conduct themselves  
13 appropriately, listen to others, be respectful of  
14 others even when those opinions may differ and at  
15 times differ immensely, and contribute to a safe  
16 and professional environment for each and every  
17 member, those around the table, all the  
18 Government employees that come and join us, as  
19 well as those members of the public that join us  
20 as well.

21 So therefore, we ask that each of you



1 please be aware or the sensitive, or be aware and  
2 sensitive to how others may feel, relate to  
3 personal space issues, touching, language and  
4 just overall subject matter. Each individual  
5 person has a differing level of comfort, so I ask  
6 that all of us, including myself, to be self-  
7 aware. And that includes not only our time here  
8 at the meeting when we're in plenary, but also in  
9 side bars as well as at the no-host social that  
10 will be this evening. And if any of you happen  
11 to encounter any behaviors that you find  
12 uncomfortable, please track me down or one of my  
13 other staff and we'll address the matter.

14 So thanks for this. Just wanted --  
15 in the kind of day and age that we're in just to  
16 give us all that kind of friendly reminder of  
17 self-awareness. And with that, I'd like to get  
18 down to the business at hand.

19 All right. So I'll all ask you,  
20 although I've been up here plenty of times over  
21 the last 15 years, I've never quite had the

1 opportunity to sit in Margo's seat. It's  
2 definitely more comfortable, at least it is so  
3 far because I haven't had to hear anything from  
4 you all yet. But bear with me if all of a sudden  
5 I trip up or go over something too fast. I know  
6 that you all are not shy. You'll let me know.  
7 But ultimately just trying to do this justice  
8 both for her sake as well as for Randy for filling  
9 in this position.

10 So as you'll be well aware, we do this  
11 pretty much at every meeting. We kind of recap  
12 a number of the actions that we've done since  
13 we've met this last spring and as well as just  
14 really touch on some of the items, although  
15 Bennett had just run down the agenda, some of the  
16 subject matter we'll be getting into in a little  
17 bit more depth. So the goal of the presentation.  
18 So ultimately we'll touch on things real briefly  
19 and then we'll defer the in-depth discussion  
20 items later in the agenda.

21 So running down real quick, I think

1 everybody's aware we've discussed the mako  
2 emergency action since the ICCAT recommendations  
3 coming out of the November 2017 meeting.  
4 Obviously a big topic that we continue to chew on  
5 and wrestle is conducting research and collecting  
6 data in fishery closed areas. The draft three-  
7 year review of the IBQ program, which is  
8 essentially the Amendment 7 review that we've  
9 promised since we finalized that action. Also  
10 we did different recreational issues.

11 We know that electronic reporting and  
12 efficiencies has also been a key topic around  
13 this table for a few years now. Some updates  
14 regarding management especially in the Caribbean.  
15 I think the next presentation up will be touching  
16 on the ecosystem-based fisheries management.  
17 And then there's a whole suite of kind of upcoming  
18 rulemaking.

19 So Amendment 11, we just discussed  
20 that, we'll be moving that until later tomorrow  
21 afternoon. Amendment 12 which is touching on a

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1 number of the national policy initiatives. We've  
2 discussed that around the table for a few years.  
3 Amendment 13, which is essentially going to be  
4 the outgrowth of what we've discovered as part of  
5 Amendment 7. How is that IBQ program working,  
6 as well as a whole other suite of bluefin tuna-  
7 centric management issues. Then Amendment 14  
8 essentially is getting into the nuts and bolts of  
9 the domestic shark quota management. And then  
10 the last item there is the 2019 Shark  
11 Specifications.

12 So when we look back at the rules and  
13 some of the operational items; essentially a  
14 stat-heavy slide, we've finalized three rules  
15 since we met last. The extension of the shortfin  
16 mako emergency action. We've established the  
17 Shark Fishery Closure Regulations. I think this  
18 is commonly referred to as the 80-5 Rule, which  
19 I think was then amended to 80-4. And then  
20 ultimately adjusting the 2018 swordfish quotas.

21 As far as in-season actions that have

1       been put into place since we met last, there's  
2       been a handful, whether they be quota adjustments  
3       or retention limit adjustments or closures, and  
4       they apply to bluefin, the swordfish, some of the  
5       sharks, the closures with the trophy fishery,  
6       with the recreational trophy fishery, and then  
7       again as I mentioned, some quota transfers as  
8       they relate to the directed fisheries, as well as  
9       the incidental pelagic longline fishery earlier  
10      in the year.

11                   When it comes to the operational side  
12      of the house, really been no feet kicked up on  
13      the deck there -- on the desk there. We've  
14      issued about 39 different EFPs, SRPs, LOAs. We  
15      got a number of different shark permits, research  
16      fishery permits that have been moved out the  
17      door. We have 235 tournament directors that have  
18      registered with us and a whole suite of different  
19      shark identification as well as protected species  
20      workshops that have been conducted. And as far  
21      as those folks that are -- have subscribed to get

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1 our news updates and keep on top of what we're  
2 doing, I think we're just north of 5,700 there.

3 Getting into a little bit of the  
4 specifics regarding the bluefin tuna and northern  
5 albacore quota rule, essentially we proposed this  
6 rule back in July. We held one webinar mid-July.  
7 Comment period wrapped up in early August and  
8 essentially we received three comments on that.  
9 And this rule, just for folks as a quick reminder,  
10 is essentially formally implementing the ICCAT  
11 recommended quotas both for bluefin and northern  
12 albacore here and codifying them in our  
13 regulations.

14 Essentially those comments were  
15 against quota increases in general. We received  
16 some feedback as we included a measure to address  
17 either shark-damaged tunas which eventually  
18 evolved into just predated tunas. And then we  
19 had some comments that just fell outside the  
20 scope, which is kind of commonplace when some of  
21 the issues are intertwined.

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1           We're anticipating publishing this  
2           final rule later this month, and ultimately that  
3           would include not only codifying the ICCAT  
4           increases in quotas, but also folding in any kind  
5           of carryover provisions that are already on the  
6           books where we're allowed to carry under-harvest  
7           from one year to the next.

8           On tournament reporting registration,  
9           here you'll notice that we've discussed this  
10          around the table. We're still discussing it  
11          internally. The whole selection process of which  
12          tournaments are selected to report. Currently  
13          we select those tournaments that had billfish or  
14          swordfish as a point species and the  
15          consideration of expanding that out to include  
16          sharks and tuna as well.

17          One of the big drivers of potentially  
18          selecting more tournaments to report was the  
19          implementation of the online reporting capability  
20          and registration capabilities where we've gotten  
21          a lot of positive feedback from tournament

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1 directors that it's just user-friendly versus our  
2 old methodology of having to fill out paper  
3 forms. And so not only are we seeing the  
4 compliance with that reporting increase  
5 exponentially, but the accuracy of the data  
6 coming in. And so the consideration of moving  
7 that towards more of a census-type selection  
8 process for our tournaments with the goal of  
9 getting more robust information out of those  
10 venues.

11 When it comes -- and I mentioned this  
12 briefly in the initial slide, but the 2018 north  
13 and south swordfish quotas, essentially they're  
14 kind of where they're at with carry forward being  
15 maxed out. I don't think this is anything new.  
16 This has been a struggle that we've had around  
17 this table for a number of years. And so let's  
18 just say plenty of swordfish quota.

19 We also have our South Atlantic  
20 swordfish quota. Again, we're not necessarily  
21 harvesting that amount. And then all these

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1 adjusted quotas based upon carryover from the  
2 previous year all became effective at the end of  
3 August.

4 So looking at data collection and  
5 research to support spatial management fisheries.  
6 This is a strong driver both for myself when I'm  
7 at a branch chief level as well as the division  
8 chief level of continuous struggle. How do you  
9 then collect data and conduct science in various  
10 areas that may have been closed for bycatch  
11 reasons for a number of years and acknowledging  
12 that the regulations that apply to those  
13 different fleets have also changed immensely and  
14 how do you kind of revisit and look back at  
15 this -- the collective management, but as well as  
16 the data that can exist in these areas to help  
17 inform the Agency to move forward on different  
18 decisions.

19 So currently there are areas that are  
20 restricted to commercial and then a handful to  
21 recreational fishing. At the last advisory panel

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1 we presented several options to help facilitate  
2 more of a comprehensive data collection. Kind  
3 of this is more the direction we're going instead  
4 of just trying to get data out of this one area  
5 or that area. We're trying to set up a plan that  
6 kind of would apply to all areas. That way if  
7 there are specific issues in one that may not  
8 exist in the other there is a plan to get at it  
9 holistically.

10 And so currently we're drafting issues  
11 and options paper to more fully consider ways to  
12 collect that information and anticipate we'll  
13 have those more finalized probably for the spring  
14 meeting, although we do have some presentations  
15 a little bit further along, as you'll see in the  
16 agenda, looking at the bluefin tuna closure and  
17 a few items that we're looking at considerations  
18 as they apply to the weak hooks.

19 So that is ultimately kind of how  
20 we're rolling forward with some of these  
21 struggles we've had getting fishery-dependent

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1 data out of these preexisting closed areas.

2 Another item I wanted to include just  
3 because I know that the frequency that we're  
4 being asked internal to the Agency to consult is  
5 proposals for offshore wind power. Obviously  
6 there are several developments that are  
7 proceeding both in the northeast and we are just  
8 kind of one voice of many internal to the Agency  
9 that are coordinating with the fishery councils  
10 as well as BOEM to help evaluate what sort of  
11 impacts any of these sort of wind farms may have  
12 on fishing operations based upon where they're  
13 being proposed.

14 And so we're actively engaging, kind  
15 of representing the interests of our collective  
16 fisheries, kind of looking at where they may be  
17 proposed and then obviously what implications  
18 they may have on either existing, historical or  
19 future fishing opportunities.

20 And then ultimately for more  
21 information we wanted to include a web site here

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1 coming out of the northeast or the GARFO office  
2 as it relates to offshore wind proposals. But  
3 we just want to let you know that although it  
4 doesn't necessarily get a lot of air time in our  
5 conversations, that's something that staff are  
6 actively engaged in in making sure that our voice  
7 is not lost in those discussions.

8 A couple links here regarding landings  
9 and tournament updates. I think you'll see these  
10 essentially come out about on a monthly basis  
11 through emails, but then we have them compiled  
12 here, so more or less a reference document of  
13 where you can go to find those latest formal  
14 reports. We also do some kind of more informal  
15 updates. And on the open access web site that  
16 we use to issue our permits we're doing kind of  
17 daily or every other day updates there for  
18 bluefin. But if you need to reflect back to see  
19 where we're at at a given point, here are those  
20 links to provide those sources.

21 Regarding exempted fishing permits.

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1       So one we received this year submitted by the  
2       Cape Cod Commercial Fishermen's Association,  
3       essentially this was trying to get at a  
4       regulation we have on the books that states that  
5       no unauthorized highly migratory species gear can  
6       be on board a vessel if you're in possession of  
7       a Highly Migratory Species.

8               And so there was some efforts underway  
9       already in the GARFO-managed fisheries where they  
10       had some electronic reporting requirements and  
11       essentially they submitted a request that if they  
12       were to leverage that electronic monitoring that  
13       was on those vessels for that groundfish purpose,  
14       could they then use that as an opportunity to  
15       show or verify that they are able to catch HMS  
16       and not in unauthorized gear.

17               So essentially we permitted or we  
18       issued that permit that authorized about five  
19       vessels that were using either rod and reel or  
20       harpoon gear types. And I think to date we don't  
21       have any footage whatsoever stemming from this

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1 EFP, whether it was either the participating  
2 vessels hadn't shipped to the fisheries or the  
3 weather conditions weren't overly conducive to  
4 say harpooning at this time.

5 It's a little late in the  
6 season, but that will be something that we'll in  
7 all likelihood consider for '19 as well just to  
8 see what information can be gathered, because I  
9 know we as an agency have held true to that  
10 regulation for some time, not that we think  
11 somebody will catch a bluefin in a lobster trap  
12 per se, but it's just an overall effort control  
13 as well is that if you happen to have that gear  
14 off the vessel, not every platform can ultimately  
15 be now an active HMS platform.

16 So staying in true line with the  
17 exempted fishing permits, the East Florida Coast  
18 Pelagic Longline Closed Area Research Project,  
19 which has been discussed here for a number of  
20 different years, we received that revised  
21 application that we discussed in the spring last

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1 December and ultimately NMFS, in collaboration  
2 with the Secretary of Commerce, has decided not  
3 to issue that EFP at this time.

4 As I mentioned earlier, based upon  
5 lessons learned I think we're kind of changing  
6 our course to tackle that more comprehensive  
7 approach as a way to actually insulate for many  
8 specific issues that may exist with a closed  
9 area, but if we have more of a comprehensive plan,  
10 does that allow for us to gain better traction  
11 and a way to move forward on this endeavor, which  
12 continues to be a priority not only for us as a  
13 division, but kind of up through the agency as  
14 well.

15 And so we'll continue to seek  
16 opportunities both from the recreational as well  
17 as the commercial. This isn't just a commercial  
18 endeavor. It has to deal with all regulated  
19 participants to strengthen the economy of our  
20 coastal communities as well as the nation. And  
21 I know I've said this in a few side bars and it

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1 comes out in various publications, whether they  
2 be commercial, enviro or recreational in nature  
3 that if we don't have sound data and sound  
4 information to form our decisions, we're  
5 ultimately doing all of ourselves a disservice.  
6 And so how do we kind of break up through that  
7 ceiling and try to find a way to collectively  
8 inform our decision making processes to  
9 everybody's benefit. So that one still stays  
10 very high on the list.

11 Shifting over to some of our directed  
12 fishery operations this year, one task we  
13 undertook was collecting some cost earning  
14 information from our Atlantic Tunas General  
15 category vessels. It's been a significant time  
16 since we've had costs information associated with  
17 that segment of the fishery, and so those users  
18 are getting a wonderful survey that they're  
19 enjoying immensely in the mail.

20 They're enlightened -- or delighted to  
21 send that information back into us and we're

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1 collaborating with them and trying to coax them  
2 up on, one, whether or not we're sharing that  
3 information with the IRS. And the answer is no.

4 And then, two, the value of what that  
5 does for us when we do get that information, where  
6 we have it for a lot of the other user groups,  
7 and in this particular user group, as we've heard  
8 around the table, if there's a closure for  
9 example and all of a sudden let's say three weeks  
10 out of a month are closed, that we then have that  
11 cost information to then kind of look and see  
12 what are some of those direct economic impacts by  
13 having those opportunities curtailed and value to  
14 the fishery and very important to our analytical  
15 documents.

16 But sometimes it's tough to get folks  
17 to see that versus thinking that that economic  
18 information may just be used against them, which  
19 is not my intent or the division's intent. It's  
20 more to empower us and see if we're going to make  
21 a decision. What are some of the impacts when

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1 we do make that decision?

2 So as far as that timeline associated  
3 with that study, we sent notification letters  
4 back last November. Essentially participation  
5 is required if they were selected. They've  
6 combined their trip reports. Null fishing  
7 reports. For example, if they didn't go fishing,  
8 we want to have that value as well. And to date  
9 we're -- as of just less than a month ago we had  
10 just shy of 1,000 trip reports submitted to us.  
11 And then we're ultimately looking to finalize the  
12 report for some time in the next year once we  
13 have the opportunity to get a full year's worth  
14 of data and then properly analyze it.

15 As you'll recall we implemented two  
16 new HMS permit endorsements since we met last  
17 both really pertaining to the for-hire fleet.  
18 The first one is really more of a shark  
19 endorsement, so this one is an example of how  
20 we're trying to improve our species  
21 identification of sharks stemming from say a

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1 misidentification of duskies to -- or one is that  
2 if a vessel is going to be fishing for sharks,  
3 they need to actively select that they're getting  
4 an endorsement.

5           Then as part of that there is a brief  
6 video and quiz trying to again coach up the  
7 regulated community on what is a ridgeback? What  
8 should be kept? What shouldn't? And then  
9 reinforce -- you know, if you don't know what it  
10 is, it's best that you put it back. But again,  
11 trying to reinforce that folks aren't just  
12 catching the sand sharks and brown sharks and  
13 thinking it's fine until they get to the dock and  
14 then all of a sudden we -- either they  
15 individually have issues or then collectively we  
16 around the room have issues that we need to  
17 contend with.

18           The second item that we rolled out  
19 with was the for-sale endorsement for our HMS  
20 charter/headboat vessels. So if you'll recall,  
21 this was a provision where prior to this

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1 rulemaking all HMS charter/headboat vessels had  
2 the opportunity to sell their Atlantic tunas.  
3 Coast Guard had come out with a policy that they  
4 were -- just having that ability. They were  
5 going to consider our entire for-hire fleet as  
6 commercial.

7 We did some number crunching, realized  
8 only about less than 10 percent of the fleet sell  
9 catch. And so the other 90 percent really  
10 weren't commercial entities. And so embarked on  
11 this rulemaking to delineate those in the for-  
12 hire fleet that were going to sell catch and those  
13 that weren't. And that way to help inform the  
14 Coast Guard of where those commercial fishing  
15 vessels' safety gear requirements would apply  
16 versus not. And so that action has been  
17 finalized as of January 1 of '18. So far we've  
18 issued about 3,500 charter/headboat vessels and  
19 about 13 have selected that endorsement, which is  
20 about 38 percent.

21 Now that 38 percent is significant.

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1 A smaller portion of that actually have sales of  
2 fish landed. And so this is something that we'll  
3 be touching on a little bit later in one of the  
4 presentations as well is some of the  
5 collaborations that fisheries and Coast Guard has  
6 regarding some of those commercial safety rules  
7 and regulations and how we're comparing data, how  
8 enforcement is going and how compliance is going.

9 A quick update on the Endangered  
10 Species Act and our biological opinions.  
11 Essentially back in August of 2014 we published  
12 a final rule to list 20 coral species as -- or  
13 NMFS, not we, HMS -- that listed 20 species as  
14 threatened under ESA, and 7 of these species are  
15 distributed throughout the Atlantic, Gulf and  
16 Caribbean waters. So that obviously with our own  
17 fisheries we have consultation going on. And  
18 then we also re-initiated ESA for the Western and  
19 Central Atlantic DPS of scalloped hammerheads for  
20 all of our HMS fisheries, longline included, and  
21 that went into play back in October of 2014. And

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1 essentially that consultation is ongoing, so I  
2 don't really have a whole lot of updates there  
3 other than we're still collaborating.

4 Just an update; I know we've touched  
5 on this in prior meetings, was the Bryde's whale  
6 habitat area in the Gulf of Mexico. There's a  
7 proposed rule to list Bryde's whale under ESA.  
8 That published back in December of '16. The  
9 comment period was extended through February of  
10 '17, and that's kind of an ongoing rulemaking  
11 there as well. Just wanted to remind folks, have  
12 this on their radar. But there is no final  
13 action coming out of that proposed rule, at least  
14 not at this time.

15 Updates regarding the Deepwater  
16 Horizon oil spill restoration. So I think folks  
17 will recall that there is an Oceanic Fish  
18 Restoration Project in the Gulf. This is the one  
19 that primarily is dedicated to pelagic longline  
20 vessels where vessels could volunteer into that  
21 reposed program but yet still be authorized to

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1 use alternative gear, essentially green-stick  
2 buoy gear.

3 And essentially I think we're wrapped  
4 up for '18. We're starting to look towards '19.  
5 And for more detailed information we've provided  
6 a link there. And so I probably won't belabor  
7 that much longer.

8 And then there is the Open Ocean  
9 Trustee Implementation Group. And so  
10 essentially this is a public request for ideas  
11 for projects for the '17 through 2020 time  
12 period, and that request period ended in '17. A  
13 lot of the ideas that we received are being  
14 considered and plans kind of being drafted in the  
15 background. And again, for more information  
16 there we provide the link at the bottom of this  
17 slide.

18 And if you want to get more details  
19 while we're here at the meeting, I'll defer you  
20 over to say Randy Blankinship because he's kind  
21 of riding point on a lot of these efforts for us

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1 as a division and is probably the most well  
2 versed.

3 So looking ahead, we'll be looking to  
4 move forward on our ecosystem-based fishery  
5 management road map. We have a presentation  
6 dialed up for the next time slot here in the  
7 agenda. As it relates to that three-year review  
8 we're still on target to have that review  
9 finalized by the spring meeting. It was our goal  
10 to have a draft review available to you all for  
11 this meeting, and sadly enough we did not hit  
12 that goal. So we'll be getting you that draft  
13 report sometime early this fall.

14 We do have a presentation on it. We  
15 do kind of have an executive summary kind of  
16 boiling down the highlights, but the full body of  
17 the document just still needed a little bit of  
18 massaging to get it in form where I think we would  
19 all benefit from it. And so I know Tom and I  
20 will be tackling that once we kind of get the  
21 meeting in the rear view mirror here and trying

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1 to get that out to you again early fall so that  
2 we can kind of deliberate and discuss and then  
3 kind of ultimately finalize that for the spring  
4 meeting and then look strongly forward to see  
5 what directions we may move in as far as program  
6 modifications, etcetera.

7 Really on the short-term horizon that  
8 quota rule I had mentioned for bluefin and  
9 northern albacore. We're looking to have that  
10 in place here as quickly as possible once we get  
11 that finalized. And then ultimately Amendment  
12 11. We're currently in the comment period.  
13 We'll discuss that more at that dedicated time  
14 slot. And then we're looking for finalization  
15 there in the spring of '19.

16 And then again some of the other  
17 proposed actions we'll be touching on. The  
18 bluefin tuna area/weak hook, looking to get some  
19 more formal action in play by the spring of '19.  
20 Ongoing discussions regarding the spatial  
21 management. That's that more comprehensive

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1 effort. Collecting issues and options, letting  
2 you know what we've heard, what we've missed, to  
3 get that further refined so we can gain traction  
4 there.

5 Then ultimately Amendment 12, which is  
6 that national kind of amendment tackling some of  
7 those topics. And then Amendment 13 is really  
8 kind of the next evolution of Amendment 7.

9 So as far as communication goals, I  
10 know Bennett had mentioned this kind of is -- one  
11 is that we're all collectively aware that you all  
12 are trying to make your constituent base aware.  
13 You're making us aware. We're trying to make you  
14 aware and trying to be engaged, that we generally  
15 approach this as a collaborative effort even when  
16 we may disagree immensely that we need that back  
17 and forth to understand exactly where you're  
18 coming from, you can see where we're coming from,  
19 to either just acknowledge those gaps or trying  
20 to figure out how to bridge them.

21 One of the other items that I

1 mentioned earlier is that we show each other some  
2 R-E-S-P-E-C-T, and whether that goes to the  
3 different opinions, personal space, what-have-  
4 you is that we've all worked together for a long  
5 time, that that's pretty much a no-brainer, but  
6 let's just remind ourselves of it as well.

7 And then kind of the roles. Listen,  
8 to be engaged, sharing feedback, bringing ideas  
9 to this Panel. If somebody doesn't like a  
10 particular option or an idea or even just a  
11 concept, well, that's great. Let us know that  
12 you don't like it, but I challenge you to come  
13 back with, okay, then what? What would you then  
14 like to see versus just being -- taking a naysayer  
15 approach but yet not having anything to add of  
16 value to that conversation to keep things  
17 evolving.

18 And then ultimately our role is  
19 ensuring compliance with all of our domestic and  
20 international requirements, trying to do our  
21 diligence in raising issues and informing you all

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1 as we see them from internal to the Agency, to  
2 actively listen and engage you all in those  
3 matters. And then making decisions considering  
4 all of your input.

5 So in essence we got a lot of ground  
6 to cover. We kept the meeting very tight. We  
7 got a day-and-a-three-quarters. I pretty much  
8 wanted to make sure that the weekend preceding  
9 was longer than the meeting for my detail here,  
10 so that's a goal I'd like to achieve. We'll keep  
11 the operational activities -- keep that kind of  
12 moving forward and then really just kind of  
13 looking for the dialogue.

14 So at this point I think we can kind  
15 of open things up for questions or clarification  
16 or corrections.

17 MR. BROOKS: Yes, so we have time for  
18 just a question or two here. Rick then Sonja.

19 MR. BELLAVANCE: Thanks, Brad. I  
20 appreciate the slide on the offshore wind and  
21 national ocean policy and things like that, and

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1 I just -- I guess I wanted to just take a minute  
2 to try to raise a little bit of awareness in  
3 regards to the development of offshore wind in  
4 the northeast in particular and what I perceive  
5 as a lack of research in that HMS species in  
6 particular relative to the development of  
7 offshore wind. And I'm just curious as to what  
8 the division is doing.

9           You had mentioned that there's a lot  
10 of different players and agencies and so on that  
11 are involved in the decision making processes for  
12 offshore development, wind development, but  
13 particular to HMS I'm just curious what the  
14 division has been talking about and thinking  
15 about in regards to research on bluefin tuna,  
16 sharks, things that are important and are in  
17 those areas where these new leases are -- have  
18 been distributed and are going to be developed.

19           I don't really see a whole lot that  
20 has been done so far and I think it's important  
21 to sort of get a baseline of what's there before

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1 we start building up these areas just so we can  
2 determine if their effects are positive or  
3 negative and I guess maybe the rest of the Panel,  
4 you in particular, what they thought about  
5 research for HMS species relative to the  
6 deepwater wind.

7 MR. McHALE: Sure. So thanks for  
8 that, Rick. So essentially what we've been doing  
9 so far is when we're part of these collaborations  
10 is sharing preexisting information that we  
11 already have in hand. So in -- for the example  
12 of pelagic longline fishery, we have logbook  
13 information, we have VMS information. So we can  
14 show currently where the fleets have operated, as  
15 well as going back in time to try to accommodate  
16 any shifts.

17 We're also heavily using our essential  
18 fish habitat information and sharing that as part  
19 of the discussion of where are there nursery  
20 grounds, where are areas of -- habitat areas of  
21 particular concern. So we're sharing that into

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1 the discussion so the folks can see where these  
2 geographic overlaps exist.

3 And then where we have it available,  
4 whether it being in the commercial handgear or  
5 the recreational fisheries where we don't  
6 necessarily have point-specific effort  
7 information to convey, we do have general ideas  
8 of where that fishing is occurring, and we're  
9 sharing that back so they can see not only where  
10 are some of these proposed areas impacting the  
11 habitat of the species that we manage and are  
12 interested in and make our livelihoods from, but  
13 also what areas might impact actually the fishing  
14 operations as well.

15 I guess to date we don't have any  
16 specifically dedicated research programs solely  
17 stemming from those wind proposals or lease  
18 proposals, so it's been more heavily dependent  
19 upon data that currently resides within the  
20 Agency versus proposing we're going to do a  
21 seven-year study and then report back.

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1                   MR. BELLAVANCE: Thanks. So have you  
2 gotten any response up in the northeast? It's  
3 been our experience that BOEM doesn't play well  
4 with other agencies and we're just -- I'm just  
5 curious if you're providing this information if  
6 you've gotten any response back from BOEM or  
7 anybody really in regards to what they think  
8 might be missing or needed or if they're -- if  
9 that's plenty and they can make their decisions  
10 based on what you've provided them. Any feedback  
11 in that regard?

12                   MR. McHALE: At times the  
13 conversations have been belabored because again  
14 if you think about it, it's not just the HMS data.  
15 And then it could be GARFO or Mid-Atlantic data  
16 that's all kind of being compiled to support the  
17 national marine fisherman voice, and that's how  
18 that goes up to NOAA and to BOEM. But to be  
19 honest with you, Rick, I can't tell exactly; at  
20 least not at this stage in the game, how much  
21 weight -- even though we're providing accurate

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1 and robust data sets that clearly show potential  
2 conflicts, I can't necessarily speak to how that  
3 is influencing decision making on -- within the  
4 BOEM arena.

5 MR. BROOKS: Thanks. Let me take a  
6 couple other people. Sonja, Michael and David.  
7 Then I want to push to the next top. But I do  
8 want to note maybe a thought for consideration in  
9 the future is to have BOEM here, if that were to  
10 make sense and were of interest around the table.  
11 Just a consideration.

12 Sonja?

13 MS. FORDHAM: Thank you. Sonja  
14 Fordham, Shark Advocates International.

15 Thank you for the presentation. I  
16 just have a quick question about the Endangered  
17 Species Act updates. I'll be here for two days.  
18 I don't mean to put you on the spot; somebody can  
19 get back to me over the next two days, but I'm  
20 just confused about the -- where you mentioned  
21 hammerheads, because it talks about re-initiation

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1 of consultation for what's called newly listed  
2 scalloped hammerheads and then a mention of  
3 October 2014. So I'm just not clear what  
4 happened. Was that when they were listed and did  
5 they have a new -- is there a new process? I'm  
6 just not -- the whole newly listed in 2014 and  
7 then it being in an update. I'm just not clear  
8 on where we are there.

9 And then the other question is about  
10 just if I could get an update on the process for  
11 oceanic whitetip listing and that process towards  
12 whether I guess we'll do a recovery plan or  
13 something. I would appreciate that. But it's  
14 no rush.

15 MR. McHALE: All right. Then why  
16 don't -- we'll have folks from the Shark Team  
17 like Karyl or Guy weigh in, because they'll do it  
18 more justice than I can. And we can do that --  
19 we'll find some time to carve that in on some of  
20 the other preexisting presentations, Sonja.

21 MR. BROOKS: Michael?

1                   MR. PIERDINOCK:    Thank you.    Mike  
2                   Pierdinock.    What Rick has indicated concerning  
3                   the wind turbines has been our same frustration.  
4                   I've been involved in a work group in  
5                   Massachusetts out in New Bedford.    The  
6                   recreational anglers, charter boat captains and  
7                   commercial fleet have been commenting on these  
8                   issues even before they even considered siting  
9                   these locations.

10                   If you look on a nautical chart of  
11                   where these locations are being proposed, they  
12                   couldn't be in more fruitful fishing grounds than  
13                   what was selected.    We indicated such and were  
14                   concerned about this even before they got sited.  
15                   BOEM heard our concerns and they still are going  
16                   to site them.    Unfortunately or fortunately --  
17                   and just to point out I am all for green energy,  
18                   but it needs to be done cautiously and make sure  
19                   that we don't have a detrimental impact on the  
20                   fishery or fishermen.

21                   Vineyard Wind is supposed to construct

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1       their wind turbines in 2021. It's going to  
2       happen. It's in the area known as "the gully,"  
3       which is a fruitful fishing grounds which has  
4       yellowfin, bluefin, white marlin. You name it,  
5       it's out there, and Right whales, which is a big  
6       mystery to me how this can occur with the Right  
7       whales congregating in that area.

8               Three hundred wind turbines will be  
9       sited. I guess that's going to have to be the  
10      pilot because our one concern that can't be  
11      answered is is that what will the cumulative  
12      impacts of the noise and electromagnetic  
13      frequencies of 300-plus wind turbines do to the  
14      migration, the spatial distribution of our HMS  
15      species or any other species? Black sea bass or  
16      so on. Are they going to go to these areas and  
17      not migrate where they normally go? Is it going  
18      to repel them? Is it going to attract them? Is  
19      it going to change that?

20              I could go on and on about this, but  
21      ultimately we provide these comments to BOEM and

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1 they're silent. You heard from me. GARFO has  
2 heard from me, me and others with these concerns.  
3 So I hope that Vineyard Wind isn't the pilot. I  
4 thought the days were over -- been around long  
5 enough in the '60s and '70s when we built things  
6 and then after the fact there was a detrimental  
7 impact. There appears they're going to build  
8 these. There may be a detrimental impact. It'll  
9 be too late. So that's my one comment.

10 I just have a question about the Cape  
11 Cod Commercial Fishery Association EFP. You'd  
12 indicated there's no footage. Does that mean  
13 they haven't landed any bluefin to date or  
14 they've landed bluefin and there's no footage?

15 In addition, I'd just say that one  
16 additional boat has -- is going to participate.  
17 Is there any limitations on how many boats? So  
18 that's my question. Thanks.

19 MR. McHALE: Yes, so real quick is we  
20 have put a cap on the number of vessels that could  
21 operate underneath the EFP, so it's not carte

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1       blanche where any vessel can just go and do it.

2                   As far as no footage, those vessels  
3       haven't fished for HMS while they groundfish gear  
4       has been on board, which is kind of how it would  
5       work. So, and if they go HMS fishing with those  
6       vessels, that's the requirements when the cameras  
7       are turned on. So they've either been fishing  
8       different vessels or haven't pursued HMS.  
9       They've stayed in the groundfish fishery. And  
10      so it really kind of was a nothing burger for  
11      this year. They didn't actually execute what  
12      they could have underneath EFP. So in all  
13      likelihood we'll give it another go maybe next  
14      year. And then if they're still not kind of  
15      executing the capabilities underneath it, we'll  
16      deliberate whether it's a worthwhile endeavor.

17                   MR. PIERDINOCK:       They won't be  
18      utilizing this program through November-  
19      December?

20                   MR. McHALE:       They have that ability  
21      to do so, but to date we don't have any kind of

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1 data drive from the EFP.

2 MR. PIERDINOCK: All right. Thank  
3 you.

4 MR. BROOKS: David, last word here.

5 MR. SCHALIT: Thanks very much for  
6 that presentation, Brad. Regarding the economic  
7 study I'm wondering if you have some general  
8 ballpark idea on the compliance.

9 MR. McHALE: I'm sure I do, but I  
10 don't think I have that offhand, David, but we  
11 can get that to you pretty readily. I know that  
12 some folks have been great in getting us those  
13 forms back. They understand the purpose behind  
14 it, but we've also received a fair amount of  
15 pushback because (A) they don't understand what  
16 the program is about, or push back because it's  
17 one additional survey, whether getting captured  
18 with a large pelagic survey. They're having to  
19 fill out perhaps vessel trip reports mandated by  
20 GARFO and then having to do mandatory bluefin  
21 tuna reports. So it's almost a saturation effect

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1 of information being submitted back to the  
2 Agency. But we'll chase that compliance number  
3 down for you. I may even have it in another  
4 presentation.

5 MR. BROOKS: All right. Tim, I know  
6 your card was up before. Are you okay? And  
7 then, Carrie, you want to work your way up here  
8 because we're going to jump into this.

9 MR. PICKETT: Just a quick one, Brad.  
10 You flashed up that there was 5,800 people  
11 subscribed to the HMS news bulletin emails that  
12 go out that I get and everything. I was just  
13 wondering. There's -- you flashed another number  
14 up there, 25,000 or something shark permit  
15 holders. Do they get all these emails, too? Are  
16 they automatically signed up for all the HMS  
17 news, because it might be a good idea if they  
18 don't get all those news bulletins in an effort  
19 to inform the public and everyone who's utilizing  
20 HMS species to get all the emails, too. Kind of  
21 make it mandatory for them to get the news feed

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1 sent to them to keep them all informed as a -- I  
2 don't want to say a consequence of having a  
3 permit. But just an idea, if they don't  
4 automatically get those from having a permit.

5 MR. McHALE: Yes, currently it's more  
6 of a select-in process where we advertise, hey,  
7 get your news here. And folks have to actively  
8 sign up to get that email newsletter.

9 And you're right, we do have anywhere  
10 from 25 to 30,000 permit holders in any given  
11 year. What we have not yet done is mandate that  
12 as part of that application process we get an  
13 email address. Right now it's a voluntary field.  
14 We've gone back and forth of considering making  
15 that a mandatory field and pursuing that option  
16 you just described. We just haven't quite gotten  
17 that far as far as implementing that and then  
18 pushing that information out.

19 But I think what we've also realized,  
20 whether it be identification of sharks or what-  
21 have-you, is that the better you can get the

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1 information out to folks, even if they don't read  
2 it -- but if at least it's there before them,  
3 your knowledge base is going to increase ever so  
4 slightly. And so we've been continuing to look  
5 at that. We just haven't necessarily executed  
6 on making that happen.

7 MR. BROOKS: Walt?

8 MR. GOLET: Brad, is there a time on  
9 when the report has to come in from the boat; in  
10 other words, a day after landing, two days after  
11 landing, or can they hand them in later?

12 MR. McHALE: There is a time horizon,  
13 and I'd have to check with folks to see exactly  
14 what that is.

15 MR. GOLET: I suspect you're going to  
16 get a lot at the end, I think.

17 MR. McHALE: Yes, and we understand  
18 some of the dynamics and some of that auction  
19 prices and even fish that are sold domestically,  
20 that value of fish may not, but this again is  
21 trying to get more at the operating costs. And,

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1       yes.  So thank you for that.

2                   MR. BROOKS:  Great.  Thanks, Brad.  
3       You're doing great so far.  Carrie, you are up  
4       on ecosystem-based fisheries management.

5                   MS. SOLTANOFF:  Thank you.  Good  
6       morning.  So I want to talk about our Draft  
7       Implementation Plan for the ecosystem-based  
8       fishery management road map for HMS.

9                   So just a brief introduction, kind of  
10      a refresher on the EBFM policy and road map.  
11      This is something that I presented to the AP last  
12      year.  The NOAA Fisheries defines EBFM as a  
13      systematic approach to fisheries management in a  
14      geographically specified area that contributes to  
15      the resilience and sustainability of the  
16      ecosystem, recognizes the physical, biological,  
17      economic and social interactions among the  
18      affected fishery-related components of the  
19      ecosystem including humans and seeks to optimize  
20      benefits among a diverse set of societal goals.

21                   So as a reminder, the EBFM policy is

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1 a document that was released in 2016, and so this  
2 policy provides that definition of EBFM. It also  
3 includes a policy statement asserting NOAA  
4 Fisheries' support for using EBFM to improve  
5 decision making. It outlines six guiding  
6 principles which are shown here on the slide.  
7 And as you can see, they are designed to sort of  
8 build on each other moving up this pyramid. And  
9 the policy also acknowledges the existing and  
10 ongoing work by NOAA Fisheries and the councils  
11 related to EBFM.

12 So the EBFM road map was also released  
13 in 2016, and this is the document that guides  
14 implementation of the EBFM policy. It has a menu  
15 of options for implementation and benchmarks for  
16 NOAA fisheries and then it expands on those six  
17 guiding principles and provides a number of  
18 action items for each of the guiding principles.

19 The road map called on the regions and  
20 HMS to develop implementation plans for how to  
21 implement the road map. And so these

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1 implementation plans describe milestones that  
2 address the different action items included in  
3 the road map. So the NOAA Fisheries regions,  
4 including the HMS Management Division, combined  
5 ongoing initiatives into our Draft Implementation  
6 Plans with our specific milestones for the time  
7 period, five years, 2018 to 2022. And we're  
8 engaging with the Advisory Panel, councils,  
9 commissions and other stakeholders to develop  
10 Final Implementation Plans.

11 So a little bit about the HMS Draft  
12 Implementation Plan. So our plan is from the  
13 perspective of the HMS Management Division as  
14 well as science staff at the Northeast and  
15 Southeast Science Centers that work on HMS.  
16 We're working with a number of key partners and  
17 stakeholders on fisheries management and EBFM  
18 topics, importantly on the different groups  
19 represented on the AP.

20 And there are a number of recently  
21 completed or ongoing projects that feed into EBFM

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1 and that we have used to build on our milestones  
2 that we've included in the plan. So some  
3 examples are the recent five-year review of HMS  
4 essential fish habitat, the different bycatch  
5 reduction and discard minimization measures in  
6 our FMP amendments and development of the Climate  
7 Science Strategy Regional Action Plans.

8 So to give you just a quick snapshot of how  
9 our plan is structured -- so our Draft  
10 Implementation Plan, we're really focusing here  
11 on the different milestones that we've developed.  
12 So there are the six guiding principles which  
13 come from the road map and under each guiding  
14 principle there's a number of action items which  
15 also come directly from the road map. So in our  
16 plan what we've done is selected which action  
17 items that we want to include and then we've  
18 developed milestones for each of those action  
19 items. So the milestones are really the meat of  
20 the plan that we're looking at here.

21 So in the next few slides I'm going to

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1 go through a couple examples or highlight  
2 milestones for each guiding principle, but the  
3 full list of milestones and all the details are  
4 available obviously in the actual draft plan.

5 So as we go through the milestones  
6 there's a couple questions that would be helpful  
7 for you to think about either during this  
8 presentation or as you're looking through the  
9 draft plan. So are these actions in the EBFM  
10 road map -- are there actions that should or  
11 should not be included in the HMS Implementation  
12 Plan? Are there any improvements you would  
13 suggest to our milestones in the Draft  
14 Implementation Plan? Are there additional  
15 engagement strategies or partners and  
16 stakeholders that you would include? And is  
17 there anything in the Draft Implementation Plan  
18 that needs further clarification?

19 So jumping in, the first guiding  
20 principle is to implement ecosystem-level  
21 planning. So this guiding principle is really

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1 talking about planning and engagement around  
2 EBFM. And so a few of the milestones that we're  
3 highlighting here is working with the National  
4 EBFM Working Group to include HMS information in  
5 outreach materials on EBFM and the road map, to  
6 support the ICCAT SCRS on ecosystems and the  
7 EBFM-related work that they do; to participate  
8 with council ecosystem-related committees such as  
9 the Mid-Atlantic Council's work on chub mackerel;  
10 to establish a HMS Fishery Ecosystem Plan  
11 coordinator; and to coordinate with the councils  
12 to incorporate HMS information into their Fishery  
13 Ecosystem Plans.

14 The second guiding principle is  
15 advancing our understanding of ecosystem  
16 processes, and so some milestones here:  
17 Supporting the Science Center funding for  
18 research to advance EBFM; considering trophic  
19 interactions and other ecosystem topics to  
20 include in the HMS Research Needs and Priorities;  
21 to support SCRS work on development of an

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1 ecosystem report card; to work with the  
2 Integrated Ecosystem Assessment Program to  
3 incorporate HMS into their ecosystem status  
4 reports; and to attend the biennial EBFM Science  
5 and Management Conference for further  
6 coordination and engagement.

7 Guiding Principle 3 is prioritizing  
8 vulnerabilities and risks to ecosystems and their  
9 components. So a few milestones: Implement the  
10 HMS actions in the Climate Regional Action Plans;  
11 collaborate with science staff on an HMS climate  
12 vulnerability assessment once it's initiated; to  
13 initiate the next EFH five-year review and to  
14 continue to work with the Office of Habitat on  
15 EFH consultations; to continue stock assessment  
16 prioritization for domestic shark stocks; and to  
17 support habitat assessment prioritization for HMS  
18 in the Southeast Region.

19 Guiding Principle 4, explore and  
20 address trade-offs within an ecosystem. So here  
21 we're assessing the inclusion of HMS in modeling

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1 capacity within the Science Centers; explore the  
2 use of scenario planning for management of HMS;  
3 support ICCAT's development of management  
4 strategy evaluations; contribute bluefin tuna  
5 data for the New England Council Atlantic Herring  
6 Management Strategy Evaluation; and to continue  
7 to work at ICCAT to develop and adopt harvest  
8 control rules.

9           Guiding Principle 5, incorporate  
10 ecosystem considerations into management advice.  
11 Here we're looking at implementation of the  
12 National Standard 1 Guidelines through our FMP  
13 amendments; consider updating FMP objectives to  
14 include National Standard 1 guidance on  
15 incorporating ecosystem information; support  
16 discussion of management strategy evaluations and  
17 other EBFM-related topics at the ICCAT group on  
18 dialogue between fishery scientists and managers;  
19 implement the National Allocation Policy; and to  
20 coordinate with Protected Resources to update  
21 recovery and rebuilding plans for HMS. And a few

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1 of these topics will be touched on again in the  
2 presentation on Amendment 12.

3 Guiding Principle 6. This is the last  
4 guiding principle on maintaining resilient  
5 ecosystems. So here we're tracking ecosystem-  
6 level reference points and including this  
7 information in the Annual SAFE Report; using  
8 annual cost earning surveys to better understand  
9 community health and well-being; coordinating  
10 with the Southeast For-Hire Integrated Electronic  
11 Reporting Team on community health tracking;  
12 using the community profile series to monitor  
13 community health; and contributing to the  
14 community vulnerability analyses.

15 So the final component of our  
16 Implementation Plan is the engagement strategy,  
17 and so this is a summary, but there's a little  
18 bit more detail provided in the plan. But our  
19 engagement strategy is to work with our various  
20 partners and stakeholders and then also work with  
21 ICCAT, with the councils and commissions, and

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1 work with other groups within the Agency to  
2 provide information on EBFM activities to get  
3 feedback and to coordinate on related projects.

4 So to wrap up, on timeline and next  
5 steps, these Draft Implementation Plans came out  
6 in June, and so on the web site here you can  
7 download the HMS plan, all of the regional plans  
8 and the headquarters plan. Comments on the plans  
9 are due September 30th. And you can submit  
10 comments individually on each plan. The email  
11 that I've listed here is for commenting on the  
12 HMS plan. And then once we look at that  
13 feedback, we will work on Final Implementation  
14 Plans that should be coming out this winter.

15 And so just to conclude, these are the  
16 same questions that we have as you're looking  
17 over our plan for you to think about, and we're  
18 happy to take feedback now or you can send us  
19 comments to this email address or feel free to  
20 contact Pete Cooper or myself with any questions.  
21 Thanks.

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1                   MR. BROOKS:       Thanks very much,  
2                   Carrie. You can leave the -- yes, good, leave  
3                   the questions up there. Any questions on the  
4                   presentation? Any reactions to the questions  
5                   that have been put before you? David Kerstetter?

6                   MR. KERSTETTER:       Thanks, Carrie.  
7                   It's really good to see this plan. From a  
8                   research perspective I assume that these goal  
9                   posts are being implemented in the NOAA Science  
10                  Center Plan. And kind of related to that I  
11                  notice that in the recent RFPs for S-K and CRP,  
12                  et cetera, that these ecosystem-based questions  
13                  aren't addressed in the priorities. Are those  
14                  going to be addressed in priorities in coming  
15                  years?

16                  MS. SOLTANOFF:    So speaking to the  
17                  Science Center Plan -- so this HMS plan is meant  
18                  to include the work in the Northeast and  
19                  Southeast Science Centers that relates to HMS.  
20                  And then there are also separate regional plans  
21                  that the Science Centers are involved in. So

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1 that's sort of how they're structured is by the  
2 regions including the Science Centers.

3 As far as the research funding  
4 priorities I'm not sure about that.

5 MR. KERSTETTER: Okay. If I could  
6 just follow up. There's kind of a question that  
7 we've had repeatedly with Margo going back  
8 several years that a lot of these HMS priorities  
9 aren't being implemented in the national level  
10 RFPs for again S-K, CRP and so on. So if within  
11 the Agency you can push to have these things put  
12 in the list of priorities for these RFPs, then we  
13 as outside scientists can provide -- help provide  
14 those data for the Agency. Thank you.

15 MR. BROOKS: Thanks. I think I see a  
16 card in the corner. I can't see if that's you,  
17 Marcos, or Grant. Marcos.

18 MR. HANKE: Just a comment that I  
19 didn't see on your presentation, and I think it's  
20 very important the involvement or seeking for the  
21 involvement with the territorial areas and state

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1 areas. A lot of the nursing grounds and habitats  
2 there are very important happening there and I  
3 would like to see something addressing that,  
4 because otherwise we are going to miss a big part  
5 of this analysis.

6 And the other thing that I think will  
7 be nice to mention is that there is regions like  
8 Florida and Puerto Rico that we have  
9 characteristics because where we are that include  
10 essential fish habitat, specific ones that don't  
11 happen any place else for a lot of different  
12 species, and that consideration should be taken  
13 into account when you guys evaluate or recommend  
14 something. Thank you.

15 MR. BROOKS: Great. Thanks.

16 Michael and then over to Sonja.

17 MR. PIERDINOCK: Thank you. Mike  
18 Pierdinock. Ecosystem-based management can't  
19 come soon enough. The critical forage fish that  
20 we need for bluefin, yellowfin, all the way down  
21 to striped bass and other species is critically

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1 important. Removal of those forage fish then  
2 ultimately impacts the availability of those  
3 target species in our area.

4 You noted that the New England Fishery  
5 Management Council continued focus on Atlantic  
6 herring, and I agree they need to, but I would  
7 point out that we also need to do the same with  
8 bunker, mackerel, squid, eels and whiting. I  
9 mean, all the fisherman around this table know  
10 whatever forage fish are in your area, that's  
11 what you target. And I know up my neck of the  
12 woods -- I only mentioned those species because  
13 that's kind of the pecking order and whether  
14 they're there or not there is going to impact the  
15 availability of those species in our area.

16 One other thing I have to note that  
17 you hear at every meeting from me, we're now up  
18 to 70,000 seals in Massachusetts based on the  
19 latest drone surveys. We're being told by the  
20 Federal Government until -- Rusty, you need to  
21 hear this -- until the seals return from Maine to

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1 Florida to their initial levels there's going to  
2 be no -- nothing to address those seals. So  
3 there's a perfect example of ecosystem-based  
4 management and how that's an upside-down impact  
5 to our fishery and how many pounds of fish those  
6 seals are eating every day. And it's only going  
7 to get worse.

8 I can give other examples about spiny  
9 dogfish and other species and so on and us as  
10 fishermen sit here and see the detrimental  
11 impacts. I would only hope that it's a little  
12 bit more proactive to try to get these things  
13 addressed in a timely manner. Thank you.

14 MR. BROOKS: Thanks, Mike. Sonja?

15 MS. FORDHAM: We're onto comments  
16 then, yes?

17 MR. BROOKS: Yes.

18 MS. FORDHAM: Yes. Thank you. Sonja  
19 Fordham, Shark Advocates. Thank you for the  
20 presentation. I just wanted to say I'm glad to  
21 see this initiative and particularly the focus on

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1 science. So appreciate that.

2 I just had one suggestion, and it's  
3 about slide 13. Again, the last bullet where it  
4 talks about coordinating with Protected Resources  
5 regarding rebuilding plans, et cetera, for I  
6 guess ESA-listed HMS. And given what I bring up  
7 here a lot, I would just suggest that maybe that  
8 could be expanded to also encompass the  
9 endangered species that are taken in HMS  
10 fisheries. And my example would be smalltooth  
11 sawfish, but I imagine that there are others.  
12 Thank you.

13 MR. BROOKS: Thanks. David?

14 MR. SCHALIT: Thanks for that  
15 presentation. You mentioned a couple of things.  
16 For example, the herring. There was an MSE  
17 conducted on -- a management strategy evaluation  
18 conducted on herring a couple of years ago which  
19 intended to incorporate EBFM protocols. And then  
20 you also mentioned that ICCAT is -- or is in the  
21 process of conducting an MSE on bluefin and has

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1 conducted one on albacore, northern albacore.

2 What I'm wondering is, is there some  
3 notion that this -- that the -- sort of the  
4 deployment of this EBFM protocol is going to be  
5 done in conjunction with or parallel to the  
6 implementation of MSE protocols?

7 MS. SOLTANOFF: So I think the EBFM,  
8 as far as at least this implementation plan, is  
9 intended to sort of capture what's happening with  
10 MSE. So it's not driving it, but it's capturing  
11 what's happening and trying to coordinate efforts  
12 across those different kinds of MSEs, yes.

13 MR. SCHALIT: One of the things we  
14 discovered in the Atlantic herring MSE, which was  
15 really intriguing, is the fact that we were  
16 lacking a lot of data that would have been  
17 essential to an EBFM approach to that species.  
18 For example, Atlantic herring is a filter feeder  
19 and yet there was no data regarding phytoplankton  
20 in that study. So and when we came to -- when  
21 it came to the issue of predation, we were very

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1 short on data.

2 So I know that the councils are  
3 getting really busy now working on implementing  
4 EBFM. The Mid-Atlantic Council is pretty far  
5 along with certain species and the Atlantic  
6 States Commission is -- has committed themselves  
7 to implementing EBFM with menhaden in the second  
8 half of 2019 and so on.

9 And I think what it -- I guess what  
10 it suggests to me is that we shouldn't be putting  
11 the cart before the horse. In other words we  
12 need the data on -- that will enable us to look  
13 at any individual species in its context before  
14 we can actually conduct a proper MSE on that  
15 species. You know what I'm saying?

16 So I think what I'm looking at is the  
17 research priorities are probably the -- are the  
18 first item on the menu, so to speak. Are you  
19 seeing it the same way?

20 MS. SOLTANOFF: Yes, I think those go  
21 to sort of the milestones that go with the sort

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1 of base of the pyramid there where we need sort  
2 of the input of the base data streams in order to  
3 build on these later milestones and guiding  
4 principles. And that is sort of the way it's  
5 structured, but in some cases, as you're saying,  
6 these things are happening concurrently where  
7 we're proceeding with MSEs and we're seeing what  
8 data we need.

9 MR. SCHALIT: Okay. Thank you.

10 MR. BROOKS: All right. I want to  
11 get to break, but I see a few cards up. Anna,  
12 is that your card in the corner? So  
13 we'll go to Anna and then Grant and then Scott  
14 and then we'll go to break.

15 MS. BECKWITH: Thanks. Under Guiding  
16 Principle 6 I just had a question on that third  
17 bullet, coordinating with the Southeast For-Hire  
18 Integrated Electronic Reporting Team on community  
19 health tracking. Can you explain a little bit  
20 what that means? Because I know there was some  
21 discussion on adding a couple of economic

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1 questions to the for-hire logbook that we, the  
2 Gulf, you guys were all sort of coordinating on,  
3 but haven't heard anything specific on that  
4 community health tracking.

5 MS. SOLTANOFF: Yes, I can't speak  
6 specifically to what's included in this  
7 reporting. There's probably other people that I  
8 can ask and get back to you, but it was -- the  
9 idea behind this is to sort of just keep up on  
10 what's happening within that reporting system as  
11 it's developed and see what things we can pull in  
12 that have to do with community health.

13 MR. BROOKS: Grant?

14 MR. GALLAND: Thank you and good  
15 morning, everyone. Sorry I missed the  
16 introductions. I'm Grant Galland from The Pew  
17 Charitable Trust and a proxy for Shana Miller of  
18 The Ocean Foundation this week. I just wanted  
19 to thank Carrie for the presentation. This is a  
20 really thorough and impressive list of  
21 priorities. It's clear that you have all done a

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1 lot of work on this so far and just to say that  
2 we look forward to seeing more and to  
3 participating wherever we can.

4 MR. BROOKS: Thanks, Grant. Scott?

5 MR. TAYLOR: At the risk of sounding  
6 a little cynical and not being constructive there  
7 is one consideration that I just want to remind  
8 you of, which is the other endangered species:  
9 the HMS fisherman. As we put these management  
10 plans into place we can't lose track of the fact  
11 that there's real impact on all of these things  
12 to the people that are making their living out of  
13 this and that we need to make sure that we're  
14 very careful as we continue to add additional  
15 layers of regulation and -- because that is the  
16 real endangered species in this whole mix at this  
17 point. There's far less of them than there are  
18 any of these other species swimming around out  
19 there in the ocean. It's a pretty shrinking pool  
20 of people. Thank you.

21 MR. BROOKS: Thanks Scott. Thanks,

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1 Carrie, very much. Clearly a lot of support and  
2 interest in this and some very helpful  
3 suggestions. So thanks, everybody.

4 I want to get you to break. Before  
5 we do there's also one other AP member who joined  
6 since we started.

7 Rick, you want to just introduce  
8 yourself so everyone knows who you are?

9 MR. WEBER: Rick Weber, recreational,  
10 South Jersey Marina and Tournaments.

11 MR. BROOKS: Great. Thanks.

12 All right. So with that, let's get  
13 to a break and we will reconvene at 10:15.  
14 Thanks.

15 (Whereupon, the above-entitled matter  
16 went off the record at 10:05 a.m. and resumed at  
17 10:18 a.m.)

18 MR. BROOKS: All right, so we're going  
19 to start diving into some bluefin tuna  
20 conversations and we'll start off with Brad  
21 giving us a review of the 2018 year-to-date, just

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1 give us a recap of where things stand.

2 So Brad, all yours.

3 MR. McHALE: Great, thank you. Yes,  
4 we've done this the last couple of meetings,  
5 essentially just kind of giving a recap of how  
6 the season's shaking out, reflecting back on some  
7 of the discussions that we had around the table  
8 in the spring or last fall, seeing how fisheries  
9 played out in previous years. And then  
10 ultimately we kind of take your input and take it  
11 into consideration as we try to get through the  
12 remainder of the season, trying to provide  
13 opportunities throughout.

14 So a quick recap of items that -- and  
15 actions that we've already done so far during  
16 2018. As you may recall, we did some transfers  
17 into that January fishery. We've done this the  
18 last few years where we've moved a portion of the  
19 December '18 quota forward into the calendar into  
20 January, and then we also added an additional 10  
21 metric tons from the reserve to that winter

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1 fishery that took place in the March time frame.

2 What we also have done is -- or done  
3 and then we'll do again -- is move a portion of  
4 the unused Purse Seine category quota to the  
5 Reserve. We made a formula final in the  
6 Amendment 7 on essentially how that quota can  
7 then be put into the reserve and then reallocated  
8 for a whole litany of different purposes once we  
9 review determination criteria.

10 And so what we've done there is we've  
11 transferred 44-1/2 metric tons back in April to  
12 the Longline category; this is a continued  
13 recognition that sometimes IBQ can be scarce  
14 early in the year. Folks are somewhat hesitant  
15 to lease that quota because of potential needs  
16 further on in the calendar year. So I believe  
17 this is the third year in a row we've actually  
18 taken that proactive transfer.

19 And then the last transfer we've  
20 conducted so far this year was we moved 30 metric  
21 tons from the Reserve to the Harpoon category,

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1 and I think it's like five or six years now that  
2 once we do that action, harpoon landings cease to  
3 exist. They keep asking. So we'll see how that  
4 fishery shakes out. In the event that that  
5 fishery doesn't have any more landings, we'll  
6 also be considering moving that quota to other  
7 user groups that may need it.

8 As far as inseason actions as they  
9 pertain to the Angling category, here you'll  
10 notice that the default retention limits  
11 essentially are one fish per vessel, that starts  
12 on January 1, that covers all the various size  
13 classes. And then starting late April, we took  
14 an action to essentially mirror the retention  
15 limits that we had in previous years where, for  
16 those vessels that were private Angling vessels,  
17 they were allowed two school bluefin and one  
18 large school. And then those in the for-hire  
19 Charter/Headboat category slightly liberalized  
20 school, retention limit of three schools, and  
21 then the one large school. And then these daily

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1 retention limits would be in addition to the  
2 allowance of one trophy fish measuring 73 inches  
3 or greater per vessel per year.

4 And as you'll see here, each of those  
5 trophy category areas that we devised in  
6 Amendment 7 has since closed. And so the  
7 southern area closed in early March -- yes, about  
8 mid-March -- you'll see there we had quite an  
9 uptick of landings once we announced the closure,  
10 combined with St. Patrick's Day weekend and fish  
11 availability, we had a lot of vessels taking the  
12 opportunity while it was still open to bring that  
13 one fish to the dock.

14 The Gulf of Mexico, we had a number of  
15 incidental catches there. We closed that fishery  
16 out on May 13th. And then up in the northern  
17 area, essentially southern Jersey north, we  
18 reached that quota towards the end of July.

19 So continue on recreational kind of  
20 numbers as we look through the years at the  
21 different size classes. Essentially, if you look

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1 at the bottom row there, it kind of looks maroon  
2 up there on the screen or red on your monitor,  
3 we've seen a slight uptick in the number of school  
4 bluefin tuna reported for the June wave of 2018  
5 when you compare that back over the next few  
6 years. And I think we are anticipating July  
7 numbers, almost at any point now; in fact, we may  
8 get those this week.

9 So as always, we're keeping close tabs  
10 to see if that trend continues. Sometimes what  
11 we observe is that you'll see a higher catch rate  
12 in June and then it tapers off in July or vice  
13 versa. But essentially we'll just keep track of  
14 these numbers, knowing that there's a lag time,  
15 but just trying to get a sense overall of what  
16 our recreational fisheries are doing.

17 And then we also supplement this with  
18 a number of verbal conversations that we're  
19 having with folks up and down the coast of are  
20 you happening to see fish in your backyard? No,  
21 we're not getting them in our areas. That also

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1 just helps us envision, you know, how broad is  
2 the availability of these classes? And then  
3 ultimately what does that mean for catch rates  
4 and then quota attainment in the bigger picture.

5 When it comes to the inseason actions  
6 as they pertain to the General category or just  
7 the commercial handgear, you can see the timeline  
8 here where we closed that winter fishery, the  
9 January fishery on March 3rd, and essentially  
10 that remained closed through the end of March,  
11 and then reopened on June 1st. We were able to  
12 make it through the June through August time  
13 period without a closure. We did drop the  
14 retention limit down once we saw catch limits  
15 increase during that last week plus of August,  
16 and then we started off the September fishery at  
17 a one fish per vessel limit. And I anticipate  
18 we'll probably be at that limit for the duration  
19 here based upon some of the initial catch rates  
20 we're seeing come in already for September.

21 And so if you compare back to where

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1 we're at this time last year, we've done I think  
2 seven in-season adjustments or closures prior to  
3 September 1st. So we're beneath that number so  
4 far, thankfully. You know, we're trying to take  
5 a slightly different approach in how we're  
6 managing our fisheries and trying to be a little  
7 bit more proactive to when we're seeing any sort  
8 of changes and not necessarily dismiss them at,  
9 you know, catch rate may spike for a short period  
10 of time but to address it to -- since we make  
11 sure that we have fishing opportunities that are  
12 available in the fall, as well as into December.

13 And as I mentioned earlier, the  
14 Harpoon category, they've been at a two large  
15 medium and unlimited giant retention limit so far  
16 for the year -- and again, as soon as we transfer  
17 any additional quota, that is the de facto  
18 closure of that fishery. Technically, it doesn't  
19 close until November 16th.

20 Some statistics regarding the Harpoon  
21 category landings; essentially, the vast majority

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1 of those fish taken in that category have been  
2 giants this year. Only a very small portion has  
3 been those large mediums, which is where you want  
4 to see that fishery. Also indicative of, we  
5 don't necessarily have a predominant year class  
6 kind of moving right through that 73-inch mark.  
7 I think you all recall that we had that about  
8 five or six years ago where there were a lot of  
9 borderline fish, and these numbers were  
10 essentially flipped.

11 But so far to date they've caught 68  
12 percent of their baseline quota and about just  
13 shy of 40 percent of that adjusted quota. Again,  
14 so we'll continue to monitor that, and then see  
15 where needs may exist if we have to transfer quota  
16 away from the harpooners once their category and  
17 fishing opportunities wrap up kind of later in  
18 the season.

19 And then a little breakdown of success  
20 rates, number of trips landing times number of  
21 fish, you know, we've only had about 10 percent

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1 land just a large medium, about 14 percent land  
2 both large medium and giants, and then kind of as  
3 I just mentioned, the vast majority are just  
4 landing giants.

5 So segueing over to some of the  
6 similar statistics for the General category; and  
7 so as I mentioned the winter fishery in January  
8 had a one-fish limit. When we're all said and  
9 done, landings were just shy of about 60 metric  
10 tons. At the beginning of the year, the baseline  
11 quota was 24.7, so essentially we doubled that.  
12 That baseline would adjust upwards to 29-1/2 once  
13 we finalized the ICCAT quarter roll, so a slight  
14 uptick there. And this is the second highest  
15 volume of landings for this time period since the  
16 winter fisheries were created.

17 When it comes to June through August  
18 where we had the three-fish limit, landings were  
19 about 252 metric tons for that time period. On  
20 August 23rd, we dropped the limit down to one,  
21 had about 37 metric tons landed. And so we're

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1 just slightly over the -- what would be the ICCAT  
2 adjusted quota for this time period. The  
3 codified one on the books is 233.3; ultimately  
4 that will be adjusted upwards to 277.9, so  
5 landings for that time period are just north of  
6 that.

7 And so through kind of late August  
8 when we ran the numbers, we're about 105 percent  
9 of our cumulative quota to date, so - and  
10 obviously these numbers are preliminary; we'll  
11 adjust, obviously, for any sort of late  
12 reporting, but what we're not seeing at this  
13 point is gross over harvests that ultimately  
14 could complicate management later in the season  
15 that could result in kind of curtailed fishing  
16 opportunities. Again, I mentioned this in the  
17 spring, I mentioned it last fall, we take this  
18 management very seriously and don't necessarily  
19 want to repeat mistakes that we may have made in  
20 the past.

21 So as we're kind of looking throughout

1 the season to figure out how to adjust  
2 management, we're looking at success rates, how  
3 many vessels are landing one fish, two fish,  
4 three fish per day; you'll see a breakout there,  
5 at least for the June through August time period  
6 where still the vast majority of the landings are  
7 just vessels returning to the dock with one fish.  
8 So the contributions of those vessels catching  
9 two and three fish are in the grand scheme of  
10 things very minor. And then what we did is we  
11 kind of -- I think it was a request that we heard  
12 in the spring is we could tease out those numbers  
13 by weight so we could see not only percentage but  
14 then the contributions to be measured in quota  
15 attainment. And so we've done that there is  
16 where you have about 176 metric tons are  
17 associated with those trips that are landing just  
18 the one fish, 50 that are landing two fish, and  
19 26 that are landing three fish. And then those  
20 stats since have become moot because we're now at  
21 a one-fish limit, as we move forward.

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1           So this is a graph that Uriah had  
2           produced for us, I think two years ago initially,  
3           so you kind of see how landings and quotas were  
4           tracking. And this one here is across time, so  
5           you can kind of see January, the February/March  
6           time frame. Once again, June was extremely low;  
7           hence I think starting off with the three-fish  
8           limit versus starting at the one-fish limit made  
9           sense for those vessels that were harpooning  
10          where we had essentially a one-fish per day  
11          average across most of June and into early July.  
12          And just starting here in mid-July and into  
13          August, we've kind of seen the steady incline  
14          with a just very slight uptick here in the last  
15          week or so of August and into September where we  
16          started to see some double digit metric ton days'  
17          worth of landings. So again, we'll be monitoring  
18          that pretty closely to help inform decision-  
19          making as we kind of continue through September,  
20          but also keeping an opportunity on fishing that  
21          will take place October and November, and then

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1 ultimately December.

2           And so, again, kind of a steady line,  
3 kind of at least is what we've experienced this  
4 year. And one of the main reasons we're showing  
5 this is just to see the difference just a few  
6 years can make where if you recall last year the  
7 line was almost flat until we got to July 4th,  
8 and then it just took off and never slowed down.  
9 But at least this year it's more of a gradual  
10 pace, but we also recognize that this number, or  
11 this trend can change almost at any point in time.

12           So one of the key items that I wanted  
13 to thank everyone around the table and those  
14 folks you may talk with in conversations outside  
15 of this meeting, was the timing of the dealer  
16 reports. This was an issue that we were  
17 struggling with not only last year but the year  
18 before as far as some lag in dealers actually  
19 getting their reports to us that was then in turn  
20 helping inform our decision-making and so far all  
21 the dealers -- we'll classify them that are

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1 handling a large volume -- are getting the job  
2 done. They're getting this in their reports in  
3 a timely fashion, they're accurate, so we're not  
4 dealing with the same delays. So we're kind of  
5 crunching the numbers, then trying to figure out  
6 whether, are we going to do any sort of transfers,  
7 are we going to do retention limit adjustments,  
8 how does that look across the next number of  
9 months that having this data is pretty vital.  
10 Kudos to the staff, actually, as well as the  
11 outreach, the peer to peer pressure to get your  
12 paperwork in, because ultimately it's the fishery  
13 as a whole that takes the hit and falls if we're  
14 making uninformed decisions. So I'm definitely  
15 grateful personally as well as professionally  
16 that folks are doing their part to make these  
17 decisions as informed as they can be.

18 I know this had come up in one of the  
19 overview slides as part of some of the  
20 endorsement changes that we've made, as far as  
21 some of the U.S. Coast Guard commercial fishing

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1 vessel safety exams; and one snapshot we looked  
2 at here real quickly was looking at those for-  
3 hire vessels that have actually sold fish here in  
4 2018. And so if you look across, we have number  
5 of vessels, and then the number of years from  
6 when they've had their inspections. And so just  
7 a really quick refresher; the way the Coast Guard  
8 does their inspections, essentially the  
9 inspections themselves are valid for five years;  
10 however, there's a decal type that's issued to  
11 vessels that's only valid for two. The decal is  
12 really directly associated for those vessels that  
13 are taking out observers. So we kind of broke  
14 down the numbers to try to figure out, okay, how  
15 many were in violation, how many -- and it's color  
16 coded -- so you had 64 vessels that it's been  
17 less than two years since they had the  
18 inspection, 34 that fall between the two and the  
19 five-year gap, four vessels that are coming up on  
20 -- or they're greater than five years -- 11 failed  
21 -- I guess that metric is essentially they had

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1 the inspection done and then they didn't pass it.  
2 And then we have 69 vessels that are either based  
3 on Coast Guard data, are not recorded, so they  
4 may not have any inspection or we anticipate  
5 there's probably some data matching issues there  
6 as well.

7  
8 And so now that we have this  
9 information, from fisheries perspective we have  
10 our commercial handgear universe defined, General  
11 category vessels, we have our Harpoon vessels,  
12 and now our Charter/Headboat vessels that have  
13 declared that they wish to sell fish, that we're  
14 in collaborations with the U.S. Coast Guard and  
15 how to marry up that data within their own data  
16 sets. We know that there are some complicating  
17 factors in making that comparison happen; it's  
18 not at least in this point in time as ready as  
19 comparing two data sets as there a volume in  
20 Column A and that volume in Column B, and then  
21 you run a quick query. And so I know myself and

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1 HMS staff are collaborating with the Coast Guard  
2 to do these sort of comparisons on a grander  
3 scale, and then ultimately trying to figure out  
4 how do you automate those sort of checks. I know  
5 in the HMS environment we're having these numbers  
6 updated on a daily basis, so every single day we  
7 know who's permitted as of that day. And so  
8 ultimately it's just figuring out those data  
9 pathways to verify up against that Coast Guard  
10 equivalent data set, just do presence/absence of  
11 the Coast Guard inspections, and then the  
12 additional layers of the timing, when were they  
13 -- are they valid now, are they valid for two  
14 years, did it just expire, and then I think that's  
15 ultimately where the value-add from this exercise  
16 will be based upon the discussions we've had say  
17 over the last year and a half regarding equity in  
18 Coast Guard safety gear as being applied to all  
19 commercial entities that are selling their fish.  
20 So staying on the compliance theme  
21 here for a moment; looking at the vessel

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1 reporting requirements for general harpoon and  
2 charter headboat vessels, this is a slide that we  
3 keep coming back to and will keep coming back to  
4 for a number of years; essentially vessels are  
5 required to report bluefin tuna catch, whether it  
6 be landed or discarded within 24 hours.  
7 Currently HMS has a phone application, as well as  
8 websites and a manned telephone line during  
9 regular business hours that that catch can be  
10 reported to. And what also will be coming on the  
11 near horizon is for those vessels that are doing  
12 eVTR's for GARFO managed species that are folding  
13 in our HMS requirements. And then there are  
14 ongoing conversations with other programs, eTrips  
15 with SAFIS as an example. But when we look at  
16 our own data collection across time, if you look  
17 in the table, this is something that we've really  
18 been looking at where requirements were  
19 implemented and effective in 2015, so we've been  
20 kind of looking at this compliance rate over time  
21 where if you look at the General category row

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1       there, essentially in 2016 if you look at the  
2       number of fish reported, we had about a 44,  
3       rounded up 45 percent compliance, not a whole lot  
4       of improvement in '17, then a slight uptick in  
5       2018.

6  
7               When you look at the fishermen  
8       reporting, kind of a similar trend, but we're  
9       still nowhere near where we need to be at this.  
10      If you all recall, we took the initial few years  
11      to kind of do what Enforcement couches as  
12      compliance assistance, kind of "hey" reminders,  
13      education, what have you, and as we prefaced in  
14      the last few meetings, that we're now turning a  
15      corner and we're writing citations on this. And  
16      I'm supporting Enforcement writing citations on  
17      this. In fact, I'm supporting it to a degree  
18      where I've actually testified in federal court on  
19      this matter, and the judge actually ruled that  
20      yes if you're not getting compliance with the  
21      regulation through those proactive measures, then

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1 penalties are now the next logical step to move  
2 to. And unfortunately to that individual, those  
3 penalties escalated into the thousands of dollars  
4 for not adhering to this regulation. And so for  
5 those around the table, that is the direction  
6 that we will continue going. I will support all  
7 of our uniformed officers, our JEA agents and our  
8 special agents and to pursue this. And again,  
9 just to beat the dead horse, for those as you  
10 have conversations out in the community, this is  
11 a no-brainer for a uniformed officer to cite  
12 somebody on. They can literally go to a dealer  
13 data set and see a fish was landed, they can then  
14 go to this vessel reporting data set and see that  
15 it's not there and it's a no-brainer. And so as  
16 much as I really want to deal on the compliance  
17 side of things and spend our energies elsewhere,  
18 I suspect that there are going to be a number of  
19 officers that are going to be able to pad their  
20 statistics rather robustly this year, and we'll  
21 see if that actually gets these numbers where

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1 they need to be. So there's a lot of energy and  
2 time being spent to get these numbers, especially  
3 where folks have the ability to help themselves  
4 here, just like we've seen in some of the IBQ  
5 kind of mandated compliance and then the benefits  
6 thereof.

7 So I know one question that had come  
8 up in spring was could we look at these compliance  
9 rates by month, do we have a geographic or a time-  
10 sensitive issue of when vessels are complying and  
11 when they aren't. We had broken down those  
12 numbers so you can see both the sample size in  
13 the far right-hand column as well as the percent  
14 reported of those fish as it stretches out across  
15 time. So in January, February, March, those  
16 numbers seem to be pretty solid. June, numbers  
17 still remain solid. Now granted, outside of  
18 February, there weren't a whole lot of fish  
19 during that time period. But then once we get  
20 into July and August we start to see those numbers  
21 drop off as we see catch rates increase, and so

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1 here we understand that a lot of successful  
2 trips, a lot of quick turnarounds imposes a  
3 burden, but in the same right this has been years  
4 on the books, and you can have a phone application  
5 or you can fill it out on a tablet. So again,  
6 we'll be aggressively pursuing this to get these  
7 numbers up. So I suspect you'll be hearing more  
8 about this probably at the next spring meeting  
9 with an update on kind of what may have transpired  
10 with some of these violations.

11 Another key item that we shared last  
12 spring and then we wanted to refine this year was  
13 looking at average prices per pound; obviously a  
14 lot of input that we should preserve, quotas and  
15 allocation, because the prices tend to do better  
16 in the fall. Other voices no fish earlier in the  
17 season tend to do better. And then what we did  
18 is instead of showing fishery by fishery, gear  
19 type by gear type, we tried to overlay that  
20 collectively on one slide. And so you'll see  
21 that where the longline fishery operates

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1       uninterrupted throughout the year, there's your  
2       consistent bar across the '17, '18 time frame,  
3       and then you'll see the harpoon, as well as the  
4       rod and reel and handline, your General category  
5       landings there as well. And you'll see that at  
6       least for 2018 there was some decent prices that  
7       we were seeing; I think the quality of fish was  
8       better than what we observed last year; again,  
9       dollar exchange was a little bit better, so  
10      multiple variables, but it seems some of the  
11      prices that we were experiencing last year when  
12      we had the high volume of landings didn't  
13      necessarily repeat itself for the same duration  
14      here in 2018.

15

16                   Then always trying to do the balancing  
17      act of suggestions that we hear over time,  
18      whether it's set in high limits early to catch  
19      that quota, to make sure we're not leaving any  
20      quota at the end of the year, along for offshore  
21      trips, based upon the value of the fish we may

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1 need more than one a day to make those trips  
2 economically feasible. Any concerns regarding  
3 higher grading or discards when retention limits  
4 are low, and then catch the quota when the quota  
5 is designed for a particular time period. And  
6 then just if you flip the coin you get exactly  
7 the opposite. You know, wait until later in the  
8 year when fish have had the opportunity to fatten  
9 up. Keep the fishery open, values are higher  
10 later in the year. If we're experiencing high  
11 catch rates, is there some other methodology we  
12 could use to slow it down beyond the one fish per  
13 day. Again, for those that have been around for  
14 some time like myself, RFD is an acronym that I  
15 prefer not to bring back to the fold, but it's  
16 still a tool where you actually have closed days  
17 throughout the week; let's just say a little  
18 difficult to enforce and manage, but that was one  
19 technique we tried back in the late 90's when  
20 catch rates were high. And then essentially  
21 preserving opportunities for those fishermen that

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1 are going to get their lines wet later in the  
2 year, whether it be October/November time frame  
3 or December all while preserving traditional  
4 quotas. And then the Harpoon, we've heard some  
5 commentary -- again, I think it's more dedicated  
6 towards last year of prohibiting that gear type  
7 in the General category, doing something  
8 regarding the retention limits as it pertains to  
9 Harpoon, or trying to extend fishing  
10 opportunities by transferring more quota. And  
11 again, every single time they ask, every single  
12 time we fulfill that request, they get closed  
13 down -- unintended, but that's the end result.  
14 So if that's how they want to operate, we can  
15 manage that.

16 And so apparently I'm facing music and  
17 getting called off stage, so why don't we at this  
18 point turn it over for questions and discussion  
19 and comments.

20 MR. BROOKS: Sure, let's start if we  
21 can with some clarifying questions. I've got

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1 George, Steve, Greg and David.

2 MR. PURMONT: Good morning, thank you  
3 very much for your presentation. Good going on  
4 your General category three fish per vessel  
5 start; that was -- I don't if you were shot in  
6 the ass with luck on that one or that's just the  
7 way it happened -- hopefully the Harpoon can be  
8 offset with a larger quota to start with for the  
9 next year rather than make an adjustment. I  
10 noticed on the juvenile landing on Slide 4, a  
11 very large number of fish this year as opposed to  
12 previous years, and I wonder what your confidence  
13 level is with those numbers? And the -- yes,  
14 that's it the status of the purse seine lease of  
15 quota to longliners, confidence level, and  
16 Harpoon earlier start -- or not earlier start,  
17 but larger quota to start with?

18 MR. McHALE: So I don't have the PSE's  
19 associated with the LPS numbers right off-hand,  
20 but we can look at that, and that kind of is a  
21 pretty good descriptor of how confident we are in

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1 those numbers to be used for management. Usually  
2 the large pelagic survey PSE's are pretty tight  
3 versus say like an MRIP PSE, but always something  
4 that we look at those numbers.

5 I know in years past we kind of have  
6 a knee-jerk reaction saying, "Wow, look at the  
7 number of schools," what we also get is just one  
8 dedicated time period -- normally we wait until  
9 we see what transpires not only in June but also  
10 in July before we kind of get a real sense of how  
11 is the season gone. If we're just kind of seeing  
12 a repeat number of very high numbers, that would  
13 then trigger us to really start to scrutinize,  
14 okay, what states are they coming in and do we  
15 need to do anything. Now, granted for the school  
16 fish we've been extremely underneath our quotas  
17 for a number of years, so there's plenty of room  
18 to absorb those sort of landings where we've been  
19 dancing around with 4 percent of our allowance  
20 there, so they're not shocking in that sense.  
21 But we also want to keep ground-truthing that as

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1 we have conversations with captains up and down  
2 the coast, just doing some informal verification  
3 as well, so how was the football fishery off of  
4 New York, New Jersey, Maryland, Rhode Island, and  
5 north of the Cape. So we'll continue to have  
6 those conversations.

7           So right now we're pretty confident,  
8 but we keep the door open for that to change based  
9 upon new information that's coming through. We  
10 can get you some of purse seine lease information  
11 as it relates to the longline vessels. We know  
12 that some leases have occurred. I don't  
13 necessarily have the volume, but we know that  
14 those transactions have occurred. And this may  
15 come up in some of Tom's presentations later this  
16 afternoon, but currently we don't have any purse  
17 seine effort transpiring in the fishery, we don't  
18 have any permits issued. Essentially, the way  
19 the regulations are articulated, August 15th is  
20 kind of when, the last date when the fishery would  
21 reopen. So nothing really triggering there. So

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1       it really is that lease aspect that we're keeping  
2       our eye on now.

3                   And with regards to the Harpoon  
4       fishery, we'll keep our ears open as far as start  
5       date; obviously, we've had those conversations  
6       around the room, and if providing them more quota  
7       early versus late changes that dynamic of de  
8       facto closure, we can always entertain that but  
9       they're not catching their baseline quota now. So  
10      it's kind of just making determinants whether or  
11      not it's warranted.

12                   MR. BROOKS: Steve?

13                   MR. IWICKI: Okay, Steve Iwicki. So  
14      Brad is still on that slide, so the numbers caught  
15      my eye too because the experience I had South  
16      Jersey which is basically Washington Canyon up to  
17      Lindy basically, was June was a bigeye/yellowfin  
18      month more than it was a bluefin month, and the  
19      bluefins we got were all generally 35 to 42-inch.  
20      I don't know, maybe Rick will comment too, but  
21      July was the spike where we had a lot of the,

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1 every trip had over and unders, and then all this  
2 drops like a rock because the water got too warm  
3 and nobody's catching any tuna. Did you see any  
4 change in the total number rec reports or  
5 geographic area that they report? I don't know  
6 if you guys are looking at density analysis,  
7 where the reports are coming from on the rec side,  
8 but I'm just curious if you saw a change in the  
9 reporting from year over year?

10 MR. McHALE: You know what; I  
11 personally have not. We have that information  
12 available where either the states can be lumped  
13 together. Just with my current duties, I haven't  
14 been able to dive as deep as I normally would  
15 have with the bluefin numbers, but we have it and  
16 we can look into it. When I looked at it really  
17 briefly, I didn't see anything that really jumped  
18 out, like all of sudden you needed to be off of  
19 Massachusetts because that's where the body of  
20 fish were and that's where all the landings were  
21 concentrated. I think the patterns are still

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1       pretty similar to prior years, but we want to  
2       ground-truth where the numbers are coming in;  
3       we've heard whether it's South Jersey and off of  
4       Rhode Island that those bodies of fish just  
5       didn't show up and the numbers one would hope or  
6       anticipate if you're operating that area, so the  
7       same ground-truthing, where are the numbers  
8       coming from, and then ground-truthing the  
9       extrapolation process.

10                   MR. IWICKI: And the other question;  
11       usually this time of year I've had at least two  
12       or three phone survey calls, I haven't gotten any  
13       this year. Are you guys still doing that? I  
14       know it's random, but usually I randomly pick two  
15       or three times a year and I just haven't gotten  
16       one yet this year, so I'm just curious if you're  
17       still doing it?

18                   MR. McHALE: You're welcome.

19                   MR. BROOKS: I guess that's a yes.

20                   MR. McHALE: I've been captured three  
21       times myself, so they're getting plenty of zero

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1 values into the survey, so yes.

2 MR. BROOKS: Greg, you're up.

3 MR. MAYER: Yes, I have a couple of  
4 questions; one, when we talk about the for sale  
5 endorsement on the charter headboat, looking at  
6 Slide 12 you have the amount of boats that have  
7 actually been inspected or not inspected. What  
8 are you planning on doing for enforcement for  
9 that? Basically, you need to have our safety  
10 gear in order to be a commercial boat. There's  
11 a lot of boats that are not doing it, there's  
12 plenty of boats that are in compliance, and I was  
13 just wondering where you're going with that?

14 Another question I had was as far as  
15 compliance in reporting, like Slide 14; if you  
16 look at it -- I think it was 14, was it, or 15 -  
17 - where in the January, February, March there was  
18 close to 100 percent compliance, and I know a lot  
19 of that's because it's in one Wanchese, all the  
20 boats are in one spot. Enforcement was there,  
21 no enforcement was there, so everyone was pretty

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1 much getting all their reports in. And then when  
2 it goes up to New England where you've got a wider  
3 fishery, you're not getting compliance. I know  
4 you said you're going to start enforcing a little  
5 bit more, just wondering where you're going with  
6 that? And that's about it.

7  
8 MR. McHALE: All right, so  
9 enforcement on the commercial fishing vessel  
10 safety requirements; so again, from fisheries  
11 side -- and this is apparently a collaborative  
12 effort between the Coast Guard and ourselves  
13 because we have different priorities or mandates  
14 -- but fisheries side once we executed that  
15 rulemaking that delineated our for-hire fleet, we  
16 essentially gave the statement we fisheries have  
17 defined this universe as needing to comply with  
18 the Commercial Fishing Vessel Safety Act and  
19 given some of the verbiage that's within that  
20 act. And so here's our list, all 7,000 vessels.  
21 And we're, again, collaborating with Coast Guard

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1 and sharing that information with them. And from  
2 our perspective we consider all those vessels  
3 obviously federally permanent whether they're  
4 state registered or Coast Guard documented. And  
5 although we do have some HMS fisheries that  
6 transpire within state waters, we also generally  
7 acknowledge that pretty much all of our fisheries  
8 are taking place outside the 3-mile limit, so  
9 within federal waters. Some of those dynamics  
10 make a difference with the Coast Guard where they  
11 do have the jurisdiction three miles and beyond  
12 versus say within the state waters. And then  
13 ultimately how does that impact their database  
14 and how they're viewing what's vessel compliant  
15 or not.

16 And so I know that those  
17 collaborations are ongoing where we're working  
18 with not only Coast Guard in the various  
19 districts but their auxiliary JEA agents, our own  
20 enforcement agents and Coast Guard, that if a  
21 vessel has those commercial permits issued by

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1 HMS, we consider them to require that exam. And  
2 so whether it's doing a sticker inspection or in  
3 the case where some of the exams are valid for  
4 five years, that those can either be inspected  
5 dockside as well as at sea. I also anticipate  
6 at some point in time once we navigate some of  
7 the IT interplay, the two data sets, that they  
8 may fall similar to the vessel and dealer report  
9 where all of a sudden you're then able to do a  
10 cross check of two different data sets and do a  
11 presence/absence sort of query, and then do some  
12 sort of enforcement follow-up on that check.

13 As it relates to compliance on the  
14 vessel reporting as well, as I mentioned fully  
15 supporting office of law enforcement, our JEA  
16 partners to pursue and write citations for those  
17 offenses. And as I mentioned, even taking time  
18 to go testify in federal court as a key witness  
19 when one particular case escalated to that, and  
20 we were successful in that case. In fact, the  
21 judge had a pretty favorable write-up on behalf

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1 of the agency and the actions we've taken and the  
2 collaborations we've done around this table and  
3 various other publications to help inform the  
4 public, to the point where even recommendations  
5 Dewey has made is do you have the numbers on the  
6 permit. I mean, you almost can't make it easier.  
7 So at this point if folks aren't doing it, well  
8 we've almost exhausted our proactive educational  
9 outreach and now we're just going to be swinging  
10 the stick, and we'll see what sort of impact we  
11 have there.

12 MR. MAYER: You know, we've been  
13 talking about trying to get additional quota for  
14 the January sub-quota, compliance right there is  
15 a pretty high level. I would say that's an  
16 incentive to help that fishery out.

17 MR. BROOKS: Thanks, I've got five  
18 people in the queue. We are starting to get  
19 pressed for time, so I just ask folks in the  
20 queue, if you have multiple questions, maybe just  
21 focus in on the one that's most important. And

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1 if you can take a pass and get answers over lunch,  
2 all the better.

3 I want to go to David, then to Andrew,  
4 Grant, Rick and then Mike. So David?

5 MR. SCHALIT: Thanks Brad for that  
6 PowerPoint presentation. I think it's important  
7 to acknowledge 2015 was the first year in which  
8 the General category was capable of catching, was  
9 able to catch its full quota, first year in many  
10 years. The SCRS said what had been prior to that  
11 was something in connection with absence of  
12 forage, lack of forage. So in 2015 we caught --  
13 sorry 2016 we caught our full quota, in 2017 we  
14 had a veritable tsunami of fish arrive here, and  
15 no one was prepared for this, no one had ever  
16 even seen this kind of thing before. And  
17 suddenly inseason management became this terrific  
18 priority, inseason management became the holy  
19 grail for the bluefin fishermen. And we were  
20 just blind-sided by this, flat-footed; I don't  
21 know how else to express it, but I have to say,

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1 I acknowledge the fact that our fishermen are not  
2 necessarily keeping praise regularly on the  
3 agency known to be doing that sort of thing. But  
4 I have to say this season thus far has been a  
5 vast improvement, a vast improvement in terms of  
6 the way the agency is managing the fishery. I  
7 think every fishermen can agree to that at this  
8 point and I want to express my appreciation for  
9 your efforts and the efforts of the people in the  
10 HMS management division. Thanks.

11 MR. BROOKS: Thank you. Andrew?

12 MR. MARSHALL: The question I had was,  
13 during the end of August was there any discussion  
14 amongst the agency of shutting down that last  
15 week or is that putting it a little too close to  
16 the cuff?

17 MR. MCHALE: We always have  
18 discussions of shutting you all down. And so  
19 yes, those conversations did take place, but we  
20 also did was kind of look -- although the bluefin  
21 tuna and northern albacore rule hasn't quite

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1 finalized, we kind of know what those quotas will  
2 be adjusted to, we know where the availability of  
3 quota is, and so it essentially became a  
4 judgement call of do you close the fishery. And  
5 ultimately when you make that decision there's a  
6 little bit of a lag time to go through the  
7 administrative process, and then ultimately how  
8 many days would actually be closed and what sort  
9 of reduction in catch do you get as associated  
10 with that closure, versus dealing rights, see  
11 what Mother Nature is doing weather-wise, what  
12 have you. And at least for this particular  
13 instance we opted just to reduce the retention  
14 limit and then kind of see how it played out based  
15 upon where we're at as far as quota attainment,  
16 what we're seeing for catch rates, weather  
17 patterns, what have you. But no, it was actually  
18 a very viable option that we could have closed  
19 that entire last week of August. But the numbers  
20 really weren't stark one way or the other; it was  
21 kind of a tough call.

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1           MR. BROOKS: Andrew, did you have a  
2 perspective on that, or no?

3           MR. MARSHALL: Not -- that's about for  
4 the people we talked to it's about half and half  
5 whether they want to see the reserve used in say  
6 October as opposed to August, it's about half and  
7 half when you speak to people.

8           I do quickly have going back to the  
9 charter headboat slide on the safety exam, and I  
10 can just quickly speak on my experience, I'm in  
11 that two to five-year category, 34 percent there,  
12 group of us at the dock actually brought an  
13 inspector in to try and get a new sticker put on.  
14 And we were told in no uncertain terms from the  
15 Coast Guard inspector that he'd rather not see us  
16 at all until we were at the five-year mark. That  
17 was just a group of us getting three boats  
18 together to get a dockside inspection, so that's  
19 just a quick perspective that I have.

20           MR. BROOKS: Thanks Andrew, that's  
21 helpful. Grant?



1                   MR. GALLAND:     Thanks Bennett and  
2     Brad. I'll just jump right to my question in the  
3     interest of time. Have the 2017 discards on  
4     numbers been finalized? And if so, can we see  
5     those reported separately for the Gulf of Mexico  
6     and for the Atlantic? Thank you.

7                   MR. McHALE:     Well, I'll have to get  
8     back to you. I don't think we have those  
9     finalized numbers just yet, but normally they're  
10    breaking free right about now. So let us circle  
11    back with some of the folks in the science center  
12    that are tasked with generating those numbers and  
13    finalizing, and then I'll report back.

14                  MR. BROOKS:     Thanks. Rick?

15                  Rick, hold it down for about five  
16    seconds.

17                  MR. BELLAVANCE:   Thanks. Just real  
18    quickly, I just wanted to pile onto my concern I  
19    have about the recreational catch estimates for  
20    the school bluefin tuna 2018 to date. In our  
21    area they didn't show up this year, so they

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1 certainly didn't come from Rhode Island. Others  
2 before me have spoken, too; I just want to quickly  
3 add onto it.

4 MR. BROOKS: Thanks, Rick. Mike?

5 MR. PIERDINOCK: The trophy  
6 recreational category once again shut down July  
7 26th, I believe. Up in our neck of the woods,  
8 north of the Cape, western Gulf of Maine, we don't  
9 even get the opportunity to target it. Every  
10 year it gets closed early whether it's in July  
11 and August. And I was curious of does this  
12 require an amendment change to change quota size,  
13 because it is quite small at 1.8 metric tons for  
14 the Gulf and the southern and the northern, east  
15 one has 1.8 metric tons. I do want to thank  
16 Brad, Sarah, and your office for proactively  
17 managing the fishery from a commercial standpoint  
18 this year; the only exception is I'm curious of  
19 what happened here with the recreational trophy  
20 in the southern, they were at 7.7 metric tons  
21 where the threshold is at 1.8. So if you could

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1 answer that.

2 Last thing, I just have to pass  
3 forward that there's been commercial fishermen  
4 that have approached me and have been frustrated  
5 by the fact that independent of the  
6 Charter/Headboat with the commercial  
7 endorsement, that some of the commercial fleet  
8 also don't have the commercial inspections.  
9 That's frustrating for all of us. So also to  
10 look at them collectively General category as  
11 well as Charter/Headboat; with that, with the  
12 fact that there's 51 percent not reporting, do  
13 you see a relationship between those not  
14 reporting and those that don't have the  
15 commercial endorsement? Thank you.

16 MR. McHALE: All right, so it would  
17 take a regulatory amendment. Now, I don't think  
18 we're in FMP amendment to mod -- well, it might  
19 be a FMP amendment realm to modify those quota  
20 allocations, which is all of a sudden an  
21 allocation discussion. There's probably some

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1 wiggle room if it was just to be modified within  
2 the Angling category versus something more  
3 comprehensive, but it does require regulatory  
4 change when it comes to those trophy-size  
5 categories. As I mentioned, the southern  
6 fishery, when we announced the closure, the  
7 closure date kind of fell into the weekend, it  
8 was St. Patrick's Day weekend and I think a lot  
9 of folks just took the opportunity before the  
10 hammer dropped to keep that one fish because the  
11 fish were available there. In years past we  
12 hadn't kind of seen that same jump in the numbers.

13 And I'd have to look to see if we have  
14 any correlation between the compliance and what  
15 have you, because again, just to be nauseously  
16 clear it's our perspective that if you sell fish,  
17 you are a commercial vessel. And so it's General  
18 category, Harpoon category, Charter/Headboat  
19 category with the endorsement, pelagic longline  
20 category, bottom longline category -- they're  
21 required to have it. And so, again, we'll

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1 continue to collaborate with Coast Guard and our  
2 office of law enforcement that we view that as a  
3 requirement. No different if you're an 80-foot  
4 dragger or a scalloper, what have you. You got  
5 to have the gear on board, period. It's  
6 commercial fishermen to commercial fishermen  
7 versus however they view themselves, they're  
8 commercial fishermen in our eyes.

9 And then Grant, I want to get back to  
10 you real quick because it appears that we just  
11 did get our 2017 dead discard estimates for the  
12 Gulf of Mexico; that estimate is coming in at 6.5  
13 metric tons, for the Northeast Distant area we're  
14 looking at 1.2 metric tons, and for the remaining  
15 Atlantic we're looking at 3.7 metric tons. And  
16 I think all of those numbers are even further  
17 down from where they were at previously.

18 MR. BROOKS: Thanks. Dewey, you get  
19 the last word here.

20 MR. HEMILRIGHT: Yes. Was that  
21 included, General category included in the

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1 numbers that you just quoted for the bluefin  
2 tuna?

3 MR. McHALE: Those discard numbers  
4 will be exclusively from the methodology of  
5 taking the pelagic longline logbooks, looking at  
6 the observer data, and then extrapolation process  
7 that we've had for like the last call it decade  
8 plus or minus. So these are the numbers  
9 Guillermo generates, but it's all longline  
10 centric versus any of the other gear types.

11 MR. HEMILRIGHT: How about where  
12 would we find the other gear type, dead discards,  
13 or where is that available at or could we get  
14 that?

15 MR. McHALE: That comes through the  
16 vessel self-reporting methodologies, so we have  
17 that data available. It's just we need to get  
18 in there and scrub it. If you recall, I don't  
19 know if it was from spring or last fall, and your  
20 request to how do you get at those numbers, that  
21 I, we had to do some scrubbing where we realized

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1 that there were some instances where folks were  
2 actually putting in lengths of fish in counts of  
3 fish fields, all of a sudden discarded 63 fish,  
4 or 63-inch fish, were turning into 63 fish, and  
5 that took quite a bit of time to chase down. But  
6 we still have those data available; I just don't  
7 have those end results off-hand.

8  
9 MR. HEMILRIGHT: Thank you for your  
10 presentation on the bluefin. It's always kind  
11 of perplexed me here since Amendment 7 went into  
12 effect, and looking at the level of compliance  
13 with the general category reporting process, and  
14 also U.S. Coast Guard safety exam. HMS is  
15 issuing the permit that allows you to sell. One  
16 quick way -- probably never quick -- but to fix  
17 this is before you issue that permit, that person  
18 that's filling out online has to provide you with  
19 the decal sticker that he gets from the Coast  
20 Guard. That unique four, five number decal -- I  
21 can't remember which one it is -- but that would

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1 save a lot of bureaucratic time, it would save a  
2 lot of agency time, the Coast Guard's time, and  
3 just in general that's a quick, efficient way  
4 probably an IT person could do that relatively  
5 easily, and I'm sure there's room on that format  
6 to do that request. You gave your choice to get  
7 a permit that doesn't allow you to sell or that  
8 allows you to sell, please give me your Coast  
9 Guard -- since you consider if you're selling  
10 fish or commercial but you're giving the permit  
11 to them. And so therefore the quick way instead  
12 of having to go through the lines of everything  
13 else, is you say, "Hey, you want this permit,  
14 give me your unique ID." And then also, I  
15 brought up at the last meeting on the permit, for  
16 General category permit, there's room on there -  
17 - and maybe you already done this, I haven't got  
18 a permit for this year yet -- maybe you've already  
19 done this -- is put on there that you have to  
20 report this fish. And so that was something I  
21 brought to your attention last March -- or this

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1 March. And I don't understand why the agency is  
2 rewarding a gear category that has a dismal rate  
3 of reporting its catch. If you don't get people  
4 to fish, they won't have a chance to not report.  
5 So you should not give them the fish until they  
6 report. But that's an easy way to fix it is  
7 before I'm going to give you a permit, you have  
8 to put on there what's the Coast Guard decal that  
9 you got because you're getting this permit.

10 MR. BROOKS: Thanks, Dewey. Brad?

11 MR. McHALE: And then just real quick  
12 to that; that is not lost, I remember you making  
13 that statement. I see Greg in the back room  
14 raising that at other meetings and it's something  
15 that we're looking into. The easy part,  
16 unfortunately when you start crossing agencies  
17 it's not easy, but I think a lot of the hurdles  
18 that we're bumping into are IT related, and so  
19 we're trying to navigate that now. But that's -  
20 - yes, we hear you loud and clear, that does make  
21 a lot of sense, and in the background we're

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1 starting to see what it would actually take to  
2 make that happen where somebody says we're  
3 submitting application, access denied or accepted  
4 based upon presence/absence. We're kind of  
5 moving in that direction.

6 MR. BROOKS: Thanks.

7 MR. HEMILRIGHT: You --

8 MR. BROOKS: I got to push on, Dewey.  
9 Can you hold it?

10 Yes, okay. All right. Well, thank  
11 you and thanks for the comments. Clearly a lot  
12 around compliance enforcement which is a common  
13 theme that comes up every AP, so I know you're  
14 pushing at it and I suspect we'll keep hearing  
15 about it in future APs.

16 I do want to push forward because I  
17 want to make sure we have enough time to really  
18 dive into this next topic. I think last time we  
19 started the conversation around thinking about  
20 for the pelagic longline whether there were  
21 changes in management for closures, for weak

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1        hooks, et cetera. The HMS folks are interested  
2        in taking a deeper dive into that today and  
3        present some options, some conversations and  
4        start to get some feedback on this. So with  
5        that, I want to hand it off to Craig Cockrell to  
6        walk through these options.

7                    MR. COCKRELL: All right, good  
8        morning. Yes, so Jen and I and the collective  
9        team wanted to give an update here on the pelagic  
10       longline bluefin area-based and weak hook  
11       management action that we've been working on.  
12       This is, we released a scoping document in early  
13       March and conducted scoping meetings in the  
14       spring. So just a quick outline of the  
15       presentation here; we're going to talk about  
16       issues that we're considering in the scoping  
17       document, the options that were considered for  
18       each of the issues, the scoping meetings that we  
19       conducted, and then the comments that we received  
20       during the comment period of the scoping document  
21       which lasted until May 1st of this year. And

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1 then also what our next steps are.

2 So as you can see here, basically we  
3 focused on four issues related to basically  
4 fleet-wide management of the pelagic longline  
5 fishery, three of those were spatial, they  
6 included the northeast U.S. pelagic longline  
7 closed area up off Jersey. And then the two gear  
8 restricted areas set up in Amendment 7, the Cape  
9 Hatteras Gear Restricted Area and the Gulf of  
10 Mexico Gear Restricted Area. And then we also  
11 looked at a gear measure and that was weak hooks  
12 in the Gulf of Mexico.

13 So right here we have a table of the  
14 management options that we were considering for  
15 the area-based, and they were all similar across  
16 all of the areas. And so the first one was a no  
17 action alternative; that's maintaining the regs  
18 that are currently on the books. We had a  
19 performance access option that really was just  
20 focused at the northeast U.S. closed area and the  
21 Gulf of Mexico Gear Restricted Area because the

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1 Cape Hatteras area already has performance access  
2 implemented via Amendment 7.

3 And then for, we had to modify  
4 basically kind of a catch-all modify spatial or  
5 temporal coverage, so this was based on  
6 preliminary analysis as we moved forward with the  
7 rulemaking, whether or not it made sense to  
8 modify the spatial coverage, or again that's the  
9 time coverage for any of these areas.

10 We had a provisional application  
11 option that basically would set a level of  
12 bluefin tuna catch for all of these areas, and so  
13 that area would be wide open until a certain level  
14 of bluefin tuna catch occurred. And then that  
15 area would then become effective with whatever  
16 regulations are on the books; so if it was, for  
17 example, the Cape Hatteras area, if that trigger  
18 was met March 1st, then that closure would go  
19 into effect through the end of April as it is on  
20 the current regulations with performance access.  
21 And then the last one is just elimination of the

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1 areas, so that would just be completely removing  
2 them from the regulations.

3 So here we considered three options  
4 for weak hooks; we had a no action alternative  
5 again, just maintain the current requirement for  
6 year-round use of weak hooks in the Gulf of Mexico  
7 pelagic longline fishery; then we had a seasonal  
8 application of weak hooks, so that was just  
9 basically requiring the use of weak hooks when  
10 bluefin tuna were present in the Gulf and  
11 spawning.

12 And then we also had an elimination of  
13 the weak hook requirement, and that would remove  
14 the requirement from the pelagic longline fishery  
15 but still allow for optional use.

16 So here you can see the webinars and  
17 the meetings that we held during the scoping  
18 comment period, and basically we went from  
19 Louisiana all the way up to Mass.

20 So yes, now we're going to get into  
21 comments received, and we basically, we broke

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1       them down into each issue that we considered, but  
2       then also broke them down further into comments  
3       not in favor of relieving restrictions. And then  
4       the comments we received in favor of relieving  
5       restrictions.

6               So first off here for the northeast  
7       closure, comments not in favor of relieving those  
8       restrictions would be expansion of the closed  
9       area north and east along the continental shelf.  
10       And then a temporal increase to include also  
11       July; right now it's just June 1 through June 30.

12               And then some support for the no  
13       action alternative; basically wanting us to get  
14       more experimental data collection through EFPs or  
15       some kind of NMFS conducted research.

16               So for those comments that were  
17       received in favor of relieving restrictions would  
18       be basically trimming the western portion of the  
19       closure, some of those areas that really didn't  
20       -- might not have the level of bluefin as some  
21       other portions of the closure. We also had

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1 support for the provisional application, and  
2 again, keeping the area open until any threshold  
3 is met. And then we also had some comments just  
4 in favor of the elimination management option  
5 which basically those comments said that opening  
6 the area would give the fleet the ability to move  
7 and avoid bluefin and other bycatch.

8 So moving onto the Cape Hatteras Gear  
9 Restricted Area; so again, comments in favor of  
10 not relieving restrictions. There was support  
11 for status quo. Basically having this area we  
12 also got comments that it prevented pelagic  
13 longline fishermen from targeting bluefin.  
14 Keeping this gear restricted area intact also  
15 protects Slope Sea spawning fish. And then we  
16 also got some comments for expanding the area  
17 northward to the Norfolk Canyon and also the  
18 entrance to the Chesapeake Bay, and then also  
19 southward to the triple zeros, which just for  
20 your reference is a line that's basically just  
21 north of Cape Fear, that then kind of shoots

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1 southeastward, it's a LORAN line. And then also  
2 expansion eastward by 30 minutes of longitude by  
3 that whole seaward boundary.

4 So as far as comments in favor of  
5 relieving restrictions, just because there's two  
6 bullets here doesn't mean that we didn't get a  
7 lot of comments on this, but also they were really  
8 mainly focused on eliminating the gear restricted  
9 area, and then some support for provisional  
10 application.

11 So for the Gulf of Mexico Gear  
12 Restricted Areas, again those comments not in  
13 favor of relieving restrictions were to just not  
14 include the Gulf of Mexico gear restricted areas  
15 in this rulemaking at all. Or just keeping the  
16 gear restricted area no action alternative,  
17 because that gear restricted area avoids  
18 interactions and because IBQ system does not  
19 provide the avoidance because it just accounts  
20 for dead discards and landings.

21 Also, we've gotten comments to make

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1 the GRA more restrictive by increasing the size  
2 and timing, and one of those was combining the  
3 two gear restricted area boxes into a larger box,  
4 basically connecting the two boxes there. We  
5 should also -- we got comments that we should  
6 pursue alternative gears and consider a buy-out  
7 and we should not consider performance metrics  
8 for this because it may provide an incentive to  
9 under-report.

10 So comments that we got in favor of  
11 relieving restrictions were similar to the Cape  
12 Hatteras Gear Restricted Area, again remove the  
13 Gulf of Mexico Gear Restricted Area or support  
14 provisional application.

15 So for weak hooks, those comments that  
16 we got not in favor of relieving restrictions  
17 were support for the status quo, no action, and  
18 that we should implement additional weak hook  
19 regulations in the pelagic longline fishery.

20 So those in favor of relieving weak  
21 hook restrictions were removal of the requirement

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1 and still allow for voluntary use. We got  
2 support for the seasonal weak hook requirement  
3 and adjust the timing to require January to June  
4 instead of March to June, which I think was  
5 mentioned in the scoping document.

6 And then also we got a suggestion to  
7 designate bluefin tuna hotspots in the Gulf of  
8 Mexico, and then require weak hook use in those  
9 hotspots.

10 So that's it for the -- basically the  
11 summary of comments we heard during the scoping  
12 period there. And for next steps we hope to have  
13 a proposed rule by next spring, so our next  
14 meeting. And then public hearings throughout the  
15 spring and summer, and then a final rule on all.

16 So with that, I think Jen and I, and  
17 Brad will take questions.

18 MR. BROOKS: Yes, and what I'd like  
19 to do is focus a little bit so we don't bounce  
20 back and forth between the area-based and the  
21 weak hook. So let's start with questions or

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1 comments on the area-based options that were  
2 brought out for scoping. And let me start by  
3 Scott, so your card was up there initially.

4 MR. TAYLOR: So Amendment 7 was  
5 intended to provide an individual level of  
6 accountability of bluefin catch and up to this  
7 point there's been nothing that has resulted in  
8 that from the standpoint of being able to improve  
9 the ability of the fishermen to have flexibility,  
10 to even be contemplating at this point an  
11 expansion of a program that has severely  
12 curtailed the ability of the PLL fleet to catch  
13 its swordfish quota is absolutely ludicrous to me  
14 and that we have been pushing for a removal of  
15 the weak hooks in the Gulf as a result of the  
16 fact that the accountability measures that were  
17 contained in Amendment 7 really provided for that  
18 particular outcome.

19 The health issue of the stock is not  
20 with the bluefins; the health issue is with the  
21 fishermen that are being eradicated because they

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1 can't financially make a living. It would be --  
2 it's a small help; it won't be a substantial help  
3 because it only really impacts the fishery for a  
4 limited period of time in the Gulf, but at least  
5 it would be a gesture in the right direction that  
6 we are seeing from a practical sense a resurgence  
7 in the numbers of bluefins from an observation  
8 standpoint. I can't argue the scientific  
9 perspective; we saw bluefins this season in areas  
10 and places that we've never seen them before and  
11 in numbers that we haven't seen in a long time to  
12 my recollection. You know, that there's data  
13 coming out that's confirming that these stocks  
14 are mixing that are changing fundamentally the  
15 dynamic of the size and the health of the stock,  
16 but yet while the bluefin population, at least  
17 from an observation standpoint, appears to be  
18 doing very well, the fishermen are not.

19 I mean, it's almost amazing to me that  
20 you can't separate the issue of these weak hooks,  
21 the bluefins, and the fact that you guys have no

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1 -- I think the majority of this panel has any  
2 idea of how low the numbers are going to be for  
3 the swordfish data this year. I don't see  
4 anything at this particular meeting that's being  
5 designated to how horrible the numbers are going  
6 to be. I mean, we're not in a little bit of  
7 trouble; we're crashing. There will be no Grand  
8 Banks season this year. There is no Grand Banks  
9 fleet left. The number of boats that we  
10 traditionally relied upon for substantial numbers  
11 of product are either not fishing or have not  
12 caught up to this point. The biggest trip that's  
13 been landed out of the Grand Banks this year has  
14 been about 13,000 pounds. The Whitewater that  
15 normally would catch 300,000 pounds in a season  
16 has probably produced -- Gene is here -- probably  
17 has produced under 20 up to this point.

18 This agency has got to do something to  
19 show a gesture to the industry that there's some  
20 sort of relief. I mean, this is a small and a  
21 little thing and yet it boggles my mind that we're

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1 still talking about putting more restrictive  
2 measures in an industry that can't support it.  
3 So I strongly encourage you to eliminate/allow  
4 Amendment 7 to do what it was intended to, which  
5 is that we're proving that we can manage our  
6 accountability with bluefin catch, but allow us  
7 to fish and to catch where we need to catch.

8 MR. BROOKS: So Scott, you were  
9 speaking mostly to weak hook there, but at the  
10 end also speaking to locations. Is that right?

11 MR. TAYLOR: Well --

12 MR. BROOKS: Just want to clarify.

13 MR. TAYLOR: Yes.

14 MR. BROOKS: Thank you.

15 MS. CUDNEY: A quick question, Scott;  
16 you mentioned that you were requesting that we  
17 not expand Amendment 7 measures; were you talking  
18 about performance metrics?

19 MR. TAYLOR: No, you were considering  
20 the adoption within this amendment of weak hook  
21 adoption in some of those other areas; were you

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1 not?

2 MR. BROOKS: I think that was public  
3 comment.

4 MR. TAYLOR: Yes, but nonetheless,  
5 this is the AP's opportunity to comment about a  
6 proposed rule. You know, this is what happens  
7 in here is that -- and I think it's appropriate  
8 -- this is what happens; you go out to these  
9 scoping meetings, you essentially allow there to  
10 be comment, this is the only opportunity really  
11 where the AP members in a public way where we can  
12 sort of straddle the cross of interest in here,  
13 and then the next thing that happens we have a  
14 proposed rule.

15 MR. BROOKS: Yes. No, Scott; that's  
16 appropriate for you to comment. I was just  
17 trying to clarify. It wasn't one of the options  
18 that was put out there; it came up in public  
19 comment.

20 MR. TAYLOR: The consensus in the  
21 industry is that by removing the weak hook

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1 restriction, that we'll be able to increase  
2 swordfish production during several months down  
3 there in the Gulf of Mexico without there being  
4 any additional bluefin interaction.

5 MR. BROOKS: Okay, so since we mostly  
6 started on weak hook, I still would like us to  
7 stay focused on one topic at a time. So let me  
8 ask for folks who would like to comment on weak  
9 hook. And then we'll double back. But weak  
10 hook. George, you were next; do you want to  
11 comment on weak hook?

12 Okay, Katie? Marty, please.

13 MR. SCANLON: Well, first of all, the  
14 President has issued an executive order for the  
15 agency to eliminate the redundancy in these  
16 regulations. Through the A7 process the industry  
17 has asked for several different things to help us  
18 reduce our interactions and to help us. The only  
19 thing that the agency gave us to avoid bluefin  
20 interaction was an IBQ system. And then we look  
21 at these type of things here and the weak hook,

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1 the IBQ, if you go to use the weak hook to  
2 eliminate bluefin, to avoid and eliminate the  
3 interaction with bluefin tuna fish, the IBQ makes  
4 that redundant. It shouldn't even be -- that's  
5 the only tool that you gave the industry to solve  
6 our problems, that if you're going to have us use  
7 that, than let us use it. Then eliminate these  
8 other regulations. That's the tool we have to  
9 use, that's the tool we will use. That's the  
10 tool we are using. So what seems to be the  
11 problem here?

12 MR. BROOKS: Thanks, Marty. Does  
13 anybody else want to weigh in on weak hook? Tim?

14 MR. PICKETT: I just kind of want to  
15 reiterate one thing that I said about the last  
16 meeting regarding the weak hooks that there is -  
17 - the original weak hook study and the original  
18 weak hook whole program that came after the  
19 Deepwater Horizon spill and stuff like that with  
20 the extra focus on the bluefins in the Gulf, all  
21 of that research was done in the northern Gulf

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1 with the tuna fishery in the northern Gulf. That  
2 doesn't target swordfish and it's a completely  
3 separate fishery than the fishery we have that  
4 fishes out of south Florida in the Gulf for  
5 swordfish. And it was made as an encompassing  
6 regulation for everybody in the Gulf of Mexico.  
7 So you need to note that there are kind of more  
8 or less two distinct fisheries in the Gulf of  
9 Mexico, in that the regulation and the timing of  
10 the regulation, especially the extra --  
11 eliminating the weak hook for six months after  
12 June, it may help but it doesn't really help the  
13 fishery that swordfish was out of south Florida  
14 during that late winter/spring time period. So  
15 I think it needs to be noted that the original  
16 regulation with the weak hook was never a good  
17 solution for the whole Gulf of Mexico; it might  
18 have worked and the data that was collected might  
19 have said it was okay for that tuna fishery in  
20 the northern part of the Gulf, but certainly if  
21 you talk to any of the fishermen that fish out of

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1 the southern part of the Gulf, sword fishing and  
2 mixed fishing, it doesn't work for them.

3 And just to reiterate that the weak  
4 hook is a belt and suspenders with A7. We have  
5 cameras, there's individual -- it's a belt and  
6 suspenders and elastic waistband at this point.  
7 So just to reiterate. I had said that in the  
8 spring and just wanted to say it again.

9 MR. BROOKS: Thanks, Tim. Is there  
10 anyone else with a card up that wants to jump in  
11 on weak hooks or anyone else?

12 If not, it sounds like the feedback  
13 there is a pretty clear preference, at least for  
14 those who have spoken, to eliminate the weak  
15 hooks, that you got A7 in place -- I'll get you  
16 Grant -- you've got A7 in place, it's redundant,  
17 there's an executive order to take a look and  
18 eliminate redundancies and it doesn't make sense  
19 for south Florida as well. Grant?

20 MR. GALLAND: Yes, sorry to get up  
21 late there. I did have one comment on weak

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1        hooks; just to reiterate something that we put in  
2        our letter during the comment period to NMFS  
3        which was co-signed by The Pew Charitable Trusts  
4        and The Ocean Foundation. And just to recall  
5        that I'm here as a proxy for Shana Miller from  
6        TOF this week, and that's that we can support a  
7        reduction of the weak hooks in the Gulf of Mexico  
8        from a full year to a six-month period, January  
9        to June, but not all the way from March to June,  
10       and that's because the March to June time period  
11       doesn't seem to cover enough of the bluefin catch  
12       in the Gulf of Mexico. So just wanted to  
13       reiterate that from our letter. Thank you.

14                    MR. BROOKS: Thanks very much, Grant.  
15       At this point, Jeff, your card went back up.  
16       That's for area-based, right?

17                    MR. ODEN: Well, I'd like to  
18       complement Marty's comment on it is kind of  
19       redundant in our area. IBQ's doing its job -- and  
20       that's enough said on that. But I would also  
21       like to complement something that Scott Taylor

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1 had to say, and we are an endangered species.  
2 There are two other vessels -- what are we at  
3 right now as far as active vessels? You got any  
4 idea?

5 MR. McHALE: Yes, I think 85-86  
6 vessels.

7 MR. ODEN: Well, it's going to be 84  
8 then at the very most. There are two more and  
9 they're both very substantial players, or were,  
10 and one of those was the big player in our area  
11 and another one, the Dakota which is up for sale  
12 and may end up staying in the States, but in all  
13 likelihood with the present climate it'll be  
14 going out of the country to find tuna, is going  
15 to Barbados. So just a steady decline.

16 MR. BROOKS: Thanks, Jeff. Let's  
17 have some comments on the area-based pieces.  
18 George, and then over to Katie, and then Marty.

19 MR. PURMONT: Thank you. Under the  
20 Antiquities Act the previous administration set  
21 aside a large block of ocean called the

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1 monuments, which may or may not be reconsidered.  
2 How does that play into your view of restricted  
3 area, and do you know any updates?

4 MR. McHALE: Unfortunately, I don't  
5 have any updates regarding the status of the  
6 monument, whether it'll be reconsidered on  
7 allowable activities or concentration of area  
8 coverage or flat-out elimination. We'll be  
9 anxious to wait and see if the White House  
10 provides any of that information.

11 As it relates to how the monument came  
12 about versus this deliberative process around the  
13 room, I'll prefer the deliberative process. It  
14 actually gets the direct input from those that  
15 are directly impacted. But as we're kind of  
16 going through our process, we don't necessarily  
17 take in the monument, other than area lost for  
18 fishing opportunities. We're not factoring that  
19 in, like, well that area exists, therefore we're  
20 going to eliminate this one. We're almost  
21 looking at the areas that we implemented, the

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1 reasons why we implemented and whether or not  
2 those reasons still exist given the changes that  
3 have transpired over the last 20 years.

4 Thanks.

5 MR. BROOKS: That's helpful. Katie?

6 MS. WESTFALL: Thank you, Craig, for  
7 your presentation. Just a question about  
8 scoping; Brad, I was really heartened to hear  
9 about the Issues and Options Paper coming out  
10 prioritizing data collection in the closed areas.  
11 And I'm curious why this proposed rule didn't  
12 take a similar approach in looking at what you  
13 called the "collective management" and looking at  
14 the broad suite of closed areas, including those,  
15 you know, closed for species that are now  
16 recovered, namely the swordfish areas?

17 MR. COCKRELL: Yeah. No, thanks,  
18 Katie. Yes, so basically what we wanted to do  
19 with this rulemaking was look at those areas that  
20 related areas and gear measures that were related  
21 to bluefin and how they relate to the IBQ program,

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1       you know, see what kind of flexibility we can  
2       provide there, whereas those areas are set up for  
3       other bycatch species, juvenile swords, turtles.  
4       So that's why we're taking a different approach  
5       with that.

6                   MR. McHALE:    So Katie, to build off  
7       exactly what Craig said; the interest of why this  
8       area, weak hooks bluefin, Amendment 7 bluefin.  
9       So there's that direct correlation versus those  
10      other areas.    But we also consider that the  
11      deliberations and the considerations that we  
12      would take as part of this exercise will also  
13      help influence what problems would either  
14      anticipate or what techniques may be more viable  
15      as we look at more comprehensive approach to  
16      closed areas in general.

17                   MS. WESTFALL:   My second question is  
18      there's been some really exciting work in the  
19      West Coast swordfish fishery with the EcoCast  
20      tool which basically takes fisheries independent  
21      and dependent data and couples it with

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1 environmental data to predict presence and  
2 absence of target bycatch species, and it's  
3 really a tool designed for both the fishermen on  
4 the water and fisheries managers. And I'm  
5 curious if there's any interest in HMS, the  
6 Atlantic and Gulf, to develop a similar tool and  
7 to try to move towards kind of dynamic ocean  
8 management as opposed to these static closures?

9 MR. MCHALE: There's always the  
10 interest, but I think we'd like to see that effort  
11 proceed a little but further before we kinda jump  
12 right on board with that, but we are keeping tabs  
13 on it because ultimately I think that's where we  
14 go in the grand scheme, individual  
15 accountability, real-time information,  
16 adaptability, but I'm not quite sure we're at a  
17 point on the Atlantic side to jump right into  
18 that versus some of the other irons we have in  
19 the fire. But not oblivious to it.

20 MR. BROOKS: Anything else, Katie?

21 Okay, Marty, Scott and then David.

1                   MR. SCANLON: Well, first of all,  
2 Bluewater is not in support of completely  
3 eliminating the GRA in the Gulf of Mexico and  
4 eliminating the weak hooks within the GRA's in  
5 the Gulf of Mexico. We're against that. But we  
6 do want -- we do feel that we deserve to have  
7 access in the Gulf of Mexico and into these other  
8 areas, at times in areas where there are little  
9 to no bluefin interactions. Like I said before,  
10 on the A7 the only tool the agency gave the  
11 industry to avoid bluefin interactions was the  
12 IBQ system. That's it. Everything else we asked  
13 for, everything else we requested was ignored.  
14 So to us with the redundancy issue, executive  
15 order, you know, if that's the tool that you've  
16 given us, that's the only tool that you've given  
17 us, then let us use that tool. Open these areas  
18 up and let us do our business, and we'll be judged  
19 accordingly. We have the EMS units on the boat,  
20 we're under complete 100 percent surveillance.  
21 So that's where we stand on it. There should be

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1 no closed areas.

2 MR. BROOKS: Thanks, Marty. Scott?

3 MR. TAYLOR: Me and Marty are just  
4 going to keep pounding this dead horse. But  
5 again, I just want to reiterate regardless of  
6 whether of the weak hooks or whether we're  
7 talking about area, it boggles my mind that we're  
8 still talking about more restrictive time or area  
9 closures in terms of talking about bluefins,  
10 because bluefins are not our directed fishery.  
11 This is restrictions for the PLL fleet; our  
12 fishery is a swordfish fishery. And you've  
13 already got all the mechanism in place that you  
14 need to hold us to an individual level of  
15 accountability. We don't figure out a way to get  
16 rid of some of this time area closure stuff, I  
17 can tell you another 13 boats that are leaving.  
18 Okay, it's not just the one. And they're all  
19 going down to the same area, which is inundating  
20 the product here into the U.S. coming through  
21 Trinidad and coming through the southern part of

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1 the Caribbean. Okay? The only thing that we're  
2 doing is giving license to people that have no  
3 regulatory oversight; that's the fact of the  
4 matter. You guys are not accomplishing -- or  
5 we're not accomplishing what we need to  
6 accomplish, is to reward the effort, the big  
7 importers in this country are not selling a pound  
8 of fish less; they're selling everything more  
9 that's coming in from every part of the world  
10 that this fleet is not catching.

11 The consumer is not hurting for any  
12 product here; it's just coming in from other  
13 places. We are the example. We've gone -- I've  
14 been here for ten years at this panel now in one  
15 capacity or another, and in ten years I've seen  
16 nothing, nothing in the regulations that has  
17 helped this fleet. My time is about done; I  
18 really don't think that I can make a whole lot  
19 more contribution here. I mean, that's really  
20 the way that I feel because it falls on deaf ears;  
21 it appears to me that there's a real agenda here.

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1 I mean, that we all hear about what's going on in  
2 here; you don't take a pelagic species and manage  
3 it with time area.

4 There was a comment that was made to  
5 me and I'll say who it was in the agency when I  
6 got a phone call here recently a couple of weeks  
7 ago about the disaster that was up there on the  
8 Ground Banks this year for us. And the comment  
9 was well, we've understood there was a lot of  
10 cold water and the water's not where it needs to  
11 be. Hello. Hello. You can't argue it both  
12 ways. We've destroyed the ability of this fleet  
13 to be able to fish; there's nothing left that's  
14 open. And we're still talking about time area  
15 closures and restrictions for bluefin in a  
16 swordfish fishery. I really hope that it's not  
17 too late and somebody wakes up and decides  
18 whether or not the way to manage this fishery is  
19 based upon common sense rather than political  
20 directive.

21 Another comment that was made to me

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1 here very recently in a meeting that took place  
2 about trying to get some relief here for the fleet  
3 was what can we politically manage to get  
4 through. Well, I got news for you, for those of  
5 you that are on the commercial end, you're never  
6 going to get it politically through. There's 60  
7 or 70 boats and a couple of hundred people that  
8 are engaged in a fishery that has millions and  
9 millions of dollars lined up against it whether  
10 it's CCA or a specific recreational interest or  
11 other special interests that are out there that  
12 have nothing to do with common sense. When we  
13 go to muster in these meetings that we are not in  
14 the minority, we're non-existent, so we have to  
15 rely upon the agency to do the right thing, not  
16 the politically correct thing. As Brad told us  
17 in the beginning that the EFP in Florida that I  
18 worked on four years was declined for some  
19 obscure technicality because Guy Harvey walked  
20 into Nova Southeast and made a big stink about  
21 what it was. This wasn't a loss for Dayboat

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1 Seafood; this was a loss for the U.S. fleet and  
2 science. Here is what the agency has been  
3 talking about for ten years, private sector  
4 supporting agency designed science. And you know  
5 what we got; we got a goose egg and another five  
6 years of trying to figure out how we're going to  
7 get the science to do something that's  
8 meaningful.

9           You know, I'm getting too old for  
10 this. The reality is that you guys need to hear  
11 this from me; the crews are not surviving on these  
12 boats. We are turning in trips consistently that  
13 are upside down, not because we can't catch the  
14 fish but because we can't fish where the fish  
15 are. A boat comes in, more money and expenses  
16 than it's generating. The crew needs to eat,  
17 he's got a family, he's got crew -- people like  
18 Gene, people like myself, a handful of people  
19 that are left that are supporting the U.S.  
20 fleets, we're lending crew and personnel money to  
21 get them through in the hope that this agency is

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1 going to do something that makes some common  
2 sense. And all we do is continue to come here  
3 and talk about time area closures, additional  
4 time area closures. I'm sorry but if I sound  
5 frustrated, but I'm beyond that, and I'm not  
6 going to see an industry that I've devoted 45  
7 years of my time and life to pissed down the drain  
8 over what's politically correct.

9 MR. BROOKS: Thanks, Scott. Let me  
10 bring in David, David Kerstetter and then to  
11 Grant.

12 MR. SCHALIT: I don't think Amendment  
13 7 was about individual accountability; I think  
14 Amendment 7 came into being as a result of ICCAT  
15 10-04, if I'm not mistaken, which required every  
16 CPC to account for all forms of mortality on  
17 bluefin tuna. That's why Amendment 7 was  
18 created. Just wanted to clarify; I'm just  
19 saying.

20 Now, let's keep in mind that there are  
21 certain other important events that had taken

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1 place during this time, actually, going back to  
2 1995 which had negatively impacted the pelagic  
3 longline fishery. I circulated -- I collected  
4 the data on landings of bigeye and albacore and  
5 yellowfin tuna going back to 1995 and segmented  
6 that data by gear type. And -- well, I shared  
7 that with the ICCAT Advisory Committee, but I can  
8 tell you what it looks like -- from 1995 to now  
9 the landings by pelagic longline of yellowfin and  
10 of bigeye have been in steady decline. It's that  
11 simple; it's just that it goes down. And we know  
12 now today, we know very well right now, we're on  
13 the edge of a huge -- what's going to take place  
14 in November on bigeye is not going to be pretty  
15 at ICCAT; it's going to be a bloodbath, I'm sure.  
16 And so we are all together here on this issue on  
17 bigeye and yellowfin and the data it clearly  
18 indicates that bigeye and yellowfin are an  
19 important component to the profitability of the  
20 pelagic longline fleet. We're not just talking  
21 only about bluefin here; when we talk about what

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1 has taken place with pelagic longline, we have to  
2 include that in the picture.

3 And I think -- the other thing is that  
4 -- one of the comments I wanted to make is  
5 question the issue of IBQs -- IBQs is one tool of  
6 a suite of tools that was created in Amendment 7.  
7 Okay? It's a good tool, but one of the things  
8 that IBQ does not address is the spatial and  
9 temporal dimension, which is the reason why we  
10 have this area-based management. In other words,  
11 IBQs will not prevent a concentration of fishing  
12 effort in a specific area let's say; IBQs don't  
13 do that, they're not intended to do that. So  
14 when we speak about these tools, we have to  
15 consider that each of them has its own  
16 attributes. In some cases they overlap. Now,  
17 but what it brings up is the issue -- actually,  
18 my view, the whole thing pivots on what you  
19 consider to be a targeted catch or bycatch, when  
20 are we targeting fish and when are we just  
21 catching them as bycatch.

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1                   That's it. Thanks very much.

2                   MR. McHALE: I just want to jump in  
3 here real quick just to clarify some things. So  
4 although individual accountability wasn't the  
5 goal going into Amendment 7, it was the outcome.  
6 If you recall, we had significant dead discards,  
7 some predominating on the regulations at the time  
8 that impacted the longline fleet. David, you're  
9 also correct that 10-04 making sure that all  
10 sources of mortality are accounted for; hence why  
11 the handgear reporting requirements and the  
12 compliance with some of that, that we talked  
13 about earlier, not just landings but also dead  
14 discards the two of you touched on. So there  
15 were a number of things wrapped up in Amendment  
16 7, but I don't want to lose sight that the  
17 individual accountability was how we finalized  
18 addressing some of what we were observing as a  
19 fleet-wide dynamic management tool going into  
20 that, and again regulations that were triggering  
21 a lot of regulatory dead discards of purely

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1 marketable fish.

2           And your observation there, David, is  
3 you're correct that the IBQ when it comes to  
4 spatial management aren't necessarily, it's not  
5 specifically designed but the behaviors that go  
6 along with accountability do get some measures  
7 that if you go in an area that has a high  
8 concentration, the captain has the decision can  
9 I incur that risk or not, but at least they're  
10 not outed out of an area in general. And then,  
11 Scott, I genuinely do appreciate your feedback  
12 and have for the longest time. And I understand  
13 that you're seeing some of the information that  
14 we're presenting here that's painting one end of  
15 the spectrum of potential options that we've  
16 heard from the public, but I would just ask you  
17 to try to look at the other end of the spectrum  
18 as well. A lot of these options are looking at  
19 flat-out removals and gaining access to areas  
20 that has not fallen on deaf ears. And I know  
21 that we've talked around this room that it was in

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1 Amendment 7 as a preferred alternative; again,  
2 unsuccessful to get it across the finish line was  
3 to do just that, observers on board, cameras on  
4 board, access to closed areas. So that still is  
5 not lost; we just have not been successful to  
6 date to make that happen. That doesn't mean we  
7 haven't stopped trying.

8 MR. BROOKS: Thanks, Brian. David  
9 Kerstetter?

10 MR. KERSTETTER: Thanks. I do  
11 appreciate the efforts that, Brad, you and the  
12 agency are making. Scott made actually a lot of  
13 my points for me, so this is going to be a briefer  
14 intervention than I originally intended. But I  
15 think people really are around the table losing  
16 sight of the fleet and the status that it's in  
17 right now. I'm not going to defend my president  
18 and what it did and how that whole time area  
19 closure project turned out, but it did occur to  
20 me as I was looking at the presentation that  
21 you're planning on going and doing research to

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1 evaluate these closed areas going forward. So I  
2 just want to in a larger sense make it very clear  
3 that we have not decided as a group whether we  
4 want a longline fishery to exist; that's really  
5 what it comes down to. I think that there are  
6 people out here that would be very happy if it  
7 just disappeared. And if that's really people's  
8 opinion, then I would like to hear that and not  
9 have runarounds, like what happened with our time  
10 area closure project in Florida.

11 On a final note, I will also echo what  
12 Scott was saying, that I'm doing work right now  
13 with the longline fishery in Grenada, we're going  
14 to be doing it in Barbados. They're ecstatic  
15 with what's going on up here; they're looking at  
16 our market and salivating. So again, as a larger  
17 perspective, our fleet is so small it's  
18 unsubstantial, but we need to decide as a group  
19 whether we want to have it at all.

20 Thank you.

21 MR. BROOKS: Thanks, David. Grant?

22

1                   MR. GALLAND: Thanks, Bennett. And I  
2 think I'll just respond right away to that last  
3 comment and say even as an environmental member  
4 of the group here, I would not like to see the  
5 pelagic longline fishery disappear. So that's  
6 just a quick answer to that. But I also wanted  
7 just to acknowledge that there is some debate  
8 about area-based management for highly migratory  
9 species, of course. Recently there has been a  
10 little bit more evidence that that might be a  
11 useful tool in limited instances; for example,  
12 some research from the Galapagos and the  
13 Revillagigedo Islands both in Eastern Pacific, an  
14 admittedly different system, has supported  
15 benefits of area-based management for yellowfin  
16 tuna. But another example that has been clear  
17 and not really up for scientific debate is the  
18 use of that tool in spawning grounds, and in the  
19 case of the Gulf of Mexico that's relatively  
20 limited spawning ground where the bluefin can be  
21 afforded that additional protection beyond the

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1 weak hook protections that were discussed  
2 earlier. So just wanted to reiterate that and  
3 look forward to the conversation moving forward.  
4 Thank you.

5 MR. BROOKS: Thanks, Grant. Scott?

6 MR. TAYLOR: Yes, I just wanted to  
7 quickly address a couple of the issues regarding  
8 your comment about the tunas in terms of the --  
9 and how that connects with the area-based  
10 management. And that it doesn't surprise me that  
11 you're going to see bigeye and yellowfin numbers  
12 declining, but you also have substantial  
13 declining in effort that's been going on in the  
14 general trend. Last year the boats that were  
15 engaged in the northeast probably saw some of the  
16 best bigeye fishing that we've seen in a long  
17 time. The recreational sector has been seeing  
18 some tremendous bigeye fishing here. I'm not  
19 going to get into a debate about stock mixing  
20 because we were wrong about the bluefin tuna, and  
21 I suspect we're probably wrong about bigeye and

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1 yellowfin to a certain extent about the Gulf of  
2 Guinea. But I do have a problem with is that  
3 I've had the opportunity to travel and I've been  
4 involved with the fisheries and been approached  
5 to move my fleet down into the Caribbean area.  
6 I was talking to Brad about 27 IUU boats that  
7 were fishing down there, shipping a million  
8 pounds of product a month through Trinidad and  
9 Guyana down there. That kind of pales in  
10 consideration when we're talking about what this  
11 fleet is doing here.

12 And you can't keep -- if you want to  
13 have a longline fleet, which Dave has so  
14 poignantly asked the question that everybody kind  
15 of dances around -- you can't hold the U.S.  
16 responsible for everybody else's action. I  
17 understand there are things that we're obligated  
18 to do as a member of ICCAT, and I'm not debating  
19 those particular things, but the fact of the  
20 matter is that because of the loss of bottom and  
21 the difference between the tuna fishery and the

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1 swordfish fishery is if you're not fishing on the  
2 rocks, you're not catching swordfish. It's a  
3 simple way for me to put it for you, okay. The  
4 tuna fishery is somewhat different, so when you  
5 lose the continental shelf, when you lose these  
6 areas where the swordfish are going to congregate  
7 on, you lose the ability to catch the fish. And  
8 that's what's happening to the fleet. So as time  
9 has gone by and the fleet continues to have some  
10 attrition, it's having a two-fold effect; one,  
11 you have generally less effort; and secondly, the  
12 effort has shifted. So you're trying to compare  
13 apples and oranges; it's not a fair analogy.

14 I would say my boats right now catch  
15 more tunas than we've ever caught because I can't  
16 swordfish, so that's what I've got the guys doing  
17 to the best of our abilities. It's not enough,  
18 but when you're trying to put food on the table  
19 and keep a business surviving, you do what is  
20 necessary to be able to do. There is an inherent  
21 problem here that -- and Brad, I want to

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1 acknowledge that I don't think that the failure  
2 of the ability to push the EFP through was an  
3 agency failure, okay. Four years ago I  
4 approached Margo for the first time to try to  
5 figure out how that we could start to get the  
6 science to look at a mechanism that should have  
7 been put in place when the areas were closed in  
8 the first place. We knew it was going to be a  
9 tough political challenge, okay, that it's just  
10 a tremendous loss and setback in time in an  
11 industry that doesn't have the time to reset at  
12 this point. And so that somehow you've got to  
13 figure out how the agency can politically  
14 maneuver that landscape, whether it's you,  
15 whether it's your predecessor, and quickly,  
16 because the time has gone by. If you see  
17 additional restrictions coming out of ICCAT for  
18 those other species in the very near future or  
19 things -- you can only whittle away so long and  
20 then the economics are not there.

21

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1                   And this is my final comment before we  
2                   go to break and lunch about, that I think is  
3                   relevant about sustainability; things are only  
4                   sustainable not simply because of whether or not  
5                   the stock is healthy, but if they're not  
6                   economically viable and they're not socially  
7                   viable -- and what I mean by socially viable is  
8                   the crew that's out there earning a hard, clean  
9                   living, can't come in and maintain a family, take  
10                  care of their home, be a productive member of  
11                  society, then it's socially not viable. We  
12                  should be ashamed of ourselves for what we've  
13                  done here; we really should be because to tout  
14                  the fact that this fishery is a sustainable  
15                  fishery, it's a joke. It really is a joke; it  
16                  is not economically viable now, it is not  
17                  socially viable now. The stock may be in great  
18                  shape -- we preserved it for everybody else, but  
19                  for us, and everybody else is bearing the  
20                  economic benefit of it other than us, and we're  
21                  the ones that have made the sacrifice. There's

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1       some tough decisions that need to be made here,  
2       but if there's anything that I get out of this,  
3       is that we come together as a group and really  
4       understand the dynamic of what's happening here  
5       and to protect a resource that I love as much as  
6       anybody else does that's out there,  
7       environmental, recreational, because I've  
8       straddled all segments of that. Because best way  
9       that we affect change is by setting the example  
10       and protecting our marketplace from those that  
11       want to have easy access to it.

12                       By the way --

13                       MR. BROOKS: Scott, Scott?

14                       MR. TAYLOR: I got to finish up. By  
15       the way, those 27 IUU vessels, they're unloading  
16       their fresh tunas in Trinidad and shipping them  
17       into the Miami market. That's what I got to  
18       compete against.

19                       MR. BROOKS: We are into your lunch  
20       hour, but there are three people who want to make  
21       comments. I want to give them a chance. I've

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1 got Jason, Marty and Pat.

2 MR. SCHRATWIESER: I don't want to get  
3 into people's lunch, so I'll be quick. Believe  
4 or not, Scott, I'm sympathetic to a lot of the  
5 things you're saying here and I'm certainly not  
6 coming at this from an anti-longline perspective,  
7 but in regard to the Gulf of Mexico gear  
8 restricted area, it's working exceedingly well;  
9 the amount of incidents of bycatch mortality have  
10 gone down. And I don't think we're anywhere near  
11 where we want to be in terms of being, getting  
12 the stock rebuilt to start monkeying in an area  
13 where these things are going to spawn.

14 So I'll leave it at that.

15 MR. BROOKS: Thanks, Jason. Pat, you  
16 haven't had a chance to -- you'll pass. Okay,  
17 Marty?

18 MR. SCANLON: Well, one question I  
19 have is what was the actual number of active  
20 vessels at the time of the Charleston Bump area  
21 closure? I believe it was somewhere in the 400

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1 to anywhere around 450, 435, to about 485, and  
2 I'd like to hear that number. But now we're down  
3 to 85 vessels and as you've heard from several  
4 guys here, each one of us could name one or two  
5 boats that are probably not going to be here next  
6 year. So we're down and we're operating at about  
7 20 percent of capacity of what we were at the  
8 time that these area closures started to be  
9 implemented. So that's what we've dwindled the  
10 fleet down to what existed today. To think that  
11 those 20 percent of the vessels are going to be  
12 able to maintain our quota is ridiculous. David  
13 over here referred to the IBQ; well, the IBQ is  
14 the only tool that we've got to use through A7 to  
15 avoid these bluefin tuna interactions. The fact  
16 of the matter is that communication protocol is  
17 the number one tool that we use to avoid any  
18 unwanted interaction by the fleet, starting with  
19 the Pelagic Longline Take Reduction Team and it's  
20 been implemented in every regulatory action since  
21 then. And the tool that we need to use to

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1 implement that is the ability to move, to avoid  
2 our unwanted interactions. And the time area  
3 closures hinder us from accomplishing that.  
4 Anyone can say what they want -- there are times  
5 and areas where we don't want to be there.

6  
7 We acknowledge that fact, but let us  
8 make that choice. The IBQ forces us to make that  
9 choice, it's the only two you gave us to make  
10 that choice, so let us do our job. We've proven  
11 through the A7 review process that we're capable  
12 of doing that job, so why aren't you allowing us  
13 to do our job? We keep talking, there's a  
14 punchline; "Oh, revitalization.  
15 Revitalization." I just went to a mako shark  
16 thing; we just got a thing there, that regulation  
17 is going to have to be in place by March 2nd. We  
18 could speed it right up and put that out there  
19 ahead of what the ICCAT final rule is going to be  
20 that's going to be ready and go. How come we  
21 can't find -- we've been talking revitalization

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1 for the past five, six years here -- how can we  
2 not get one thing done here that could help us  
3 revitalize this fishery? We know what the state  
4 of the fact is; we come here every year and we  
5 tell you do you like to hear us cry, do you want  
6 to see a grown man sit here and bring our families  
7 in here? The missed opportunities on education  
8 to these people. It's become a not in my  
9 backyard mentality of regulatory processes what  
10 we're in here; that's what the political issue is  
11 in here. It's an ugly issue; it's an issue  
12 that's existed in this country for 200 years, and  
13 it's festering itself and it's showing its rear  
14 and its ugly head right here at this table here.

15 Not in my backyard. We don't want you  
16 fishing in our neighborhood. We don't want you  
17 living in our neighborhood. We don't want your  
18 families here. You're not good enough to be  
19 here. This is only for us. And that's what  
20 we're dealing with here; that's why we're at 20  
21 percent capacity in the fleet. So that's the

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1 question you got to ask yourself; do I want to be  
2 on that side of political question, am I that  
3 type of person, do I go through life telling  
4 people where and when they're allowed to live or  
5 what they're allowed to do for a living, or where  
6 they're allowed to go to church, or what  
7 nationality they are. I'm a commercial  
8 swordfishermen; that's what I do for a living.  
9 It's not a crime to do that, but people here  
10 politically make that to be a crime.

11 MR. BROOKS: Pat?

12

13 MR. AUGUSTINE: Yeah, I think to wrap  
14 it all up, we've heard a lot of emotion around  
15 the table. We have people that are losing their  
16 livelihoods above and beyond what we've lost in  
17 the past and going to continue, but where is the  
18 Department of Commerce representative here who  
19 would hear this from the people who are being  
20 affected? They're not here; they're sitting in  
21 an office somewhere down the street. So maybe

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1 someone in our staff should call down to that  
2 office that rejected that EFP and have him come  
3 in and sit here the next day or two, particularly  
4 when we get into shortfin mako. It just seems  
5 to me easy to sit at a desk behind a glass wall  
6 and make decisions that affect people that you  
7 don't know. In fact, part of the economy you  
8 have no idea about. Because they're going to go  
9 buy their swordfish dinner that came in from  
10 wherever -- as Scott said, being brought in from  
11 Trinidad, in our backyard landed in Miami. But  
12 I think the onus is on that department. We see  
13 all the anger and angst around this table, we saw  
14 the scientific experience and research going on  
15 from people around this table who are experts in  
16 the field and the country presenting their  
17 information, pouring their hearts out with a  
18 staff that presents it well, and we get shot down  
19 politically. It sucks. But where's that  
20 department, where's their representative?

21 And I think that's the question that

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1 has to be asked; where is the representative from  
2 the Department of Commerce to listen to what's  
3 really going on in our country? You guys know  
4 how much import is coming into the country in  
5 seafood; what are we over 90 percent now? The  
6 fleet is getting smaller and smaller, smaller and  
7 smaller. And by the way, after shortfin mako  
8 ends up being beat up real good, then it's going  
9 to be the thresher sharks which are now being  
10 taken. The fishermen who are trying to measure  
11 an 81-inch shark, 83-inch shark alongside the  
12 boat. And by the way, those that don't know the  
13 difference between a male and a female, they have  
14 twin 50-caliber machine guns hanging off the  
15 bottom of their belly, that's what males have.  
16 If you could recognize the difference between a  
17 male and a female, then you didn't know what a  
18 shark is.

19 So I guess my point is simple; we have  
20 these meetings that's gotten us upset every year.  
21 This was almost my last meeting, and this time I

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1       meant it, only because we're spinning our wheels.  
2       We make recommendations, the group around here  
3       does a great job, the staff does a terrific job  
4       of identifying those and putting them forth on  
5       the record. But what happens? Where is the  
6       research going to come from? How are you going  
7       to calibrate the next method of coming up in  
8       evaluation of swordfish stock? How are we going  
9       to do it? You've already went through an  
10      iteration how many years now -- you got to a point  
11      in time where you had a survey that got shot down  
12      by two political elements. So the point is I  
13      think we need to invite someone from the  
14      Department of Commerce, somebody has to be aware  
15      of the fact this is what it takes on this end to  
16      get the job done. We're doing our job, they have  
17      to do their job.

18                     Thank you.

19                     MR. BROOKS: Thanks, Pat. Anyone to  
20      my left care to make any closing remarks?

21                     MR. McHALE: I guess that comes with

1 this title. I don't have a good answer to your  
2 questions. I wish I did. We listen, we do our  
3 damndest. We definitely take deep what you  
4 have; sometimes we run with it more than others,  
5 sometimes we can run with it more than others.  
6 But there are definitely forces that we bump up  
7 against that we don't have direct control over,  
8 and those are the forces that pose the largest  
9 challenges to overcome, and whether it's  
10 political, whether it's imports, whether it's  
11 international trade, whether it's social  
12 dynamics, whatever the case may be, those are  
13 tough; a challenge to overcome.

14 But at a bare minimum all I can offer  
15 is that we're not letting these issues fall by  
16 the wayside, like oh that didn't work, hands up,  
17 we're just going to let it die. Because we  
18 genuinely care, not that we're just dumbass,  
19 stubborn fools running into brick walls and  
20 really enjoy that. I mean, they move a quarter  
21 inch every 10th or 12th day.

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1           So I appreciate the unfiltered  
2 feedback. We'll continue to listen and continue  
3 to try to demonstrate ways to navigate waters as  
4 they present themselves before us. And hope to  
5 be successful in having more comprehensive ways  
6 of managing it, and trying to do it  
7 expeditiously, knowing that time is short. And  
8 seeing the trends in catch, seeing the trends in  
9 vessels, seeing the trends in captains. You  
10 know, so although I don't have good answers for  
11 here in the now of how to fix it, that doesn't  
12 mean I won't, as well as the division won't  
13 continue to explore those with the urgency that  
14 we continue to hear around the table.

15           So on that uplifting note, why don't  
16 we break for lunch?

17           MR. BROOKS: Yes, let's break for  
18 lunch. We'll be back at 1:30 sharp. Again, Sam  
19 Rauch will be here to make some remarks and take  
20 whatever questions you have for him.

21           Thanks.



1                   (Whereupon, the above-entitled matter  
2           went off the record at 12:16 p.m. and resumed at  
3           1:33 p.m.)

4                   MR. BROOKS: All right. So, we want  
5           to jump into the program for this afternoon.  
6           Before I do that, just one thing to note, which  
7           Rusty pointed out, for anyone who hasn't signed  
8           in yet, you should go into the backroom and make  
9           sure you initial the sheet just so the Agency has  
10          a good record of who was here.

11                   As promised, we have Sam Rauch here,  
12          who is NOAA Fisheries' Deputy Assistant  
13          Administrator for Regulatory Programs, among  
14          other things.

15                   And we've got Sam for about 40-45  
16          minutes, and I think he's got some remarks for  
17          us, but I suspect we'll mostly want to just engage  
18          in a little bit of a Q and A.

19                   So, Sam, it's all yours.

20                   MR. RAUCH: All right. Thank you.

21                   For those of you who I have not met,

1 and I have met many of you ■-

2 (Comments off the record.)

3 MR. RAUCH: All right. For those of  
4 you who I have not met, I am Sam Rauch. I'm the  
5 deputy director ■- one of the deputy directors of  
6 the National Fisheries Service.

7 I am also ■- I have several other  
8 titles that I'm ■- temporarily, I'm the Acting  
9 Deputy Assistant Secretary for International  
10 Fisheries and the Tuna Commissioner for the  
11 Western and Central Pacific Fisheries Commission.

12 It's my pleasure to be here and talk  
13 and I'm going to say a few words. They told me  
14 the longer I speak here, the less questions I  
15 have to answer.

16 So, that's good, but I have a few  
17 things I'll say and then we will open up to  
18 questions. We should have a good 30 or so  
19 minutes to deal with questions.

20 And I want to express the regrets from  
21 Chris Oliver, who could not be here. He had

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1 another engagement.

2 At the outset, I wanted to thank you  
3 for taking the time out of your busy schedules to  
4 come here to provide us with advice and guidance  
5 on the Atlantic HMS Fishery.

6 I know that it takes it is a  
7 significant time commitment and effort commitment  
8 from all of you. It is very important to us.

9 It is one of the primary ways that we  
10 sort of gauge whether we're doing a good job or  
11 not and get input or not, and we could not do it  
12 without the time that you all spent in this very  
13 crowded room; so I do appreciate that.

14 And everything that we hear, good or  
15 bad, praise or criticism, it's helpful to us; and  
16 so I do appreciate the time that you take on that.  
17 I'm going to talk about a few things, and then  
18 we'll open it up for questions.

19 We continue to work under the  
20 Magnuson-Stevens Act, in general. I think our  
21 statistics continue to be good.

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1           For the last five or six years, we  
2           have either had near records or record number of  
3           landings and revenues from the landings, and the  
4           jobs associated with fishing activities are all  
5           very high.

6           At the same time, our records for  
7           overfished stocks and stocks since overfishing  
8           continue to be very low, so that's good.

9           And it does demonstrate that with  
10          sound management, you can achieve a great benefit  
11          economically/recreationally for the country  
12          while continuing to maintain good stewardship and  
13          sustainability.

14          This past two years we've been focused  
15          on regulatory reform issues on -- taking to the  
16          ground what we've already made in sustainability  
17          and making sure that we are not overregulating,  
18          that we achieve all the economic value we can,  
19          all the recreational value we can while still  
20          maintaining those sustainability goals, and I  
21          think we've been very successful at that.

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1           I understand that this group has had,  
2           or is going to have, some discussions about what  
3           else we might do to meet that and we very much  
4           look forward to those discussions and those  
5           recommendations.

6           In terms of the Magnuson Act, in  
7           general, as I'm sure you're aware, I don't know  
8           whether it's on your agenda or not, I can't  
9           recall, the House of Representatives did pass a  
10          revision to the Act.

11          The Senate has not officially taken  
12          that up yet. They may, they may not. They may  
13          introduce their own bill, they may do nothing.

14          If they don't do something soon,  
15          though, they'll run out of time in this Congress  
16          for action on the House bill, but that is out  
17          there and it does indicate a substantial interest  
18          from the Hill on comprehensive Magnuson Act.

19          And there's a number of other sort of  
20          legislative things that are here and there that  
21          are not quite the comprehensive bill that the

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1 House bill is, but that do deal with various  
2 aspects of what we are engaged in.

3 We are very interested in following  
4 all those things, but it is up to Congress to  
5 decide what ultimately to do with that.

6 In terms of HMS, you've got the  
7 agenda, you've got the overview. I'm looking  
8 very much forward to seeing how the review of the  
9 IBQ program is going.

10 Normally, this would be a review we do  
11 every five years, but they're accelerating it,  
12 trying to do it within three to get feedback from  
13 all of you as to whether or not it's working well  
14 or whether it needs to be changed, and, if so,  
15 how does it need to be changed, and I look forward  
16 to hearing about that.

17 I've always already heard, and I think  
18 will continue to hear, about the importance of  
19 trying to figure out a way to evaluate the  
20 effectiveness of time-area closures, what sort of  
21 research do we need, what sort of data do we have

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1 to evaluate on that?

2 It's no secret that Secretary of  
3 Commerce declined the EFP for that. That's good  
4 news for some, bad news for others, but that's  
5 what we did; but it just highlights the challenge  
6 that when we close an area, we need to think about  
7 are we closing it permanently forever or is it  
8 supposed to be temporary until some condition is  
9 met? And if so, how do we evaluate when that  
10 condition is met? What kind of data will go into  
11 that? What does that mean?

12 All of these things are presented by  
13 that case, and I appreciate the discussions that  
14 you had this morning on that and I think this is  
15 a discussion we'll continue to have over time.

16 As you are, no doubt, aware, we  
17 continue to work on the various ICCAT  
18 recommendations from 2017, which included  
19 increased quotas for western bluefin tuna and  
20 northern albacore tuna, and also dealing with the  
21 recommendations regarding shortfin mako.

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1           That was a fairly difficult process to  
2 go through, although I think working with this  
3 group was not the difficult part of it.

4           It was it's always difficult when you  
5 get news that the stock is not doing so well and  
6 we have to take quick emergency action we did.

7           I appreciated the input and advice  
8 that this group provided as we continued to work  
9 through that issue and to see how the measures  
10 that we put in place, how effective they will or  
11 won't be.

12           We are also continuing to work on  
13 electronic reporting, working with both the  
14 southeast and the EVTR system and the SAFIS eTrip  
15 program to try to get that reporting better, more  
16 comprehensive and quicker.

17           And finally, before I open up to  
18 questions, I would like to thank as you all know,  
19 Margo has been off doing other things temporarily  
20 and we've had a series of folks manning the  
21 vision, Randy Blankinship and Brad McHale, and I

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1 think they've both been doing a great job here  
2 and we look forward to that.

3 And at some point, Margo will come  
4 back, I'm not exactly sure when that is, but it  
5 will be soon, and then we'll go from there.

6 But with that, I'm happy to take any  
7 questions up until about 2:15, I guess. And if  
8 you can run the question session?

9 MR. BROOKS: Yes, we'll be glad to do  
10 that.

11 So, let's see. I definitely want  
12 folks to have an opportunity here to ask  
13 questions.

14 I will say, again, usually there's a  
15 number of folks who want to get in here and I  
16 really want to make sure people have a chance to  
17 do that.

18 So, if you can bound your comments and  
19 questions so Sam can answer and others will also  
20 have a chance, I would really appreciate it.

21 Dewey, we'll start with you.

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1 MR. HEMILRIGHT: Thank you.

2 My question has to do with the PSEs  
3 that come out of MRIP surveys or from the Agency  
4 on the different methodologies of what the  
5 catches are.

6 And my question would be - I know  
7 we've had this at the Council, we have people ask  
8 us different questions and SSC gives  
9 interpretation - at what point -- I understand  
10 the confidence levels of a high PSE means it's  
11 not very reliable, low PSE you more can, you know,  
12 more believable -- but at what point do you just  
13 throw it out and say, "We can't use this," or  
14 how do you smooth them high PSEs out to make them  
15 believable or usable or as best available?

16 Because what I see - what I see  
17 happening, is pretty soon we're going to get a  
18 PSE for mako sharks from North Carolina below  
19 that has to do with MRIP survey.

20 We got a large pelagic survey for the  
21 northeast even though it - from the northeast,

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1 and you got the MRIP survey from the southeast.

2 And so, if you have high PSEs that  
3 aren't believable - I guess I'm asking twofold  
4 questions.

5 What's the guidance of the PSE, when  
6 to use it and when not to use it, given it's so  
7 high and unpredictable or unreliable when nobody  
8 is sitting around the table, including SSCs,  
9 believe it or not? Thank you.

10 MR. RAUCH: So, I'm not sure that I  
11 can encapsulate the answer in that question.  
12 Plus, I will say that the specific answer to your  
13 question is beyond my capability to answer.

14 I do know that when we look at the  
15 recreational data in particular, there's a lot of  
16 recreational data that comes in that has a  
17 varying degree of certainty with it.

18 There have been occasions - I don't  
19 think that you can throw out the whole system,  
20 because then the question is, "Well, what do you  
21 have then?"

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1                   We have to regulate on something. And  
2           as uncertain as it is, unless there's an  
3           alternative, you have to use that. You can use  
4           it understanding the uncertainties and things  
5           like that.

6                   We have, in a number of other  
7           contexts, looked at data points that seemed  
8           unreasonable, like we had high catches when we  
9           know that there was a hurricane coming in or  
10          something like that because of the nature of the  
11          system.

12                   And the people who run MRIP do do -  
13          there is a criteria that they have for smoothing  
14          or for looking aberrant data points and taking  
15          them out or not relying on them when you've got  
16          a lot of data points to choose from.

17                   So, there's a process to do that. We  
18          can have them, at some point, come in and talk  
19          about how they do that.

20                   I'm not a statistician, so I do not  
21          know how they do that, but there is a process

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1 that they go through and decide when the data  
2 should be incorporated into the data set or when  
3 it is skewing it too much, and if so, how to  
4 smooth that, but I can't tell you what that point  
5 is off the top of my head.

6 MR. HEMILRIGHT: Thank you.

7 MR. McHALE: And actually, Dewey, to  
8 that point, we'll have a number of folks from the  
9 Office of Science and Technology joining us  
10 tomorrow right before lunch. And so they'll be  
11 able to really dive into that for you.

12 MR. HEMILRIGHT: Great.

13 MR. BROOKS: Thanks.

14 Tim.

15 MR. PICKETT: Just commenting on some  
16 of the comments you had regarding the closed  
17 areas and time-area closures and stuff like that,  
18 this is kind of a general comment that I'd like  
19 to see - you know, we play a lot of ping-pong  
20 here talking about, you know, whether you should  
21 open a time-area closure or not, and we need to

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1 investigate it, and it just seems as though  
2 things go back and forth and a lot doesn't get  
3 done or it doesn't get done in a very timely  
4 manner.

5 I've said this before, and I think,  
6 you know, going forward if there are additional  
7 time-area closures, or closures in general --  
8 maybe not even ones that specifically pertain to  
9 HMS -- but I think anything of that nature should  
10 always have an expiration date.

11 And that forces the hand of gathering  
12 information to see if, in the future, the closure  
13 is warranted, still, because conditions change,  
14 you know.

15 Our fishery, the longline fishery, has  
16 changed with the use of circle hooks and  
17 electronic monitoring, and the data that we're  
18 basing everything on is antiquated data before  
19 any of those measures.

20 So, if there was an expiration date,  
21 it would force the hand of doing additional

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1 studies, you know, to see if it was still  
2 warranted, just kind of more of a comment than of  
3 a question.

4 We can't do a lot about what's already  
5 been done -- maybe we can, but, in the future, if  
6 there are additional time-area closures or  
7 additional regulations, I think they need to come  
8 with an expiration date.

9 MR. RAUCH: Well, as I said, I do  
10 think that as we - to the extent that we do  
11 closures, we do need to consider what we intend  
12 for them, whether or not they're time-limited or  
13 intended to be permanent or what would the you  
14 know, at the outset when you're designing the  
15 closure, what would be the conditions in which  
16 you would open it up again, what is the relevant  
17 data, what is the pathway for that.

18 Whether it means you put a time  
19 limitation or something else in there, I think it  
20 is they're the considerations you need to make at  
21 the time you do it, not at some later date.

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1                   MR. BROOKS:   Scott Taylor, and then  
2                   over to Marty.

3                   MR. TAYLOR:   Thank you very much for  
4                   joining us this afternoon.   We appreciate the  
5                   time out of your busy schedule, Sam.

6                   My name is Scott Taylor.   I'm Dayboat  
7                   Seafood.   The EFP that the Secretary declined was  
8                   designed by myself, Dr. Kerstetter sitting there  
9                   next to you, and the Agency over a four-year  
10                  period.

11                  It was about four years ago and I'm  
12                  going to spare you some of the diatribe that went  
13                  on this morning, because I actually have a  
14                  question rather than a comment - that this was a  
15                  well-thought out process in which the science was  
16                  vetted by your science center and the private  
17                  sector.

18                  It met all the criteria that came out  
19                  of meeting with various levels of the Agency to  
20                  incorporate a very, very detailed environmental  
21                  impact statement.

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1           It met all the criteria that the  
2 Agency has been asking for in which there was  
3 cooperation from industry, science and the Agency  
4 itself and was not being and was being funded  
5 privately without the use of money in a budgetary  
6 circumstance in which there's a great deal of  
7 constraint; but at the end of the day, it failed  
8 not because of principle, it failed because of  
9 politics that - I think that the consensus, if  
10 you asked everybody around the room is, is that  
11 where the HMS pelagic longline fleet finds itself  
12 now and where our swordfish quota numbers are, if  
13 we don't find a way quickly to deal with this  
14 time-area closure, the sustainability that you  
15 mentioned will not apply to that particular  
16 fishery for much longer.

17           And maybe we've been going about this  
18 entirely the wrong way. Maybe the answer is that  
19 what is politically manageable and then try to  
20 devise a plan that looks like - that will  
21 accomplish the scientific needs to evaluate and

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1 to get the science that we need and to understand  
2 what that political landscape looks like before  
3 we actually design the plan.

4 I don't know, in substance, how we  
5 could have done anything differently than we did  
6 from the pure science and the environmental  
7 impact statements. I mean, the numbers are going  
8 to come out the way they are.

9 The whole reason for doing the  
10 research in these areas is because there's a  
11 level of uncertainty. And I think the biggest  
12 challenge that Dr. Kerstetter had and your  
13 science center had was is that there was not very  
14 much relevant data to go on in order to be able  
15 to make an impact statement, but yet we have  
16 segments of the politically driven agenda that  
17 took soundbites out of that, latched onto it and  
18 used that essentially to defeat the academics.

19 So, this is your wing more than it is  
20 Brad's and everybody else's, is that, you know,  
21 you're the one that deals in the political arena

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1 for the Agency.

2 And so if we're going to be defeated  
3 on the politics, maybe we need some advice from  
4 the politicians before - because the - make no  
5 bones - and I think that at least as far as the  
6 industry is concerned here, if our participation  
7 on this panel means anything, that in the absence  
8 of us finding a way to open some of this area  
9 that was closed primarily for the recovery of  
10 swordfish, then it will become a moot point in  
11 the very, very near future.

12 So, I would appreciate any input that  
13 you could give us as far as advice in using  
14 resources that we have at Blue Water or other  
15 consensus that we might be able to get in the  
16 panel in moving forward to design something that  
17 will politically pass.

18 MR. RAUCH: I'm not sure there was a  
19 question there.

20 MR. BROOKS: Yeah. That was the "no  
21 comment."

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1 MR. RAUCH: Oh, yeah. Okay.

2 Well, I just want to be clear that I  
3 am not a political appointee. I am a career  
4 appointee. I've been here 12 years. I've  
5 represented a number of administrations. I  
6 cannot speak directly to the processes that the  
7 political appointees go through.

8 I will say that they made a decision  
9 not to support this one. It doesn't mean that  
10 they won't support the next one or that it  
11 couldn't be better designed to deal with some of  
12 the conflicts at the outset.

13 My only piece of advice to give you is  
14 not is that clearly, in this case, there was at  
15 least a perceived dispute between two different  
16 resource user groups.

17 And that level of outreach, if we want  
18 to avoid this kind of thing in the future, a  
19 better job bringing those two groups together to  
20 avoid the kind of what the political saw as a  
21 stark contrast, would be advisable at the outset

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1 before we go down that road much further.

2 MR. BROOKS: Thanks, Sam.

3 Michael then Marty.

4 MR. PIERDINOCK: Thank you, Sam, for  
5 coming in here today, your busy schedule. My  
6 name is Mike Pierdinock, charter boat captain  
7 from Massachusetts.

8 We spoke a little bit earlier about  
9 the proposed wind turbines that are proposed up  
10 and down the coast.

11 I've been actively involved in the  
12 Vineyard Wind wind turbines at Gordon's Gully and  
13 at Deepwater, wind turbines at Coxes Ledge for  
14 the past several years.

15 It's been very frustrating for us that  
16 the work group that I'm participating in out of  
17 New Bedford, which has participation from the  
18 commercial fleet, recreational anglers and  
19 charter boat captains, have been providing input  
20 for years, and been providing that input to BOEM  
21 and others, and with our concerns about the

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1 siting of these turbines with issues associated  
2 with our concerns with the impact of the fishery,  
3 as well as navigation and so on -- which I can go  
4 on and on about those concerns -- but at each  
5 step of the way we provide these comments to BOEM,  
6 and nothing seems to happen.

7 And we come before this body or, you  
8 know, other commissions or agencies and so on and  
9 everybody says, "Well, you know, we'll provide  
10 our comments, but we're not sure what will occur  
11 with that."

12 It appears, unfortunately, that the  
13 Vineyard Wind project that is located 16 miles  
14 south of Martha's Vineyard, they're going to  
15 install 300 wind turbines by 2021, prime fishing  
16 grounds that I'm constantly fishing on, as well  
17 as the commercial fleet and recreational anglers  
18 and so on.

19 Unfortunately, that's going to be the  
20 pilot test to see how impacts are specifically to  
21 HMS species because it's lack of data associated

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1 with HMS species, and the subsequent impact by  
2 the noise generated or the electromagnetic  
3 frequencies.

4 And one of the big things is that no  
5 one can answer the following question because  
6 it's never been done: What will the cumulative  
7 impact of hundreds of wind turbines, the noise  
8 generated in EMF be on these species?

9 I mean, there's no doubt that these  
10 create artificial reefs and it's great for  
11 groundfishing, and it's going to attract black  
12 sea bass and cod and other species, but then,  
13 ultimately, how will that impact the spatial  
14 distribution in the extent of them as well as  
15 other HMS species?

16 I wanted to present this to you  
17 because, as I said, we present this to BOEM every  
18 step of the way. We go to other agencies at NOAA  
19 and they say, "We'll present the findings, but  
20 we're not sure whether they're hearing us."

21 And I would hate to see that, after

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1 the fact, our fishery has a detrimental impact to  
2 the spatial distribution and extent of the fish  
3 that changes as a result of the siting of these,  
4 as well as the impact, ultimately, to fishermen  
5 whether recreational, charter, headboat or  
6 commercial.

7 So, I'd like to get your thoughts and  
8 hopefully maybe I can hear something that's going  
9 to be a little different than "I hear you, and  
10 I'm not sure what's going to happen."

11 MR. BROOKS: Mike, can I just ask you  
12 to sharpen your question a little bit?

13 Is it how does - how do fishery  
14 interests get heard better? How do you get heard  
15 better by BOEM? What role does NMFS play in  
16 that? Is it sort of all of that?

17 I just want to -

18 MR. PIERDINOCK: Well, that is part  
19 of it. I mean, we provide comments to GARFO, we  
20 provide comments to BOEM, we - different state,  
21 as well as regulatory bodies provide comments

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1 about our concerns.

2 It goes to BOEM, and it seems like  
3 they're checking off a box, well, we got input  
4 and are they really listening and going to make  
5 sure we're protecting the fishery, so --

6 MR. RAUCH: I hear you. I don't know  
7 what BOEM is going to do with it.

8 So, I mean, what you the reason that  
9 that's the answer you keep getting from us over  
10 and over again, is we don't control that process.  
11 BOEM is in a completely different department.  
12 They're in the Interior Department.

13 All I can tell you about their process  
14 is the same thing they've told you directly,  
15 which is they're seeking your input and they'll  
16 take it into consideration.

17 I know Chris Oliver, the head of  
18 Fisheries Service, has met with a number of  
19 fishermen about this issue, very concerned about  
20 that, and would like to make sure that BOEM does  
21 fully take into account the science, the dynamics

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1 of the fishery, the fact that if you put these  
2 things too close together, doesn't matter whether  
3 it's great for groundfishing or not, a  
4 groundfishing boat can't get in there.

5 These kind of things that we want to  
6 make sure they're at least aware of, but we don't  
7 control that decision, and so we do try to input  
8 in that.

9 The fishermen, yourselves, have to -  
10 as I know you are - intercede with BOEM directly.  
11 If anything, you're more powerful than we are.

12 We can - we all have the data. We  
13 have the data. But in terms of the political  
14 voice, you're a more powerful voice to BOEM than  
15 we are as a sort of sister agency, but we are  
16 engaging.

17 We are talking with them. We're not  
18 only making sure that your views to the extent  
19 that you're not making them directly, are heard,  
20 we're giving them all the data that we have that's  
21 relevant to this.

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1           I don't know how they're going to deal  
2 with it all. I - whether or not they're going -  
3 I mean, they're scheduled to make a decision on  
4 Vineyard Wind, I believe, in the next 18 months.

5           You're never going to get - even if  
6 you started now and did everything you guys  
7 wanted, you're never going to get sufficient  
8 background data to be able to answer all those  
9 questions in 18 months.

10           If they really make a decision at that  
11 time frame, they're going to have to deal with  
12 substantial uncertainty. They won't be able to  
13 answer your questions.

14           That's all I can tell you about this.  
15 I mean, I think we are concerned as well that the  
16 process was not fully designed to take into  
17 account the views of the fishermen.

18           We've been trying to work with them to  
19 correct that, but until they make a decision, I  
20 can't tell you how they're actually going to take  
21 those views into account.

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1 I haven't seen that; they have not  
2 told me. I do not know.

3 MR. PIERDINOCK: Just as an angle, say  
4 the noise and the ENF has a detrimental impact to  
5 squid, to forage fish, to - doesn't HMS and NOAA  
6 and National Marine Fisheries Service regulate  
7 those fish in that you may change the behavior,  
8 like, for instance, we get black sea bass that  
9 come up into Buzzards Bay and spawn.

10 Now, how about if they never go there  
11 and they hang out at the wind turbines at the  
12 base of those units, and you change the whole  
13 spatial distribution to the extent of those fish.

14 I could give other examples of, you  
15 know, other forage fish and other species and so  
16 on.

17 Isn't that the angle that you could  
18 use, then, to try to get them to address that to  
19 make sure that doesn't have a detrimental impact  
20 to the fishery?

21 MR. RAUCH: We can describe the

1 effects, and they have to take those effects into  
2 account in their NEPA documents and in - I'm not  
3 an expert on their underlying authorities, but  
4 whatever I think it's the Outer Continental Shelf  
5 Lands Act that, you know, the authority that they  
6 operate under.

7 So, we can make sure that they have  
8 the data and that they will have to address any  
9 of those effects to make a non-arbitrary  
10 decision.

11 The only thing we can force them to  
12 do, is if they are adversely affecting essential  
13 fish habitat, they can - they're under an  
14 obligation we're under an obligation to tell them  
15 ways that they can minimize that.

16 They do not have to comply with our  
17 recommendations. They could decide, if they do  
18 so in writing, that they're going to do something  
19 else.

20 So, we can't really force them to do  
21 that; but what we can force them to do, is at

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1 least recognize there is an issue and provide us  
2 an explanation as to why they're going forward  
3 anyway. And that's about the extent of what we  
4 can do.

5 MR. BROOKS: Thanks, Sam.

6 I think I've got three more people in  
7 the queue. I've got Marty, then over to Grant,  
8 then David, then Jeff.

9 Please try to, you know, keep your  
10 comments accordingly just so we can get everyone  
11 in.

12 Marty.

13 MR. SCANLON: Well, I kind of was  
14 hoping that Chris Oliver was going to be here  
15 today, but he's not here, so I'll address you,  
16 Sam, on this issue here.

17 I did bring to him, you know, we  
18 talked - or he talked about when he's introduced  
19 to us, his director from - chairman, you know,  
20 Secretary Ross, was that we're 90 percent import  
21 and 10 percent domestically produced seafood in

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1 this country here.

2 And, you know, when he said that  
3 statement, you can see around the room here, you  
4 know, you got the environmentalists there, you  
5 know, what does that mean to - are we going to  
6 catch that many more fish to offset that deficit  
7 or, you know, the academic people?

8 But, to me, we need to basically do a  
9 better job of promoting and protecting what we do  
10 have left at this point.

11 I mean, I asked him if it was time for  
12 a sustainable seafood certification by Commerce  
13 to help protect - promote our sustainable efforts  
14 as an industry. And, you know, I'd like to see  
15 that move in some sort of a direction there to  
16 help protect the remaining fleet.

17 And, you know, the other thing is you  
18 talk about you know, you brag about how  
19 sustainable we are, but, yet, the fleet has been,  
20 I just pointed out, reduced to 20 percent of what  
21 it was back in 1999.

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1           So, you know, I mean, we may be  
2     protecting the species, but we're certainly not  
3     protecting the fishermen and their livelihood,  
4     you know.

5           And, I mean, I don't know where - you  
6     know, there seems to be a gray area on where we  
7     - where -- you know, why we're in that situation  
8     here. You know what I mean?

9           As far as I'm to my knowledge, we are  
10    supposed to be regulating these fisheries  
11    science-based, not politically-based, yet  
12    political is what is driving this agenda for the  
13    last 30 years. The science seems to be  
14    completely ignored at times, you know.

15          I mean, if you were to look at all of  
16    these closed and regulated areas -- we got closed  
17    right now -- and you were to look and apply just  
18    the reduction and the size of the fleet itself,  
19    the objectives of those closures at that time  
20    would probably be met with just a reduction in  
21    the fleet itself.

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1           It doesn't take a genius to do that  
2 math. I mean, me with my simple high school  
3 education could do that.

4           So, I mean, those are some things that  
5 I think that, you know, I'd like to see the Agency  
6 move forward on and, you know, help protect and  
7 promote what we're doing here and, you know, and  
8 to speed up the process of we keep hearing this  
9 revitalization, revitalization, but it to me,  
10 it's just a punch line.

11           I mean, I don't see us doing any  
12 revitalization. I mean, for a perfect example,  
13 we've got the mako shark thing, and that's going  
14 to be up and ready by March 2nd. That law is  
15 going to be - that regulation is going to be in  
16 effect.

17           I mean, we've been talking about  
18 revitalization, and I haven't seen one thing come  
19 here that is going to basically help revitalize  
20 the pelagic longline industry in this country,  
21 and we've been talking about this for five years.

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1                   MR. BROOKS: Marty, let's let Sam have  
2 a response.

3                   MR. RAUCH: Thank you for that  
4 comment.

5                   The statistic that Chris was talking  
6 about, is that the - what the U.S. consumer eats  
7 is 90 percent imported product, most of it's  
8 aquaculture, only about 10 percent U.S. product.  
9 That doesn't that's not the ratio of what we  
10 produce. We produce a lot more than that. We  
11 export a lot of what we produce.

12                   So, when you're talking about the  
13 trade imbalance, which is, you know, are we  
14 importing more than we're exporting - we are -  
15 how do we get at that?

16                   A lot of what we're importing is  
17 actually our product that goes out, is processed  
18 somewhere and has come back, and we don't have a  
19 lot of good information about that dynamic.

20                   We just know that the raw number of  
21 imports versus exports, we're importing a lot

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1 more than we're exporting and that drives the  
2 seafood trade deficit, and the Secretary would  
3 very much like us to do to deal with that.

4 You can deal with some of that with  
5 aquaculture, you can deal with some of that by  
6 removing regulatory barriers, allowing us to take  
7 more advantage of economic opportunities, as long  
8 as we do it and maintain our sustainability.

9 That is what the and that realm is  
10 what the administration has been looking at. Are  
11 there regulations that we can forego that can  
12 provide more economic opportunity as long as we  
13 don't cross over that baseline of sustainability.

14 In many instances, we can. Whether  
15 we can in the swordfish fishery or other  
16 fisheries in particular - in particular  
17 fisheries, I do not know. That is one of the  
18 things that we - you know, we look for advice on  
19 constantly, you know, what particular regulation  
20 could we adjust or could we get rid of.

21 And I do think a lot of the measures

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1 that you're talking about at this meeting are an  
2 effort to relieve some of the restrictions that  
3 are unnecessary to provide more economic  
4 opportunity. But whether that alone will  
5 revitalize the swordfish fishery, I cannot say.

6 MR. BROOKS: Thanks.

7 I've got four more people I'm going to  
8 try to squeeze in here before Sam has to head  
9 out.

10 Grant.

11 MR. GALLAND: Thanks, Bennett. And  
12 thanks, Sam, for being here this afternoon. I'm  
13 Grant Galland from the Pew Charitable Trusts with  
14 just a quick question.

15 You mentioned that you're acting in a  
16 few roles for NMFS, and one of those is the Deputy  
17 Assistant Secretary for International Fisheries.

18 So, I'm wondering if you could give  
19 any update about the recruitment for a permanent  
20 person for that position or any information you  
21 can share at this time.

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1                   MR. RAUCH: I am hoping to not have  
2 that job next month. How about that? That's  
3 all I can say.

4                   MR. BROOKS: Okay.

5                   David.

6                   MR. SCHALIT: Yeah. I just want to  
7 go back to the subject of offshore wind, briefly.

8                   I wonder if there's some potential for  
9 - or a reason for commissioning a task force  
10 within NOAA, small task force that could help the  
11 fishermen in these issues that we're facing now  
12 with regard to offshore wind.

13                   You know that we are, to be candid,  
14 seriously outgunned in this discourse regarding  
15 offshore wind, and NOAA is the repository for all  
16 the data that we need to argue and fit - you know,  
17 to argue effectively with BOEM.

18                   And so, we are constantly having to go  
19 to NOAA for the ammunition that we need to present  
20 our argument - our cogent, clear arguments. We  
21 can't just show up at these meetings and say,

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1 "Hey, wait. I drive my boat through that area."  
2 They're not going to go for that.

3 So, it seems, to me, that there could  
4 be something useful here, which, I mean, I sense  
5 that when we look at a map of the East Coast, we  
6 can see there are several sites already having  
7 been identified as likely prospects for offshore  
8 wind.

9 And while we are not completely  
10 opposed to this idea of offshore wind, we want  
11 our considerations to be taken into account in  
12 the siting of these wind farms.

13 And so I'm wondering if you see some  
14 synergy, some value to commissioning or creating  
15 a group that could interact with the fishermen,  
16 because I know that the questions relating to  
17 each site probably involve different species of  
18 fish, but some of the information we need and the  
19 approach that we need to take is going to be the  
20 same regardless of the location.

21 MR. BROOKS: David, if I can jump in,

1       yes, what you're sort of getting to is, is there  
2       some sort of coast-wide look or some sort of  
3       effort that the Agency could lead?

4               MR. RAUCH:  So, the Agency, at least  
5       the Fisheries Service, is very much looking at  
6       ways to provide both our data and input from the  
7       fishermen to BOEM in a coherent, cogent manner.

8               We want to be careful - at least we  
9       want to be careful.  We cannot lobby BOEM on your  
10       behalf.

11              We can make sure that all the fishing  
12       interests are taken -- you know, the science is  
13       taken into account and demand that BOEM give us  
14       an answer about that, but we need to be very  
15       careful that we're not lobbying another federal  
16       agency.

17              You can.  And to the extent that you  
18       believe that data that we have is relevant to  
19       those discussions and that we can present them to  
20       BOEM in a useful manner, we're happy to work with  
21       it.

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1           Our northeast region -- our greater  
2 Atlantic region - that tells you how old I am -  
3 and the Northeast Science Center are both working  
4 on that kind of thing and talking to a number of  
5 fishing interests about how to, you know, what  
6 kind of data do they have, what kind of data can  
7 we present. So, those ideas are in the works.

8           What form that takes, I don't yet  
9 know, but it's not a bad idea. And I think Chris,  
10 in particular, is very interested in trying to  
11 figure out some way where we're in our  
12 appropriate lane as a sister federal agency, but  
13 that we can make sure that at least our data, the  
14 monitoring that we have gets to BOEM in a useful  
15 manner, and that the data that the fishermen have  
16 - fishermen have a lot of data that we don't  
17 necessarily have, are also given to BOEM in a  
18 coherent manner.

19           MR. BROOKS: Thanks, Sam.

20           Jeff, and then over to Rich.

21           MR. ODEN: Thank you, Mr. Rauch, for

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1 coming today. I'm sorry I missed your little  
2 commentary here. I was out of the room.

3 But anyway, there's one thing that  
4 concerns me as a fisherman of 40 years who's  
5 watched a slow erosion of my abilities  
6 throughout.

7 Prior to becoming a PLL fishermen, I  
8 was inside the Atlantic Council. And to touch  
9 on what Scott Taylor said a little bit ago about  
10 the politics in fisheries having an impact on our  
11 abilities, it, you know, it goes without saying,  
12 you know.

13 As a PLL fisherman, you know, I feel  
14 his pain, but nonetheless, on another front, the  
15 South Atlantic Council now, I understand, has  
16 maybe two representatives that are actually  
17 commercial. I think Florida just put a charter  
18 boat guy in a commercial seat, and I believe  
19 Georgia no longer has one.

20 So, that's two voting members on the  
21 Council, and the one from North Carolina, my

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1 understanding is he's a restaurant owner as well,  
2 and I'm not sure if he has a fishing vessel or  
3 not. Perhaps Anna could tell me that.

4 But as a fisherman, would you have  
5 much faith in that system knowing how it's cut  
6 and dried against the true industry?

7 And It's my understanding that  
8 upcoming AP or council meeting, you know, the  
9 Yamaha Group, the CCA are all getting together,  
10 you know, prior to the meeting and I guess they're  
11 going to be salivating over allocation  
12 discussions that will be coming up because seems  
13 like the new MRIP is the new best available  
14 science.

15 And one of the fisheries that I got,  
16 you know, I lost that made me come back to PLL  
17 fishing, was the snowy grouper, and it's kind of  
18 ironic.

19 I've watched the science behind that,  
20 take that fishery and the MRIP versus the MRFSS.  
21 It ended up going from a 96 percent commercial

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1 fishery to now it's well over 150 percent  
2 recreational.

3 MR. BROOKS: Jeff, let's let Sam  
4 respond.

5 MR. ODEN: Okay. Thanks.

6 MR. RAUCH: So, in terms of council  
7 appointments, and particularly South Atlantic,  
8 but it's true of all of them, we can only appoint  
9 a council member from the list that the governors  
10 provide us. And the governors often provide us  
11 lists with their priority - in priority order.

12 And you talk about a commercial seat  
13 - there's no such thing as a commercial seat or  
14 recreational seat. There are state seats, and  
15 then there are at-large seats.

16 And the kind of comment you just made  
17 are the kind of comments I used to hear from  
18 recreational fishermen all the time, and the  
19 advice I will give you is the same advice I gave  
20 to them.

21 If you do not like the council makeup,

1 your best advice is to go to the governors and  
2 get candidates in there that are the - to get  
3 your candidate as the governor's No. 1 priority.

4 You know, you won't always win that,  
5 you know, but you're more likely to win that.  
6 And that, I think, is what the recreational  
7 fishermen have done successfully, but it starts  
8 with the governors.

9 We can't appoint anybody that's not on  
10 the governor's list. And if you do not like the  
11 way we appoint it, then go to the governor and  
12 get different people appointed on the list. But  
13 otherwise, it's a political decision of the  
14 Secretary.

15 MR. BROOKS: Jeff, I'm going to put  
16 you on hold because I want to get Rick in there.

17 MR. BELLAVANCE: Thanks, Bennett. I  
18 appreciate it. Rick Bellavance, New England  
19 Fisheries Management Council.

20 Just to pile on with my fellow New  
21 Englanders in regards to the offshore wind

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1 development, I - really just to stress the  
2 importance of the economic data that your agency  
3 holds and keeping that going and enhancing that  
4 and looking at it really well to see if there's  
5 any places that can be improved over the next 18  
6 months or so because mitigation is certainly  
7 going to be a component to development.

8 And as fishermen, we're going to look  
9 to the Agency to help provide that data for us.  
10 So, just a little add-on to that.

11 MR. BROOKS: Thank you. We are at  
12 2:15, so we should let you go.

13 Jeff, if you have a burning question,  
14 could I suggest you walk Sam to the elevator?  
15 Okay. Sam, thank you very much. Really  
16 appreciate you making the time to be here.

17 All right. So, with that, we will  
18 turn our attention back to tuna conversations  
19 here and kick this off with an update from Tom  
20 Warren on the A7 three-year review, and then  
21 we'll move into conversation on Amendment 13 and

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1 bluefin tuna management.

2 MR. MCHALE: And while we're waiting  
3 for that presentation, Rick, if we could - if it  
4 concerns your economic data, if you wouldn't mind  
5 sharing that for those that are taking the  
6 general category survey that's going around this  
7 year, because that is exactly another way we  
8 would use that sort of information, it would be  
9 in that context.

10 So, that's a good example versus a you  
11 know, we're not just asking for it for the sake  
12 of asking.

13 MR. BELLAVANCE: Couldn't agree any  
14 more.

15 (Pause.)

16 MR. WARREN: I apologize for the  
17 delay. Hopefully we won't be more than a few  
18 more seconds.

19 Okay. I'm Tom Warren with Gloucester  
20 Office. I'm going to be presenting a summary of  
21 the draft three-year review of the IBQ program,

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1 followed by a high-level presentation on the  
2 nascent Amendment 13, which has yet to begun, and  
3 then, briefly mentioned, our executive summary of  
4 the draft three-year review, which is available  
5 online, but I won't be presenting on that.

6 I'm suggesting that I go through both  
7 presentations because there's some linkages, and  
8 then we follow that up with clarification  
9 questions and comments, if that works for you  
10 all.

11 So, the draft three-year review is a  
12 result of the Magnuson-Stevens Act requirement to  
13 conduct formal periodic reviews of catch share  
14 programs.

15 And so, the several purposes of the  
16 specific three-year review is to describe and  
17 analyze the impacts of the IBQ program during the  
18 years 2015 to 2017 since the baseline period.

19 And under Magnuson, the baseline  
20 period is set as a three-year review, so it's  
21 essentially a before and after look, comparing

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1 three years to three years subsequent.

2 We do include some 2018 data where  
3 relevant, but for the most we're relying on 2015  
4 to 2017.

5 We'll be determining whether and to  
6 what degree the objectives of the IBQ program  
7 have been met due to implementation in the  
8 program and evaluate the components of the catch  
9 share program.

10 So, you'll see we make some summary  
11 and conclusory remarks. These are our  
12 preliminary conclusions lacking your input, but  
13 it's a starting point for discussion and, again,  
14 some preliminary conclusions.

15 With respect to timing, last March we  
16 provided a suite of data to you all. This  
17 presentation, the executive summary relies on  
18 that data, most of which is already been  
19 available, some of which is new.

20 We do have an executive summary of the  
21 full document available, which includes much of

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1 the relevant references to data, as well as some  
2 conclusions.

3 This presentation is exhaustive in its  
4 detail as is the executive summary, which is  
5 available.

6 We are soliciting your input on the  
7 executive summary and this presentation, and we  
8 hope to have that full document available to you,  
9 as Brad mentioned, very soon. In the spring of  
10 2019, we'll be presenting the final three-year  
11 review.

12 So, to review the objectives of the  
13 IBQ program that are relevant, the first was to  
14 limit the dead discards and landings of bluefin,  
15 provide strong incentives for vessel owners and  
16 operators to avoid bluefin and reduce dead  
17 discards, provide flexibility in the quota system  
18 to enable operators to lease and obtain IBQ from  
19 other vessels in order to account fully for  
20 landings and dead discards, as well as minimize  
21 effects on fishing for target species, balance

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1 the objectives of limiting landings and dead  
2 discards with the continuing objective of  
3 optimizing fishing opportunities and maintaining  
4 profitability, and then, lastly, balance the  
5 objectives with the impacts in the directed  
6 fishing categories, essentially recall the  
7 context of the fishery as a whole, and backup and  
8 look at whether there's any crosscutting impacts  
9 of the fishery to the other directed categories,  
10 as well as the objectives of the FMP and Magnuson-  
11 Stevens requirements.

12 So, with respect to the first  
13 objective: Limit the amount of bluefin landings  
14 and dead discards, our preliminary assessment is  
15 that this objective has been achieved.

16 Total bluefin catch declined and is  
17 substantially less than the amount of quota  
18 allocated to the category for bluefin tuna  
19 bycatch.

20 You'll recall that in the pre-  
21 Amendment 7 days, the catch far exceeded the

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1 allocated quota for the longline category two,  
2 three, four, five times as much essentially due  
3 to large amounts of dead discard.

4 Secondly, the number of vessels  
5 landing bluefin declined during the IBQ period,  
6 as well as the percentage of the active vessels  
7 declining.

8 So, even with the fact, unfortunately,  
9 of declining fishing effort, as noted this  
10 morning, it's not a reflection of fishing effort  
11 alone because the percentage of active vessels  
12 landing bluefin declined. So, there's something  
13 else at play.

14 Dead discards declined dramatically.  
15 And by "dead discards," I'm referring to the  
16 estimate of dead discards that was calculated in  
17 the same manner as in years past using observer  
18 data and logbook data using the same methodology  
19 before and after. And not only has the net  
20 amount of dead discards declined, the CPUE also  
21 declined.

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1           There are decreased numbers of bluefin  
2           interaction on observe trips, one of the data  
3           elements that go into the calculation of CPUE and  
4           dead discard estimates, by just showing, you  
5           know, a layer of data, so to speak, at the bottom  
6           of the calculation or estimation of dead  
7           discards, that that metric also changed. And  
8           then a portion of the total landings from the  
9           Gulf of Mexico declined.

10           Additional patterns noted where the  
11           distribution of landings among the fleet changed.  
12           More vessels were landing zero bluefin, and some  
13           vessels were landing more bluefin, which makes  
14           sense given that prior to A7, vessels were  
15           required regulatorily to discard vessels with  
16           high regulatory discards still may have had some  
17           interactions with bluefin and no further landings  
18           were created from these dead discards.

19           The seasonality of bluefin landings  
20           shifted from the first six months of the year to  
21           all year long with a peak in the summer, and there

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1        were increased landings from the Northeast  
2        Distant area, which is the ICCAT area in the  
3        northeast Atlantic, a large area, which is  
4        allocated quota from ICCAT to account for bluefin  
5        bycatch, and this is allocated separately than  
6        the rest of the bluefin pie that's divided among  
7        all the quota categories. So, this separate  
8        ICCAT area is managed separately.

9                So, to dive into the data, this shows  
10       bluefin dead discard estimates in the Atlantic  
11       and Gulf of Mexico by year in metric tons.

12                You can see the overall pattern, the  
13       dramatic reduction in dead discards as of 2015,  
14       with the implementation of the IBQ program  
15       compared to the baseline period.

16                Both Atlantic and Gulf of Mexico dead  
17       discards declined, with the Atlantic dead  
18       discards depicted in the blue.

19                The dead discard catch per unit effort  
20       is shown here. Note the 2017 data in this slide,  
21       and many subsequent slides that rely on logbook

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1 data, is preliminary because some of the logbook  
2 data we get late, so we're characterizing the  
3 logbook data, and analyses based on logbook data,  
4 as preliminary.

5 And this is one of the reasons why our  
6 timeline of the development of this review had to  
7 take into consideration this 2017 data timing.

8 The y axis is the number of dead  
9 discards per thousand longline hooks. And,  
10 again, you can see the CPUE drop off with the  
11 implementation of the IBQ program in 2015.

12 This chart depicts bluefin catch in  
13 the blue, comparing it to the adjusted quota in  
14 orange, again in metric tons, and this does not  
15 include the NED.

16 You can see during the baseline  
17 period, the catch far exceeding the quota. In  
18 contrast, in the IBQ period, the adjusted quota  
19 is larger than catch.

20 The amount of quota you'll see is  
21 larger. There was an adjustment in Amendment 7,

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1 as you'll recall, to provide some more quota, to  
2 acknowledge the fact that the vessels will now be  
3 required to account for their dead discards.

4 When the longline quota was set up  
5 originally in the somewhat distant past now,  
6 there was a separate quota allocation for dead  
7 discards, and the longline quota was based only  
8 on landings.

9 So, this adjustment with the IBQ  
10 program reflects that fact that vessels are now  
11 required to account for dead discards.

12 Now, this, in contrast, shows all  
13 landings, including the Northeast Distant area.  
14 The net amount of landings has increased slightly  
15 during the IBQ period, depending on the year.

16 You'll note, most notably, however, is  
17 the amount of landings from the NED. The NED,  
18 again, as mentioned before, is an area that dead  
19 discards have been turned into landings, and this  
20 is an area with historically high CPUE of  
21 bluefin.

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1           As I was referring to before, the  
2           percentage of active vessels landing bluefin  
3           declined. So this depicts the number of active  
4           vessels, as well as the number of vessels landing  
5           bluefin.

6           So, the blue bars are the number of  
7           active vessels which did, unfortunately, decline,  
8           effort has reduced. And the number of vessels  
9           landing bluefin also declined, but then you'll  
10          see in the right-hand table the percentage of  
11          active vessels landing bluefin declined, so there  
12          is some behavior change going on.

13          Objective    No.    2:            Providing  
14          incentives to avoid bluefin. Many of the same  
15          metrics that were measuring the success of the  
16          first objective were used to measure the success  
17          of this objective.

18          Incentives, arguably, are hard to  
19          quantify.        However, bluefin total catch  
20          declined, percentage of active vessels landing  
21          bluefin declined, percentage of active vessels

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1 with no interactions increased, and there was a  
2 change in the seasonality of bluefin landings.

3 These are some of the indicators that  
4 there were, indeed, incentives for vessels to  
5 avoid bluefin.

6 The third objective: Provide  
7 flexibility in the quota system to enable  
8 longline vessels to obtain quota from other  
9 vessels in order to enable full accounting for  
10 landings and dead discards, as well as minimize  
11 constraints on fishing for target species.

12 The preliminary conclusion is that  
13 this objective also was achieved based on the IBQ  
14 program metrics.

15 Participation in the IBQ market was  
16 robust, there was substantial participation each  
17 year, and it increased over time. There was  
18 decreased price of the leased IBQ.

19 Another means by which flexibility was  
20 provided in addition to leasing, was NMFS made  
21 the determination to provide inseason allocations

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1 to IBQ vessels to facilitate leasing.

2 And then lastly, additional  
3 flexibility was provided through regulatory  
4 changes. Two are noted here of the authority to  
5 distribute inseason allocation to only active  
6 vessels to optimize the distribution quota, and  
7 then quarterly accountability in 2018.

8 So, again, flexibility in the quota  
9 system was provided through leasing, through  
10 inseason allocations and through regulatory  
11 changes.

12 This shows the number of total leases  
13 and the total pounds, basically, the quantitative  
14 metric by which we evaluated the IBQ program and  
15 specifically the leasing and the flexibility.

16 The third column shows the unique  
17 number of participants, and the last column shows  
18 the percentage of active vessels leasing.

19 So, the pounds of quota increased from  
20 2015 to '16 to '17. The percentage of active  
21 vessels leasing increased over time were

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1 stabilized 2017, just slightly lower in 2016.  
2 But, in my opinion, the overall takeaway is that  
3 the leasing market functioned.

4 This shows information on the cost of  
5 leasing or one metric of the cost. The weighted  
6 average lease price is in the first column, and  
7 that's compared to the bluefin average ex-vessel  
8 price in the second column.

9 And then the underlying data, the  
10 number of transactions used to calculate the  
11 lease price is in the third column, and total  
12 number of lease transactions in the last column.

13 So, we used the weighted average lease  
14 price to measure or to take into account that  
15 some leases may have been 300 pounds or 550  
16 pounds, whereas other lease transactions were at  
17 10,000 pounds.

18 And so when we calculated the average  
19 lease price, we wanted to take into account this  
20 metric, the fact that some leases were extremely  
21 large and some were small.

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1           You'll note there's not a large  
2 difference between the bluefin average ex-vessel  
3 price. The price that longline vessels get per  
4 pound for bluefin can be substantially less than  
5 the General category fishery. And so this shows  
6 they may have been able to cover the cost of  
7 lease, but just barely.

8           So, the third objective: Balance the  
9 objective of limiting bluefin landings and dead  
10 discards with the objective of optimizing fishing  
11 opportunities and maintaining profitability.

12           Our preliminary conclusion is that the  
13 objective was partially achieved. And this is  
14 because of the metrics of revenue and  
15 profitability. There's some positive signals;  
16 there's some negative signals. But, more  
17 importantly, as discussed at great length this  
18 morning, it's very difficult to determine the  
19 scope and the importance and the role of the IBQ  
20 program in the overall health of the fishery  
21 given the high importance of other factors and

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1 other variables to the fishery such as swordfish  
2 imports, other regulations such as closed areas,  
3 target species availability and changing social  
4 metrics.

5 So, again, how do you tease out the  
6 impact of the IBQ program on profitability from  
7 the larger impact of the larger regulations and,  
8 you know, we're all ears.

9 Some important trends, though, with  
10 respect to this metric, annual total revenue  
11 appears to be stable compared to the baseline.

12 Now, that being said, annual total  
13 revenue is dramatically lower, but the downward  
14 trajectory has apparently stalled.

15 There was an increase in the average  
16 of revenue per active vessel from 2015 to 2017.  
17 Average trip operating income -- which we use as  
18 a proxy for profit during the IBQ program -- is  
19 higher than or equal to than it was during the  
20 baseline period, and long-term trend of declining  
21 target species fishing effort may have slowed

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1 under the IBQ program.

2 But again, these signals are  
3 potentially positive, but there is still the  
4 context of the total revenue effort is  
5 substantially lower during the IBQ program than  
6 it was during the baseline years.

7 So, some of the dollar figures that I  
8 just referred to, average revenue per longline  
9 vessel, you'll see the declining trend in the  
10 baseline period from 2012 to 2014 continues in  
11 2015, appears to be reversed in 2016 and 2017.

12 Total revenue, again, notably lower  
13 during the IBQ program, yet arguably stabilized,  
14 in any case, with no downward trend from 2015 to  
15 2017.

16 Average trip operating income,  
17 revenue minus expenses can be thought of as a  
18 proxy for profitability. So this is on the trip  
19 basis, and you can see 2015, '16, '17, within the  
20 range of the baseline period.

21 Fishing effort continued to reduce.

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1 This graph only shows January through October  
2 data because of the fact that, as I mentioned,  
3 2017 logbook data is not yet complete. The list  
4 driving for a metric that could fairly compare  
5 years of data where the most recent is incomplete  
6 data.

7 So, if you buy the assumption that  
8 January through October is probably more complete  
9 than January through December, we looked at  
10 January through October to see what this looked  
11 like, so the effort has declined. Maybe 2017  
12 being similar to 2016 is a positive signal, maybe  
13 not.

14 So, then the last objective, as I  
15 mentioned before, broadening our context looking  
16 at the FMP objectives, Magnuson-Stevens  
17 objectives, and then seeing whether there was any  
18 impact on the directed bluefin categories, the  
19 longline category no longer achieved its bycatch  
20 - excuse me, no longer exceeded its bycatch quota  
21 and is, therefore, not dependent on non-longline

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1 quota.

2 Because as I mentioned prior to 2015,  
3 the longline category far exceeded its quota and  
4 relied on unused quota from other categories to  
5 make itself whole, whereas post Amendment 7 there  
6 wasn't this impact on the directed category.

7 So, preliminarily, we're determining  
8 that this objective was achieved; there were in-  
9 season transfers of bluefin quota from the  
10 reserve to both the longline category, as well as  
11 the directed quota categories.

12 There were some impacts on dealers.  
13 The number of dealers purchasing bluefin from  
14 longline vessels decreased, however, the amount  
15 of bluefin handled by the top dealers increased.  
16 So, we were looking for impacts on dealers as  
17 well.

18 And then, lastly, as a part of the  
19 Magnuson-Stevens requirements, not only are we  
20 interested in the objectives, but we take a step  
21 back and look at, okay, what are the elements

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1 that comprise and are important to an IBQ - excuse  
2 me - a catch share program? And so, listed here  
3 are some of the standardized metrics.

4 The full three-year review document  
5 will address all these. I won't go into all  
6 these in this presentation.

7 Allocations. Vessels were able to  
8 account for bluefin tuna catch using combination  
9 of allocations and leased IBQ.

10 The total amount of IBQ allocation was  
11 sufficient to account for bluefin catch and  
12 contribute to the functioning of the leasing  
13 market, yet there's still some concerns regarding  
14 availability early in the season.

15 And the amount of IBQ allocation, that  
16 is whether a shareholder was low, medium or high,  
17 the actual amount a vessel was allocating  
18 beginning of the year on January 1, that  
19 mattered, as evidenced by the different metrics  
20 associated with the three tiers.

21 How much did a particular vessel in a

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1 tier land? How much did it lease? What  
2 percentage of the total lease IBQ was - did a  
3 tier represent? How much quota debt did a vessel  
4 in a particular tier tend to incur?

5 And so these metrics did have  
6 different trends, and, in my mind, verified that,  
7 yes, the amount of quota mattered if, you know,  
8 if there was no trends emerging between a low,  
9 medium and high-tier quota, you can argue, hmm,  
10 the tiers may not have been really significant.

11 Continuing, the design principles  
12 stated in Amendment 7, the philosophy and the  
13 objective behind the formula which resulted in  
14 these tiers, was that IBQ allocation be used by  
15 active vessels to account for bluefin.

16 So it wasn't meant for folks who  
17 weren't fishing to make a buck off by leasing.  
18 It wasn't meant as an investment. It was meant  
19 as a tool to account for bluefin bycatch.

20 That design principle is only  
21 partially achieved given that a number of

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1 shareholders were allocated bluefin, yet were  
2 inactive.

3 So, their piece of the pie was unused  
4 to fish for bluefin - excuse me - to fish for  
5 target species and used to account for bluefin.  
6 Some of this was used to lease, but, still, it's  
7 an imbalance.

8 A tiered system of allocation of catch  
9 shares based on historical catch, which is  
10 typical of many catch share programs, may have  
11 limited relevance or disadvantages when  
12 implemented in the context of the bycatch share  
13 program such as the distribution of allocation  
14 may not represent the distribution of the catch.

15 So, despite history of different  
16 levels of catch, and despite a range of different  
17 amounts of allocation, in reality, the different  
18 amounts of allocation may not align with the  
19 interactions in the field and may be rendered  
20 irrelevant.

21 Most catch share programs are designed

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1 based on this tier premise, but, again, most  
2 catch share programs are target species programs.

3 And given that a number of  
4 shareholders that were inactive and the total  
5 number of active vessels, a simpler allocation  
6 system based on active vessels may be considered  
7 again, as was suggested by HMS advisory panel  
8 members. For example, allocating only to active  
9 vessels, say, in a previous year or 18 months --  
10 allocating based on that rather than a historical  
11 time period such as what was used in Amendment 7.

12 Accountability rules. You'll recall  
13 that during the first year of the IBQ program,  
14 2015, there was annual accountability.

15 A vessel didn't have to balance the  
16 books. Essentially, they could go into debt.  
17 They didn't have to balance the books until the  
18 end of the year.

19 In Year 2 and Year 3, there was trip  
20 level accountability. A vessel had to have a  
21 positive balance of IBQ to leave the dock.

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1           In Year 4, this year, we switched to  
2           quarterly accountability such that a vessel could  
3           leave the dock with some quota debt; but at the  
4           first trip on the subsequent quarter, the vessel  
5           would have to balance the books and have a  
6           positive balance of IBQ. So, we essentially saw  
7           one extreme to another in IBQ accountability  
8           systems.

9           Eligibility criteria. What were the  
10          initial criteria with respect to vessel activity  
11          that went into the shareholders?

12          The eligibility criteria resulted in  
13          a larger pool of eligible vessels, shareholders,  
14          than the number of active vessels.

15          And the eligibility criteria,  
16          however, does not appear to have been excessively  
17          restrictive, as indicated by the small number of  
18          active vessels without shares.

19          In other words, were there a lot of  
20          vessels interested in fishing that were out of  
21          luck? They didn't have shares, yet they wanted

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1 to fish. There was only six.

2 Now, it mattered to them, they needed  
3 to lease quota; but as a whole - as a  
4 generalization, there were dozens of vessels  
5 without shares that wanted to fish.

6 Data collection, reporting,  
7 monitoring and enforcement. We compared the IBQ  
8 records on landed bluefin against the dealer  
9 records to ensure that all bluefin landed were  
10 accounted for in the IBQ system, and that went  
11 very smoothly.

12 The compliance with the VMS reporting  
13 requirements, which is the set reports of number  
14 and disposition of bluefin, the number of hooks  
15 by each set submitted real-time, that compliance  
16 went up over time.

17 We compared the VMS data to dealer  
18 landings to look at the landings, numbers of  
19 bluefin. And then, also, we compared it to  
20 logbook data with respect to numbers of sets; and  
21 each year of the program that compliance got

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1 tighter and tighter.

2           During 2018, we automated the process  
3 such that the VMS databases connected to the IBQ  
4 database vessels submit their data on the number  
5 of dead discards through VMS. And that  
6 automatically was deducted in the IBQ program to  
7 account for the dead discards.

8           So, obviating the need for the vessel  
9 to work with the dealer to input that data at the  
10 back-end.

11           And then lastly, the electronic  
12 monitoring program was able to verify vessel-  
13 reported data on bluefin tuna.

14           There were no instances where a vessel  
15 was prohibited from taking a fishing trip due to  
16 nonfunctioning EM system, and only a couple times  
17 when a trip was delayed and waivers were granted  
18 as requested.

19           So, overall, although it was a burden  
20 to vessels and a cost, it didn't have dramatic  
21 impacts on the fishing operations with respect to

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1 cancelled trips.

2 New entrants, another standardized  
3 catch share program metric. The IBQ program does  
4 not appear to preclude new entrants, nor does it  
5 present unreasonable barriers to new entrants.

6 Six active vessels were not  
7 shareholders. In other words, as I mentioned  
8 before, vessels interested in participating, but  
9 did not get allocated quota at the beginning of  
10 the year were able to lease quota and  
11 participate.

12 And there were five new entities,  
13 basically new owners of vessels with permits that  
14 started fishing in the fishery.

15 The cost of an Atlantic tuna's  
16 longline permit, along with the other required  
17 limited-access permits, appears to be a greater  
18 barrier to entry than a particular aspect of the  
19 IBQ program.

20 So, in other words, if you're totally  
21 out of the fishery and you need to figure out

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1       what to do to join the fishery, you would need to  
2       purchase a limited-access suite of permits either  
3       with a share or lease, but, again, the cost  
4       associated with that limited-access permit  
5       appears to be more of a barrier to entry than an  
6       aspect to the IBQ program.

7                   And, also, the cost of the electronic  
8       monitoring did not prevent folks from entering  
9       the program because NMFS essentially paid for the  
10      system.

11                   The future ability for new entrants  
12      would, however, depend on continued funding by  
13      NMFS.

14                   And then, lastly, cost recovery. The  
15      total ex-vessel value of bluefin bycatch landed  
16      by the longline fishery is relatively low.  
17      Again, as a result of the fact that bluefin is a  
18      bycatch fishery, there's not a lot of revenue  
19      generated.

20                   So, this is in contrast with many  
21      catch share programs where there's substantial

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1 revenue from which NMFS can obtain cost recovery  
2 and alleviate some of its cost.

3 So, therefore, the maximum  
4 recoverable amount from the fishery under cost  
5 recovery program is likely also to be low, and  
6 it's constrained by the Magnuson-Stevens Act at  
7 3 percent of ex-vessel value of the fishery in  
8 question, which, in this case, is the bluefin ex-  
9 vessel value.

10 So, 3 percent of a fairly low value is  
11 a low amount and it's potentially recoverable.

12 And so, therefore, the costs  
13 recoverable are likely to be similar or exceed  
14 the logistics of administrative costs of actually  
15 implementing such a program.

16 So, this is the end of this aspect of  
17 the presentation. In the slides subsequent to  
18 this one that I will not show you or discuss, but  
19 you have available to you, have some other  
20 relevant metrics I've touched on -- IBQ metrics  
21 and things like that.

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1                   MR. BROOKS:     So, pause for some  
2 clarifying questions here?

3                   MR. WARREN:    Sure.

4                   MR. BROOKS:     Okay. Great.

5                   Let's just see if there are questions  
6 folks have on any of the data and sort of findings  
7 that Tom has shared here.

8                   Let's start with Scott, and then we'll  
9 go over to Katie, I think it is.

10                  MR. TAYLOR:    I want to talk a little  
11 bit about the economic metrics and the way they  
12 were calculated, if we could jump over to maybe  
13 Slide 19, I think it was.

14                  So, the average trip operating income  
15 expense, is that averaged by the total number of  
16 trips against the reported income, regardless of  
17 size of vessel and duration of the trip?

18                  MR. WARREN:    I believe so, yes. I  
19 believe it was not adjusted for that difference,  
20 but I'll let our economist speak to this, please.

21                  MR. SILVA:     Each vessel had a

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1       calculated -- a revenue and cost so that for each  
2       trip. So, it was each vessel's individual trip  
3       characteristics were used to calculate those  
4       numbers, and then they were aggregated.

5               MR. TAYLOR: So, it is the average of  
6       all of the trips, correct?

7               So that's relevant because different  
8       size boats have different expenses.

9               The second question is that these are  
10       just trip operating expenses; fuel, bait, tackle,  
11       ice, whatever it is, correct?

12               So, typically, a larger boat, just to  
13       put it in perspective for the rest of the panel,  
14       might spend \$40,000 to go out on a trip where a  
15       small boat might only go out at 10- or 12.

16               So, on a \$17,000 average revenue,  
17       anybody that's a boat owner is broke because  
18       anybody that's owned a boat needs to understand  
19       that out of that net number, the crew's got to  
20       get paid. So, that means that there would be  
21       roughly 50 percent that would be associated with

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1 the boat.

2 You can't maintain one of these  
3 pelagic longline boats for under a hundred  
4 thousand dollars a year. It's just not there.  
5 We're talking about just maintenance, upkeep and  
6 everything else.

7 So, we can figure the numbers, but the  
8 numbers are deceptive in the way that they're  
9 figured. Okay.

10 That if we go back to the revenue  
11 screen, which I think is there, if that's the  
12 average revenue that we're down to, you know,  
13 down to now in 2017, I can tell you in 2018 it is  
14 not going to be a stabilizing trend, it's going  
15 to be a dramatically falling trend because what's  
16 not calculated into those numbers that anybody  
17 else in here that can chime in, our fuel costs  
18 are up about 35 percent in the last 12 months and  
19 the because of the demand in Europe, the primary  
20 bait source that we use, which is Argentinian  
21 illex squid, where most of the stuff comes in,

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1 has gone from where 18 months ago we were paying  
2 approximately 78 to 85 cents per pound to \$2.00  
3 this year for the bait.

4 So, bait cost and fuel cost probably  
5 are adding an additional \$3500 a trip, give or  
6 take, for a round number.

7 So, what's happening here is, is that  
8 you have that skewed within these numbers you  
9 have some larger boats that are profitable, but  
10 that the smaller boats that are averaged into the  
11 overall number, if you really wanted to have a  
12 constructive, you know, discussion and really see  
13 what was happening within the fleet, you can't  
14 kind of merge all the numbers together. It's  
15 deceptive for the way that it is.

16 MR. BROOKS: So, you'd break it out  
17 by smaller and larger vessel size?

18 MR. TAYLOR: Some of the vessels are  
19 fishing multiple trips in a month, and some of  
20 the vessels are only fishing one trip in a month.

21 So, for example, a boat that's doing

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1 a 30-day cycle that's only generating 16- or  
2 \$17,000 gross, the crew is starving to death. I  
3 mean, that's not even you know, probably breaks  
4 down to \$500 for crewman on the boat.

5 And that accurately reflects what it  
6 is that we see that, you know, that's going on  
7 out there.

8 MR. BROOKS: Thanks, Scott.

9 Brad, did you want to jump in?

10 MR. MCHALE: I did. And I just wanted  
11 to follow up with Scott there, suggestions on how  
12 we might tease that dynamic out because we don't  
13 want to necessarily miss something.

14 So, would it be number of trips  
15 executed in a particular time frame, would it be  
16 vessel length, like, what sort of metric might we  
17 be looking at to tease that dynamic out of that  
18 data?

19 MR. TAYLOR: Days fishing or sets  
20 against the revenue number would give you that  
21 number.

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1           So, a per day operational cost versus  
2           a per day averaged revenue cost would give it to  
3           you, you know, and then you could look at the  
4           individual boats.

5           But, you know, the - the practical  
6           answer is that, you know, a boat generating  
7           \$300,00 a year in gross revenues - gross revenues  
8           is not survivable.

9           It's not - it's not a number that, you  
10          know, unless that you're a small owner-operator  
11          like maybe Jeff or like, you know, Marty that's  
12          got, you know, a small artisanal vessel could  
13          maybe make that, you know, that -- maybe make  
14          that number work. Right, Marty?

15          I mean, that's a tough gross revenue,  
16          you know. I mean, it wasn't that long ago where  
17          boats like the Carol Ann (phonetic), Vince Pyle  
18          we all knew, you know, Greg O'Neill would  
19          typically, you know, stock 900,000 in a year, you  
20          know, just to give you some perspective.

21          So, you know, that - I understand what

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1 we're trying to get at, you know, the tier; but  
2 if we really want to understand the economic  
3 viability, you have to understand the economic  
4 viability.

5 MR. BROOKS: Would it be similarly  
6 helpful if you sort of went down that path to  
7 then try to take a look at the percent of vessels  
8 where income is exceeding revenue? That would  
9 also be another way to look at it as opposed to  
10 aggregating it.

11 MR. TAYLOR: You're seeing it in the  
12 attrition numbers. I mean, that's the short  
13 answer is that - and contained within the active  
14 boats, you know, what we're not really seeing  
15 here that's kind of buried in the numbers, is  
16 that within that group of 80 boats that we have  
17 that you said that the effort is down, what would  
18 be interesting to see is how many of those boats  
19 are really making, you know, more than just a  
20 handful of sets a year.

21 So, you know, it's -

1 MR. BROOKS: Okay. Thanks.

2 Katie?

3 MS. WESTFALL: A clarifying question  
4 on Slide 9 with the total bluefin catch, the  
5 landings and dead discards.

6 I'm wondering if the requirements for  
7 report over VMS came with Amendment 7 and whether  
8 - and you also mentioned that compliance has  
9 improved over time, so can we assume that these  
10 are apples to apples throughout the entire time  
11 period?

12 MR. WARREN: Yes. The landings is  
13 based on dealer data and the dead discard  
14 estimate is using the same methodology, so not  
15 relying on the VMS data in this case.

16 MS. WESTFALL: Got it. Thank you.

17 MR. WARREN: Thanks.

18 MR. BROOKS: Any other questions on  
19 any of the information that Tom just presented?

20 If not, we should probably let you  
21 shift to A13.

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1 (Pause.)

2 MR. WARREN: Okay. Amendment 13.  
3 This is Initial Exploration of Issues and  
4 Options. I'll give you a brief overview of this  
5 future amendment.

6 Amendment 13 has not yet begun. We  
7 have not yet begun scoping or any formal  
8 analysis; however, this concept does have its  
9 roots in several areas.

10 It responds to the individual bluefin  
11 quota program three-year review just discussed.  
12 It's intended to respond to the longline fishery  
13 suggestions with respect to how we manage a  
14 fishery, but not those referred to this morning  
15 with respect to the weak hook or the gear-  
16 restricted areas relating to bluefin tuna.

17 So, again, that effort does focus on  
18 the longline fishery, but this takes a separate  
19 focus, basically everything else.

20 It would include the discussion of the  
21 purse seine fishery based on the fact that it's

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1 inactive and advisory panel members had suggested  
2 we take a look at it, as well as the fact that it  
3 is entwined with the quota process and related to  
4 the bluefin IBQ program insomuch as IBQ can be  
5 leased to and from the purse seine fishery.

6 And then this amendment would also  
7 include potential changes to bluefin allocations  
8 such as broad allocations or within the General  
9 category and other directed bluefin fishery  
10 management measures such as allowing harpoon use  
11 on charter/headboat vessels.

12 So, why these suite of changes? Well,  
13 as I mentioned before, new data, Amendment 7  
14 follow-up, the three-year review, Magnuson  
15 requirements for the three-year review, but also  
16 advisory panel and public suggestions on both the  
17 longline fishery and other aspects of the  
18 directed bluefin fishery responding to the  
19 administration's mandate to address redundant,  
20 obsolete and overreaching regulations.

21 Again, continuation of the purse seine

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1 fishery, it's an inactive fishery recently, and  
2 then changes to the quota allocations.

3 Again, there's a Magnuson requirement  
4 to periodically review allocations, so that's  
5 timely, and, again, respond to advisory panel and  
6 public suggestion.

7 So, potential topics for  
8 consideration. I'll provide you with some level  
9 of detail, but because these are initial  
10 concepts, there's not a whole lot of detail.  
11 And, again, this is for your input to help us  
12 design the direction of the amendment.

13 Modification of allocation method  
14 with respect to the IBQ program, what should the  
15 basis of an allocation be?

16 Should it be similar to what it is?  
17 What about annual inseason allocations to the IBQ  
18 program? How has that been going? What changes  
19 might be necessary?

20 How are quota increases from ICCAT  
21 dealt with in the IBQ realm? Should we authorize

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1 permanent sale of IBQ?

2 If yes, how would this be done? What  
3 would the constraints/what would the limitations  
4 be or not?

5 Cap on IBQ share ownership or usage.  
6 Magnuson requires that catch share programs that  
7 we ensure that limited access privilege holders  
8 do not acquire an excessive share of the total  
9 limited access privileges in the program.

10 So, now that we have three years of  
11 data under our belt, we're in a better position  
12 to say, okay, is a cap required or not? How do  
13 we justify a cap or not? And then, as I mentioned  
14 before, cost recovery.

15 Potentials, more specific tweaks to  
16 the IBQ allocation method. Do we stick with the  
17 status quo? Is it working?

18 In contrast, should we eliminate the  
19 currently defined shares and instead allocate  
20 annually to vessels that have fished recently or  
21 some hybrid; allocate to recently fish vessels,

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1 but allocate a low, medium or high-tier amount.

2 Develop a new formula altogether.  
3 Modify requirements regarding regional  
4 designation or use. Recall that all IBQ is  
5 designated as either Gulf of Mexico or Atlantic,  
6 and you cannot use Atlantic quota to fish for and  
7 account for Gulf of Mexico fish.

8 Should this be loosened to allow a  
9 little bit more effort into the Gulf of Mexico or  
10 somehow change it or other options with respect  
11 to the allocation methods?

12 Permanent sale of IBQ. You recall  
13 under the status quo, there's only temporary  
14 leasing allowed for the duration of the year. No  
15 permanent sale.

16 Do we want to modify the leasing  
17 restrictions? Should we allow leasing from one  
18 year to the other?

19 Should we simplify the administrative  
20 aspects of the program to make it easier to  
21 actually execute, or should we allow permanent

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1 sale? And if so, what constraints on the amount?  
2 Any amount remitted in terms of percent or a  
3 certain poundage?

4 And whom can buy a permanent share  
5 event? Any entity or only owners of longline-  
6 permitted vessels as examples of the range of  
7 alternatives.

8 And, for example, cap on IBQ share  
9 ownership or usage, again, there's currently not  
10 a cap on leasing amount other than the total IBQ  
11 allocation. So it's a very liberal cap. There  
12 is a cap.

13 An alternative would be to lower this  
14 cap and set a maximum amount of quota that can be  
15 leased, as an example, between 12 percent or 50  
16 percent of the total amount of IBQ.

17 And for this example, we picked 12  
18 percent because that's the maximum an individual  
19 entity/owner actually leased under the IBQ  
20 program.

21 So, we looked at the range of how much

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1 quota an IBQ vessel leased and expressed that as  
2 a percentage of the total amount of quota and  
3 came up with, okay, one owner leased 12 percent  
4 of the total quota. Is this an appropriate cap?  
5 Do we need a cap?

6 Permanent sale, if allowed, you can  
7 have no cap on permanent sale, or similarly you  
8 can cap the amount of permanent sale of IBQ.

9 Or if you didn't want to cap sale of  
10 IBQ, you could potentially cap the number of  
11 permits owned by an individual entity as another  
12 way to skim the cap.

13 Current regulations require that a  
14 permit be associated with a vessel to be  
15 allocated IBQ.

16 And recall that we're discussing  
17 ownership cap and usage because of the Magnuson  
18 requirement to "ensure that limited access  
19 privilege holders do not acquire an excessive  
20 share."

21 Other aspects of the IBQ program

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1 include changing the requirement regarding when  
2 a vessel is required to mail in its hard drive  
3 for electronic monitoring.

4 Currently, vessels are required to  
5 mail it in at the end of the specific trip.  
6 However, we found that most trips do not fill a  
7 hard drive, so folks have suggested, okay, you  
8 know, loosen this requirement up, change it  
9 somehow.

10 And another option is to eliminate the  
11 requirement that the dealer enter dead discard  
12 information because we're doing that  
13 automatically already.

14 And then other, are folks concerned  
15 about the future and are there options that  
16 should be considered with respect to how we fund  
17 the electronic monitoring.

18 And then with respect to the purse  
19 seine fishery, the status quo amount of quota  
20 allocated to the purse seine fishery, the maximum  
21 amount is 18.5 percent.

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1           As a practical matter, Amendment 7  
2           said this is not automatic that the amount  
3           allocated to the purse seine fishery will be  
4           dependent upon the previous year's catch.

5           There is a minimum amount.  
6           Basically, it's 25 percent of the 18.5 percent.  
7           The inactive fishery can be allocated this amount  
8           and to be allocated more, the fishery would have  
9           to have greater landings.

10           Do we want to stick with the status  
11           quo or, due to the inactivity of the fishery,  
12           should this fishery be sunset?

13           And the sub-options here essentially  
14           address how their quota would be redistributed;  
15           proportionally among the categories, have it all  
16           go to the reserve category or allocate or  
17           distribute based on some other criteria.

18           Or the second main decision point  
19           could be, okay, sunset the fishery, but not now,  
20           so to speak, at a certain time in the near future.

21           And in the meantime, you would need to

1 answer the questions, well, what happens between  
2 now and X number of years when it sunsets? Is  
3 it status quo? Does the quota get divvied up?  
4 Do they lease quota only or can they land bluefin  
5 as well as lease, et cetera.

6 And then, lastly, kind of a laundry  
7 list of topics that have been suggested by  
8 advisory panel members, as well as the public,  
9 relating to bluefin quota allocations in general.  
10 More specifically, the General category sub-quota  
11 allocations scheme, use of authorized gears, for  
12 example, harpoon use on a Charter/Headboat  
13 permitted vessel, or banning harpoon use in the  
14 General category, size limits, recreational  
15 limits, fileting at sea, reporting of the  
16 permitting processes that relates to the Coast  
17 Guard safety requirements, removing shortfin mako  
18 from the "designated species," et cetera.

19 So, again, thanks for your patience  
20 and a very quick presentation to kick off this  
21 amendment. Thank you.

1                   MR. BROOKS: So, you haven't given us  
2 enough to chew on here, Tom.

3                   MR. MCHALE: And it doesn't exist.

4                   MR. BROOKS: And it doesn't exist.

5                   So, I think there are sort of three  
6 broad categories of areas to explore that you've  
7 laid out here.

8                   One is really the IBQ, second is sort  
9 of purse seine, and then third is that catchall  
10 other.

11                   So, I'm thinking maybe we'll just  
12 invite conversation on each of those chunks just,  
13 again, to keep it a little bit organized in the  
14 way we get feedback.

15                   So, why don't we just take it in the  
16 order that you spelled it out here. So, as it  
17 relates to the IBQ, again, this is think of this  
18 as a brainstorm. What ideas are out there that  
19 could potentially be considered?

20                   And this could relate to allocation  
21 method, sale method, IBQ share ownership or usage

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1 or other issues. So, open this up.

2 Grant.

3 MR. GALLAND: Thanks, Bennett, and  
4 thanks for the presentation.

5 I just wanted to say that all of these  
6 options seem relatively reasonable as things to  
7 explore, but I do also want to point out that  
8 we've heard a series of presentations now about  
9 the successes of Amendment 7, so we don't want to  
10 risk the successes of Amendment 7 by moving  
11 straight to Amendment 13.

12 We know this is going to be a long  
13 process and we hope to and plan to participate  
14 along the way.

15 And some specific things that we think  
16 are important to keep from Amendment 7, including  
17 the accountability of IBQ, keeping the Gulf of  
18 Mexico separate from the Atlantic, as I mentioned  
19 before, and maintaining electronic monitoring at  
20 100 percent.

21 And as a bit of an aside,

1 internationally speaking having the Agency  
2 continue to promote 100 percent electronic  
3 monitoring coverage by other fleets around the  
4 Atlantic is something that would benefit our  
5 fleets here and also would be good for the stocks  
6 in question.

7 And finally, just a quick general  
8 question: Do you envision that there will be an  
9 issues and options paper, or will this go  
10 straight to a proposed rule?

11 MR. WARREN: There will be a scoping  
12 document, as well as scoping hearings, presenting  
13 issues and options and pros and cons analogous to  
14 the recent process that was used for the weak  
15 hook and GRA analyses.

16 MR. BROOKS: Grant, I'm sorry, when  
17 you were giving a list of the three things to  
18 maintain, what was the first one you said?

19 MR. GALLAND: The accountability of  
20 the IBQ.

21 MR. BROOKS: Okay. Thanks.

1 Jason.

2 MR. ADRIANCE: Thanks. Just had a  
3 quick comment in regards to the modification of  
4 the regional IBQs.

5 I don't see any reason not to do that  
6 and to let them cross over, because I think I've  
7 said this before, "A dead fish is a dead fish."

8 Whether you killed that spawning  
9 bluefin on the way to the Gulf of Mexico or after  
10 it leaves, your chance of spawning on ice is zero.

11 MR. BROOKS: Okay.

12 Katie - or is it - oh, okay. Marty.

13 MR. SCANLON: What's the timing? How  
14 long will this take to say "13" here? You know,  
15 we've already gone to a three-year review here  
16 now on A7 and we continually talk about  
17 revitalization stuff.

18 What's the time frame? How long will  
19 this take, Amendment 13? What's the time frame?

20 MR. WARREN: We don't have a precise  
21 timeline scheduled out, but I definitely hear

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1 your concerns expressed this morning that  
2 regulatory changes should be considered swiftly.

3 And we realize that people are very  
4 interested in potential modifications so we can,  
5 you know, consider alternatives as quickly as  
6 feasible.

7 MR. MCHALE: Yeah. I want to follow  
8 up on that. You know, for this particular  
9 amendment, Marty, it could be more of a  
10 protracted timeline.

11 So, if we're talking - and, like we  
12 mentioned, there's nothing really solidified at  
13 all. This is kind of a brainstorming session.

14 But as we've sat around this table and  
15 talked about closed area, what to do with that  
16 sort of management, the future likely of the  
17 purse seine fishery remaining -- even though  
18 there hasn't been any real expended effort and  
19 other issues surrounding that -- I mean, those  
20 are FMP amendment-scale changes.

21 So, hypothetically, if we were to say

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1 "We're going to take an action to sunset the purse  
2 seine fishery," you know, so that is, you know,  
3 that's a it's a 20-month horizon, almost.

4 And so, what we're trying to do, as  
5 Craig and Jen presented earlier today, is trying  
6 to tease out what actions we might be able to do  
7 on a more expedited time horizon, but also we  
8 don't want to turn a blind eye to some of these  
9 bigger picture potential management measure  
10 changes that may be necessary for the longevity  
11 of not just those directed uses of bluefin tuna,  
12 but also those that are impacted with it as a  
13 bycatch, you all, pelagic longline fishery, and  
14 it is a difficult balance.

15 So, some of the timelines with some of  
16 the bigger-picture changes are going to be more  
17 on the order magnitude of what we experienced on  
18 Amendment 7.

19 Now, grant you, we have a suite of  
20 information now before us with the three-year  
21 review that we weren't necessarily - we didn't

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1 necessarily have in hand as far as solutions when  
2 we embarked on Amendment 7.

3 Now, we at least have that in play  
4 saying what worked, what didn't. And if we're  
5 making some tweaks to it, that's something we  
6 could probably help expedite.

7 But if we need to, say, do some  
8 serious overhauls, that will get kicked out a  
9 little bit at least as the time horizon.

10 MR. SCANLON: Will they be split --  
11 will you be able to separate them, you know, like  
12 now we have the A7 review, now it's A13.

13 Is it going to be an A13, A13b, if you  
14 were to do it that way to separate the -- I think  
15 it could be done more, you know, rapidly as  
16 opposed to things that are going to take a longer  
17 time?

18 MR. MCHALE: Yeah, we would look at  
19 that. Absolutely. Like, say, after, you know,  
20 a scoping session where we've gone out, we've  
21 thrown out some more tangible options or

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1 alternatives, we've gotten your feedback.

2 Normally the process is that we then  
3 head back to the office and then we'll kind of  
4 chew on that and be like, all right, that's a  
5 heavy hitter, that's in the FMP bin, you know  
6 what, that is something that we might help  
7 expedite on.

8 And during that discussion, what we  
9 also do, from my perspective, is: how many bodies  
10 do I have to throw at this?

11 So, if all of a sudden I say, "Tom and  
12 Sarah, I want you working on this regulatory  
13 amendment," which is more fast-tracked, well,  
14 then that means Tom and Sarah's resources aren't  
15 there in the bigger picture.

16 So, then, just from a staffing  
17 perspective, how do you then allocate our  
18 resources to get the biggest benefit for the  
19 fishery as a whole, and how do you then place  
20 those pieces?

21 So, those conversations definitely

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1       happen as part of that scoping process of (a)  
2       just what issues rise above what threshold, and  
3       then who do we have to kind of work on those?

4                   MR. BROOKS:  Let's hold off on that,  
5       please.

6                   So, sticking with IBQ for the moment,  
7       I've got Scott and George and Tim on IBQ, and the  
8       question is:  Where to go?

9                   MR. TAYLOR:  So, a couple of things  
10       that we obviously don't want to see happen:  IBQ  
11       shouldn't be owned because IBQ is a public trust.

12                   And if it's going to serve the purpose  
13       for what it is that you designed that we've all  
14       gone through the pain in implementing, it has to  
15       be used to the boats that are actually involved  
16       in fishing.

17                   The concept of that - of it being  
18       anything else, to me, is just inconceivable.  And  
19       with all the other revenue constraints we have  
20       that have to buy one share of IQF because of where  
21       I'm geographically located, because there isn't

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1 uniformity in the distribution of the fleet and  
2 that, you know, it's hugely problematic for us in  
3 the wintertime down in the Florida east coast  
4 zone. .

5 It's where the fish are, it's where we  
6 can fish, the boats don't have the range to avoid  
7 the fish, and we're going to have a lot of  
8 interactions, you know, at that particular point.

9 So, to allocate quota simply because  
10 somebody made two or three sets in a - during the  
11 period of a year and to give them the same level  
12 of allocation based upon some formula that your  
13 statisticians came up with, makes absolutely no  
14 sense to me from a practical standpoint. It  
15 never did from the beginning.

16 But the one that Marty has always put  
17 out, which is much more and I think is Blue  
18 Water's position, you can correct me if I'm wrong  
19 -- is the allocation really need to be tied to  
20 hooks in the water. Sets are okay. So, you  
21 know, I don't want to - you know, you can speak

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1 a little bit more to that, but effort.

2 Let's just leave it at that for the  
3 moment because that at the end of the day if we're  
4 going to acknowledge that it's a pretty broad set  
5 of criteria in which the boats are going to  
6 interact, boats that, for example, are going to  
7 only fish the summertime up out of the northeast,  
8 that that's their primary activity versus boats  
9 that are fishing year-round that are going to  
10 follow, for them to have the same need is, you  
11 know, is ridiculous.

12 We've got to stop hamstringing the  
13 people at - even if it's at a minimal level that  
14 are the ones that are executing the fishery.

15 The second part of that is to  
16 contemplate - I mean, I can easily contemplate  
17 there are organizations maybe here in the room,  
18 maybe not here in the room that can buy a longline  
19 boat and acquire a substantial amount of the  
20 quota, if it was available for sale, in a  
21 heartbeat. It would be a very inexpensive way

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1 for them to go to strangle the fleet.

2 And that while I may be somewhat  
3 naive, I am certainly not that naive to believe  
4 that there are forces out there that would love  
5 to have the opportunity to use any particular  
6 choke species to limit what it is that we're doing  
7 in the political - within the environments they  
8 can operate in.

9 So, anything that would go along to  
10 allow the stockpiling for any other reason other  
11 than the actual fishing, should be immediately  
12 discarded.

13 MR. BROOKS: Thanks. George?

14 MR. PURMONT: I'm waiting for purse  
15 seine.

16 MR. BROOKS: Okay. Great. Tim?

17 MR. PICKETT: Scott pretty much got  
18 to everything I was going to say in that it should  
19 be - the way it's set up right now is there is  
20 essentially ownership of quota and there's no -  
21 there's no date where it runs out in terms of

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1 somebody needing to make a set.

2           There was a -- if I'm correct in  
3 saying that, there was a period of time where you  
4 were eligible to receive quota, and then that was  
5 what everything is based on now.

6           I think that definitely needs to be  
7 reassessed and I think those boats that haven't  
8 been active and now it's - the time period it was  
9 based on was the mid-2000s, 2005 to whenever ■-  
10 or something like that.

11           There's a lot of those boats and the  
12 dynamic has changed. A lot of them are gone.  
13 And a lot of them either are - if they're not  
14 gone, then they're not fishing.

15           And, you know, you showed a set of  
16 data there that was six boats that didn't have  
17 any quota that were fishing.

18           Well, it would be nice to see maybe  
19 some of that quota go to those six boats, you  
20 know. It might not seem like a lot, but there's  
21 an incentive for more people then to maybe, you

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1 know, that could sit on the bench for a while  
2 that they might actually get in the game if they  
3 sit on the bench for long enough, you know.

4 So, I think something needs to be -  
5 needs to be put in for that and, you know, as a  
6 supplier of equipment, I'm not supplying  
7 equipment to, you know, people if they're not  
8 entering the fishery or not rehabbing boats or  
9 not wanting to get moving again maybe if you were  
10 out of the game for a while.

11 So, you know, like I go back to the  
12 timeline thing, everything needs to have a  
13 timeline on it so we don't get into this sit on  
14 the couch leasing things for perpetuity.

15 And like Scott said, it becomes very  
16 easy to buy up permits and buy up quota like that,  
17 so --

18 MR. BROOKS: Thanks, Tim.

19 Walt.

20 MR. GOLET: It's just, I guess, the  
21 same thing that Scott and Tim on Slide 6, a point

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1 to sub-option 4, "Allow sale to any entity."

2 When I saw "non-fishery interests,"  
3 that's what I wanted to clarify. Is anybody  
4 going to be able to buy this buy these IBQ shares?  
5 And if they are, then that's something that you  
6 need to discuss.

7 MR. BROOKS: Thanks.

8 David.

9 MR. SCHALIT: I agree with Scott. I  
10 think IBQ should not be sold and and I believe  
11 that IBQ should go to only active vessels.

12 To have them go to vessels that are  
13 inactive is just adding an additional layer to  
14 the commodification of IBQs and, you know, I  
15 don't know who makes money on that part of it.

16 I realize I acknowledge, though, it  
17 may be a legal question that I'm not familiar  
18 with, but that's my point of view.

19 I also believe that controls should be  
20 put in place to avoid the hoarding of IBQs,  
21 obviously, and I look forward to some discussion

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1 about that. Thank you.

2 MR. BROOKS: Thank you.

3 I've got Rusty next.

4 MR. HUDSON: Rusty Hudson, DSF.

5 I just want to throw this out there  
6 because we've been dealing with the rec fish,  
7 which is the oldest finfish IFQ system in the  
8 United States there at the South Atlantic Council  
9 recently having to do the seven-year review.

10 Second off, there's a ten-year period  
11 - in other words, you can't permanently own this.  
12 It's the discretion of the managers and whatever  
13 other mechanism could take it away tomorrow. And  
14 so, that being said, there's no such thing as a  
15 permanence.

16 Now, excessive, one of the things that  
17 we had, we had originally with the longline combo  
18 bandit thing with the rec fish, we got rid of the  
19 longline, the fleet went down from a hundred and  
20 something boats down to, you know, a few dozen.  
21 Then several of them became inactive, died, other

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1 types of stuff.

2 We have six boats. One entity owns  
3 49 percent where he's capped out at. And in  
4 another corporation, they have another percent or  
5 two that puts them over the 50 percent, not  
6 knowing how you deal with all that, you know.

7 We don't have all that kind of  
8 material in front of us, but one of the things  
9 about the IQ system whether you're getting the 3  
10 percent for administrative help, you know, with  
11 the -- with NMFS' bills, the reality is that the  
12 IQ system could actually reduce a lot more.

13 I saw your 50 to 80 boats. It's been  
14 in existence from where you had the period of  
15 your bluefin analysis and down to the 50-some  
16 boats.

17 If the one boat out of the six boats  
18 has 50 percent, or five boats, then what are you  
19 going to have, like, a 5 percent cap or something  
20 for a hundred boats or, you know, just  
21 hypothetically throwing it out there because that

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1           could louse you up.

2                       So, you're going to have to have all  
3           this filled out really good for the legalese  
4           because what Scott said, what Tim said, what Walt  
5           said, everybody is dead on about this problem.  
6           So, thank you.

7                       MR. BROOKS:  Thanks.  I want to take  
8           one more comment on this piece and then shift to  
9           purse seine.

10                      Marty.

11                      MR. SCANLON:  Well, like Scott was  
12           talking, some of the dangers, you know, you want  
13           to talk about the dangers of, like, getting the  
14           IBQ being permanently purchased or in the hands  
15           of too many few people, you can just use the Gulf  
16           of Mexico as a perfect example.

17                      You know, you talk about, you know,  
18           not having access from the Atlantic boats to the  
19           Gulf of Mexico.

20                      With           the           Deepwater           Horizon  
21           Restoration Project, they essentially bought 10

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1 of the 17 available portions of the IBQ and  
2 excluded the rest of the Atlantic fleet from  
3 access to the Gulf of Mexico.

4 So, you have a prime example - under  
5 the A7 review, you've had one entity, Deepwater  
6 Horizon, purchase 10 out of the 17 vessels worth  
7 of IBQ to have access to the Gulf of Mexico.  
8 There's a prime example of why you can't allow  
9 that to happen.

10 I'm surprised that NMFS allowed them  
11 to do that, especially under the tight restraints  
12 they have with the Atlantic boats having access  
13 to the Gulf of Mexico.

14 MR. BROOKS: Jeff, I wanted to see if  
15 you wanted to fold in here at all. No? Okay.

16 MR. PIERDINOCK: Just to add and  
17 expand up on this, this sounds very similar to  
18 what we dealt with a few years ago up in New  
19 England with the groundfish fleet and the catch  
20 share system.

21 In addition to the concerns that are

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1       there, wanted to make sure that not one entity or  
2       greater than 50 percent or 80 or 90 percent of  
3       the quota is owned by one large fleet that's going  
4       to put all the little guys out of business.

5               So, you need to take that into  
6       consideration, too, to make sure the way the  
7       process is set up, it doesn't put those smaller  
8       boats out of business.

9               (Off-mic comments.)

10              MR. BROOKS:     So, just things I'm  
11       hearing here is; one, not hearing a call for a  
12       sort of wholesale revision.

13              Some willingness to consider options,  
14       but as you do it, keep a couple things in mind;  
15       one, make sure that whatever changes you do don't  
16       shift to ownership, don't allow for stockpiling  
17       for folks who aren't fishing, be really careful  
18       about undue concentration of ownership - not  
19       ownership, of IBQ.

20              And then on the "do" side of the  
21       column, tying allocations to effort, targeting

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1 active fishermen, call for keeping EM at 100  
2 percent and accountability for IBQ.

3 And I think I heard somewhat mixed  
4 comments on allowing for regional crossover on  
5 dead discards. So, all right. Let's shift to  
6 purse seine.

7 George, you wanted to jump in on that,  
8 right?

9 MR. PURMONT: Thank you.

10 I think that the purse seine fishery  
11 should be sunsetted immediately. That whatever  
12 fisheries management plan you need to go forward,  
13 you should initiate it.

14 That these boats will not come back as  
15 an industry. They will never come back as  
16 participants on the water.

17 That the half step that NMFS came up  
18 with, with the leasing program, I think, is  
19 flawed. That nobody should be awarded a  
20 compensation for nonparticipation, which is the  
21 way I see it, as a 401(k) plan. The time has

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1           come to close the door. Thank you.

2                       MR. BROOKS: Marty.

3                       MR. SCANLON: Well, our concerns in  
4           the pelagic longline industry with closing the  
5           Purse Seine category altogether is what happens  
6           to that - what happens to that IBQ?

7                       Under the current system, the only  
8           category that the purse seines can lease that  
9           quota to that IBQ is to the pelagic longline  
10          industry.

11                      And since we're the only choke  
12          category in the, you know, in the HMS, that's our  
13          final line of defense of being choked out.

14                      So, unless they do something - if  
15          you're going to close down the purse seine, they  
16          need to take the minimal amount of quota. And  
17          at least if they're going to do that, set it aside  
18          to maintain that protection to the pelagic  
19          longline industry from being choked out, you  
20          know.

21                      We don't want that - if it goes to the

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1 General category, there's no guarantee that  
2 that's going to be leased to the pelagic longline  
3 industry, you know.

4 Under the history of the dispersals,  
5 we have an industry that's in 100 percent  
6 compliance. We get minimal dispersals. We get  
7 a category that's better than 50 percent  
8 noncompliant, and they get reported for their  
9 noncompliance.

10 So, here we are, you know, we're  
11 talking about getting rid of the purse seines  
12 altogether. You're going to have that quota put  
13 in a general fund, and there's no guarantee -  
14 that loses our security right there if that was  
15 to happen.

16 So if you were to do that, we want  
17 that - we want that security, that protection  
18 against being choked out.

19 MR. BROOKS: Thanks, Marty.

20 I think Brad wanted to jump in on that  
21 for a minute.

1                   MR. MCHALE: Yeah. And you actually  
2 clarified one of the questions I was going to  
3 have, Marty.

4                   You're absolutely correct that  
5 minimal amount, that 25 percent of whatever the  
6 base purse seine allocation has been, has been  
7 dedicated to IBQ transfers. So that I get, and  
8 that was the point of clarification.

9                   But I also wanted to clarify the other  
10 side of that is the additional 75 percent has  
11 been going to the reserve and has been  
12 distributed not only to direct users, but also  
13 back to the longline category.

14                   So, you clarified your point. So,  
15 thank you. I get it.

16                   MR. BROOKS: Scott.

17                   MR. TAYLOR: So, I also agree with  
18 George that one of the other mandates that you  
19 have is a maximum utilization of the quota that  
20 we do have.

21                   Clearly, the purse seine quota is not

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1 being utilized, is not being transferred since  
2 its implementation to the longline fleet.

3 And as a result, one of the other  
4 mandates that you do have and some of the area of  
5 flexibility that you have is to maximize the  
6 economic benefit of whatever the fishery is.

7 And this is - this is an immediate  
8 tool that could be made available to you that we  
9 would implore you to make the - that portion or  
10 as significant enough of a portion of it as you  
11 can available to the longline fleet for a couple  
12 of different reasons.

13 I mean, we could go back to the  
14 diagram of what the ex-vessel value is. Well,  
15 the reason that your ex-vessel - you have to  
16 understand why the ex-vessel value of the  
17 longline fish is lower than the value of the  
18 General category fish. It's because the only  
19 thing that's being retained are the dead fish.  
20 Okay?

21 I understand that this is not a

1 directed fishery, but that up until the  
2 implementation of Amendment 7, we were still  
3 harvesting, at certain times of the year, fish  
4 that we knew that were going to have good economic  
5 value. You took that away from us or Amendment  
6 7 took that away from us.

7 And so, the first step, which is a  
8 relatively simple statistician's exercise, would  
9 be to take a look at what the allocation would  
10 look like if you - you did a calculation based  
11 upon the active boats divided by the number of  
12 sets, for argument's sake, that you gave us that  
13 consideration, put the purse seine number in and  
14 let's see what it looks like on a per-vessel  
15 allocation, you know, that the purse seine - the  
16 lack of the purse seine utilization is a mandate  
17 for the Agency.

18 You can't just let that amount of  
19 product sit there when it potentially could be  
20 utilized, whether or not it's by us or by somebody  
21 else year after year and essentially go to waste.

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1            ICCAT gives us these quotas with the  
2            expectation that we're going to utilize it.  
3            Magnuson mandates that you utilize it for the  
4            best economic benefit, and you got an industry  
5            that unless - and I know that you're not - I know  
6            you understand that we're in economic trouble  
7            here. Okay?

8            These are simple, little things that  
9            you can do that can help us best utilize the tools  
10           or the restrictions that have been put on - in  
11           place on us, okay, that we need to be able - that  
12           boats need to have that ability offshore to make  
13           those decisions themselves in real-time so that  
14           we can get the value up.

15           Secondly ■-

16           MR. BROOKS:    Sorry, Scott, just a  
17           quick clarifying question on that. I just want  
18           to make sure.

19           Are you suggesting that the entire  
20           purse seine quota be shifted to pelagic or a  
21           portion of it? I just want to be clear.

1 MR. TAYLOR: Outside of my pay grade.

2 MR. BROOKS: Fair enough. Okay.

3 MR. TAYLOR: Okay? It doesn't really  
4 matter what my opinion is on that anyway because  
5 I'm not going to have the final say on that.

6 But, you know, the - Marty's point is  
7 that right now the only place that that  
8 allocation can go is either to the longline fleet  
9 or back into the reserve, but I think the way  
10 that that works, Brad, is that at the end of the  
11 year, it's retired.

12 I mean, essentially it's not taken  
13 away from them during the period of the year, so  
14 it's essentially going unutilized.

15 But there was one more point that I  
16 wanted to make and I got off thought about it,  
17 but, you know, essentially that anything that's  
18 going to help us to economically utilize the  
19 resource in the best way that we can -- I know  
20 how I wanted to follow up with that -- was that  
21 the guys that are actively out there fishing, a

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1 lot of us don't necessarily like one another, but  
2 for the most part we all work along together with  
3 one another.

4 And if a boat is not utilizing -- if  
5 a boat is not utilizing that -- there's always  
6 competition, there's always going to be dynamic  
7 within the industry, but that core group of guys  
8 that are out there making it happen every day are  
9 the best ones that are equipped to best decide  
10 how to financially utilize that resource, and I  
11 know that they will, for the most part.

12 You know, collectively -- whether or  
13 not it's with the encouragement of Blue Water or  
14 whoever it is -- give us some credit. Let us do  
15 our job.

16 You put these restraints on us. Your  
17 phrase, "You walked around with a stick, but  
18 there's no carrot," you know. There's got to be  
19 something at some point to, you know, that we're  
20 not children. We're businessmen that are trying  
21 to run good, responsible businesses.

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1           So, make as much of the quota  
2           available as you can, allow us to utilize it in  
3           the best way that we can financially, and I think  
4           that you'll have a much better outcome.

5           MR. BROOKS: Thanks, Scott. Let me  
6           go over to David, and then I want to shift to the  
7           other ideas.

8           David?

9           MR. SCHALIT: Brad, can you tell us  
10          something about the status on Blue Harvest?

11          MR. MCHALE: No. I mean, I don't know  
12          if Gene is still with us. I don't believe he is.  
13          So, I mean, the only updates I have is we, as an  
14          agency, did not receive any applications during  
15          2018 to issue an Atlantic tunas permit.

16          Not that we would have issued that  
17          permit, but we would have taken it under  
18          consideration given some -- the legal constraints  
19          of ownership changes, what have you.

20          And so I don't think we're any  
21          different now than where we were at this point

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1 last year or the year before, or the year before.

2 MR. SCHALIT: Do you view this as  
3 something that can be part of the amendment?

4 MR. MCHALE: Yeah. I mean, at this  
5 point, again, because we haven't actively  
6 embarked on an amendment, everything is up for  
7 grabs.

8 I mean, if somebody around the table  
9 said, "You know what? I want to revisit bluefin  
10 tuna allocation in its entirety," that would be  
11 up for grabs.

12 Whether or not we would grab it is a  
13 different story, but when we're -- we're looking  
14 at this amendment to kind of not only, you know,  
15 address what's transpired with Amendment 7, but  
16 looking at other issues.

17 And then as I mentioned, I think it  
18 was to Marty, you know, then we'll have to go  
19 back when we kind of have fully vetted this, made  
20 sure we had everybody's ears, to then say, "Okay,  
21 which issues are we generally going to tackle and

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1 put into a proposed rule?" and then see,  
2 ultimately, how the fishery as a whole evolves.

3 So, that's directed, that's  
4 incidental and, you know, so the -- we keep using  
5 the terminology of "sunsetting the purse seine  
6 fishery," that's been essentially on the  
7 sidelines for years, you know.

8 I think we're hearing a pretty loud  
9 voice, and have, that we should have done it, you  
10 know, some time ago.

11 MR. SCHALIT: Should we expect a  
12 whitepaper at some point?

13 MR. MCHALE: We will use white paper.

14 MR. BROOKS: Scott, one last, very  
15 quick bite, because I want us to --

16 MR. TAYLOR: So just for  
17 clarification for everybody, and myself, as it  
18 stands right now, when Blue Harvest purchased the  
19 permits that were associated with the purse seine  
20 quota, the -- the laws associated with that  
21 transfer would preclude them from actually being

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1 engaged in the fishery.

2 As it stands right now, that is the  
3 Agency's position today and that -- and let me  
4 elaborate beyond that.

5 And that under the same criteria in  
6 which you would take that position, has there  
7 ever been an example where NMFS has retracted  
8 itself from that position or been challenged  
9 legally on it where there's been a successful  
10 legal challenge?

11 MR. MCHALE: The waters are murky, you  
12 know, when it comes to this sort of thing because  
13 it's no longer really about the fishery rules and  
14 regulations.

15 You're really now getting into  
16 corporate law as far as how ownership and who is  
17 a he, who is a she, how is that defined, how was  
18 it intended originally when the regulations were  
19 drafted? So, you really end up going down into  
20 a rabbit's Warren pretty deep.

21 One of, you know, at least our

1 interpretations of the regulations has been, is  
2 that -- that those permits were nontransferable  
3 and that's kind of been how we've held true.

4 Has it been challenged in court to  
5 date? No.

6 Does it mean it won't? No.

7 But that's currently kind of where we  
8 reside and, you know, and one way to avoid any of  
9 that is to, you know, tackle it head on and  
10 address it through regulatory process that's  
11 publicly vetted and giving opportunity for folks  
12 to make their case, whatever side of the issue  
13 they're on.

14 MR. BROOKS: Thanks, Brad.

15 So, just on purse seine, I'm hearing  
16 for -- of those who spoke up, pretty much 100  
17 percent supporting sunseting purse seine with a  
18 strong suggestion that as much as possible of  
19 that existing quota be shifted to the pelagic  
20 longline fleet to improve its economic  
21 feasibility and help it avoid sort of facing the

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1 challenges of a choked species there on its  
2 fishery.

3 Last was the catchall other topics,  
4 potential topics, and there is about ten items  
5 there related to quota, gear, size, retention  
6 limits, fileting, reporting, et cetera,  
7 permitting. Thoughts? Recommendations? Ideas  
8 you want the Agency to consider?

9 Anna. I see about 15 people pointing  
10 at you.

11 MS. BECKWITH: Shocker. Okay.

12 So, speaking on behalf of the council,  
13 I am happy that the winter fishery was able to  
14 catch its portion of the quota in a timely manner,  
15 but for years where the abundance is lower, the  
16 South Atlantic Council still strongly supports  
17 expanding the closure date to later in the  
18 spring. So, we would like to see that move  
19 forward.

20 MR. GREGORY: This is Randy Gregory.

21 (Off-mic comments.)

1                   MR. GREGORY:       As we missed in  
2       Amendment 7, I would like to include April as  
3       well.

4                   That needs to be a part ■- part of it,  
5       sometimes the winter fishery butts up against the  
6       end of March and that we have some guys fishing  
7       in some waters they don't need to be fishing in  
8       with just a few days left in the season. The  
9       fish are still available in April, so the season  
10      needs to extend into April.

11                  You know, part of the -- part of  
12      Amendment 7 was that we would have -- we would  
13      try to have opportunity and quota when fish were  
14      in -- available to the fishermen, and I think  
15      that's something we missed out on. Thank you.

16                  MR. PIERDINOCK: Thank you. I don't  
17      know if there could be any consideration that, as  
18      I mentioned earlier, the recreational trophy  
19      bluefin tuna each year closes July or August up  
20      in our neck of the woods where the Western Gulf  
21      of Maine recreational fishermen can't even take

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1 advantage of the bluefin tuna by the fall.

2 So, a few things. Is there a  
3 possibility to increase the quota? Right now you  
4 have three zones. You have the Gulf of Mexico;  
5 you have the north and southern zone.

6 So, can you increase that so we could  
7 keep it open through the fall months and into,  
8 you know, November and so on or is there any  
9 consideration we make it another zone, let's say,  
10 the 42 line.

11 North of the 42 line, then from the 42  
12 line to Egg Harbor as the Mid-Atlantic zone, Egg  
13 Harbor down to the southern end as the southern  
14 zone, and then the Gulf of Mexico, and then  
15 assigning a quota to them accordingly.

16 I'm just not sure how you deal with  
17 the quota recreationally and whether there's any  
18 opportunity -- like you mentioned the purse  
19 seine. What's going to be done with that?

20 Can that ever be used to supplement  
21 the recreational end, or that's not in the books

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1 or the process as something that could occur?

2 Just curious. So, thanks.

3 MR. McHALE: Yes. So, in essence,  
4 all that could be considered in an FMP amendment  
5 when we're talking allocation.

6 Specifically to the reserve, the  
7 Angling category, just like other categories,  
8 could be the recipient of transfers after we kind  
9 of go through the determination criteria.  
10 They're not excluded from that. The reserve can  
11 apply to any of the categories.

12 The challenges that are posed then  
13 with the Angling category just, in general, is a  
14 lot of the data that we're getting back is --  
15 from the survey, there's lag time versus the  
16 commercial fisheries where there's that real  
17 time.

18 So, not that those are impediments  
19 that can't be overcome, but we just have to think  
20 through how that would shake out. But everything  
21 you just raised in an FMP context could be

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1 considered. Absolutely.

2 MR. BROOKS: Marty.

3 MR. SCANLON: Well, like we said, one  
4 of the things about the IBQ is to be doing it on  
5 a set basis, you know, to reset the performance  
6 metric, deal with the performance metric and  
7 address that to set efforts opposed to the  
8 tonnage, you know, the overall poundage to the  
9 IBQ.

10 The other thing, too, is the -- you  
11 know, access to the Gulf of Mexico by the Atlantic  
12 vessels, you know.

13 I mean, we disperse -- you disperse  
14 additional quota wherever you get it from,  
15 whether you get it from the reserve, you get it  
16 from the purse seine, you give it to the reserve,  
17 you're able to allocate additional Gulf of Mexico  
18 quota to the Gulf of Mexico boats and I don't see  
19 why you can't -- when you have that quota like  
20 that, it's all basically the same stock of fish  
21 and, you know, times and areas.

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1                   Why the Atlantic boats when you do  
2                   that dispersal, why that new dispersal to those  
3                   boats aren't able to go into the Gulf with that  
4                   new dispersal just like we did in the beginning  
5                   of the year when we had a problem where there was  
6                   vessels with no dispersal at their disposal.  
7                   They had to acquire dispersal in order to leave  
8                   the dock, originally.

9                   Why isn't it possible to just disperse  
10                  the Atlantic vessels enough quota to give minimal  
11                  quota to give them access to the Gulf of Mexico,  
12                  you know. I would like to see that happen within  
13                  this process here.

14                  MR. BROOKS: David.

15                  MR. SCHALIT: If we're still in the  
16                  category of any other thoughts about Amendment 13  
17                  --

18                  MR. BROOKS: We are.

19                  MR. SCHALIT: -- I would like to toss  
20                  out something. I mean, as I recall, Amendment 7  
21                  did include some legislation regarding albacore,

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1       so I'm going to bring up another species -- two  
2       more species.

3                   I'm just throwing this out here. I  
4       haven't had a chance to talk to Randy about this,  
5       but I'm wondering what Bill's thoughts are about  
6       instituting a bag limit in the recreational  
7       fishery for bigeye and yellowfin.

8                   MR. McHALE:    So just so we're all  
9       clear around the table, there is a recreational  
10      retention for yellowfin tuna, and that is at  
11      three per person. There is not for bigeye.

12                  MR. BROOKS:   I don't see Randy rushing  
13      to his microphone.

14                  MR. SCHALIT:   I'll just give you a  
15      little background. We had a three-week period  
16      where we had a spike in bigeye landings off of  
17      Long Island in the Atlantis Canyon, that area.

18                  During which time, there were two  
19      tournaments back to back, more or less, and a  
20      tremendous amount of recreational fishing  
21      activity, and it was very common that vessels

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1       were coming back with -- this sounds absurd, but  
2       it's true -- 20 to 30 fish per vessel.

3               Many of them -- I mean, it was not  
4       uncommon, and it seems to me that that's -- that,  
5       you know, notwithstanding issues relating to  
6       conservation, this is just abject waste. Nobody  
7       can consume that much bigeye in -- it's silly.

8               And so, I think this is where I'm  
9       coming from on this issue. I'm looking at this  
10      waste that I see.

11              I mean, and some of this, by the way,  
12      is winding up in the commercial distribution,  
13      which is also problematic.

14              Some of it, the dealers won't even  
15      touch because it looks -- it's just awful, you  
16      know.

17              MR. McHALE: But your point's taken  
18      that, you know, as we explore Amendment 13,  
19      there's nothing currently constraining it to only  
20      be species-specific to bluefin and -- you know,  
21      so as the whole process evolves, if we're looking

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1 at BAYS-related matters that could be folded in,  
2 yeah, there's nothing precluding that.

3 MR. BROOKS: So, we need to get you  
4 to a break.

5 Mike, did you have something else you  
6 wanted to say, or did your card ■-

7 MR. PIERDINOCK: Yes. I guess I need  
8 to say that these tournaments, you know, they --  
9 I know the tournaments we're referring to. They  
10 provide valuable scientific information, which  
11 Walter Golet is at the end of the table here, you  
12 know, he's in -- studies are being done with  
13 satellite tags and so on for yellowfin, bigeye,  
14 skipjack and those tournaments and others  
15 participate in it.

16 So maybe there were a few guys that do  
17 what you're saying, but I'm not going to just  
18 throw it out there that they're all a bunch of  
19 pirates.

20 Ultimately, there's good science that  
21 came out of that. And, actually, if your -- if

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1 National Marine Fisheries Service comes to the  
2 conclusion we need bag limits, then so be it, but  
3 I don't want to base that on what a few  
4 observations may be by a few people. It's a bad  
5 portrayal of us. Thank you.

6 MR. BROOKS: Okay. All right.  
7 Thanks for the good conversation. I want to get  
8 us to break.

9 We will reconvene at 4:00. And if you  
10 haven't seen that she's in the room already, you  
11 can go say "hello" to Margo, who is sitting back  
12 there against the wall.

13 All right. We will reconvene at 4:00.  
14 Thanks.

15 (Whereupon, the proceedings went off  
16 the record at 3:48 p.m. for a brief recess and  
17 went back on the record at 4:06 p.m.)

18 MR. BROOKS: All right. If everyone  
19 will grab their seats we'll get going here.  
20 Marty, can I invite you back to the table, Marty.

21 Okay, let's get going here again. We

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1 have one small agenda change this afternoon which  
2 is I do not believe, unless he has walked in, we  
3 don't think David Hogan with the State Department  
4 is here.

5 So we are going to have to take a pass  
6 on talking about U.S/Bahamas boundary  
7 negotiations this afternoon and we'll see if he  
8 shows up later. We will fold him back in or if  
9 he shows up tomorrow we will try to squeeze him  
10 in then. But for now we will hand it off to Jen  
11 to give us an update on the HMS charter/headboat  
12 electronic logbook reporting.

13 MS. CUDNEY: All right, thank you.  
14 So at the spring, the last HMS AP meeting we had  
15 a slide in the overview presentation about the  
16 HMS charter/headboat electronic logbook  
17 reporting programs, more specifically this was  
18 related to SEFHIER and our involvement with the  
19 SEFHIER process.

20 There were some questions and concerns  
21 about HMS' involvement with the current

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1 electronic reporting initiative. So we made a  
2 commitment at that time to provide this  
3 presentation to you where we'll get a little bit  
4 more in detail on some of the things that are  
5 going on in the Agency concerning electronic  
6 logbook reporting.

7 So we've got a couple of programs,  
8 initiatives. Some are under development. Some  
9 are currently being implemented that we'll touch  
10 on.

11 And then we'll take a look at what a  
12 potential HMS electronic logbook project could  
13 look like in terms of goals. And then we've got  
14 a couple of questions for your consideration to  
15 drive discussion.

16 So the, getting into the first program  
17 the Southeast For-Hire Integrated Electronic  
18 Reporting program or SEFHIER is a single  
19 reporting system that is based on the use of a  
20 NMFS approved device. This is out of the  
21 Southeast region.

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1           It is a Gulf Council and South  
2 Atlantic Council driven program. This would  
3 require charter/headboat captains to use a  
4 tablet, computer, smartphone or VMS to report all  
5 the fish that they've captured, including HMS on  
6 trips for qualified permits.

7           So this is most of your South Atlantic  
8 and your Gulf of Mexico permits. There are some  
9 differences between the two regional programs.  
10 Gulf of Mexico, for example, has different timing  
11 requirements and different data elements than the  
12 South Atlantic Council driven rule.

13           And the South Atlantic Council is also  
14 considering adjustments for current e-reporting  
15 requirements for consistency. And that would,  
16 that's involved with the Southeast Regional  
17 Headboat Survey Program which switched from paper  
18 form to electronic form in 2013.

19           Okay. There has been quite a lot of  
20 SEFHIER discussion in the last couple of months.  
21 Anybody that's been involved with the councils

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1 will probably have heard this acronym and heard  
2 of some of this conversation.

3 The target implementation dates for  
4 these programs are in 2019. There are a number  
5 of issues that are involved with implementation  
6 and this is a big team.

7 There's over 50 people that are  
8 representing the councils, commissions,  
9 different offices within NOAA, ACCSP, some of the  
10 science centers, et cetera that are having a say  
11 in this discussion. And of course, as I said,  
12 the Councils and Commission staff are also  
13 involved.

14 The Implementation Team is dealing  
15 with several issues such as data housing, minimum  
16 standards, compliance and enforcement, survey  
17 design, outreach and the financials. And HMS has  
18 been involved with several of these what they're  
19 calling subgroups to deal with these different  
20 major aspects of implementation.

21 Our intent is to maintain our

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1 involvement with these groups so that we can look  
2 ahead. If we will be implementing a future  
3 electronic reporting program we want to where we  
4 can streamline it with current reporting  
5 programs.

6 So it behooves us to, for example,  
7 provide feedback to the Implementation Team leads  
8 on what data elements would be best for data  
9 collection so that this program is compatible not  
10 only with, you know, of course the Gulf Council  
11 needs and the South Atlantic needs but also our  
12 needs as well with the intention of minimizing  
13 the number of systems that folks would have to go  
14 to, to report their fish.

15 There are estimated annual operating  
16 costs of six to seven million. The initial  
17 startup cost is estimated, and these are very  
18 rough calculations, at somewhere between \$2.5 to  
19 \$6 million for the different Gulf and South  
20 Atlantic systems. Okay.

21 In July, coincident with our

1       commitment to maintain our involvement in the  
2       development of this program we were able to  
3       participate in a strategic planning workshop that  
4       the Implementation Team hosted at the Southeast  
5       regional office.

6                We, the strategic planning workshop  
7       included identifying the major process steps in  
8       the program. So from trip occurring to getting  
9       the data to basically integrating it into a  
10      database and then distributing it to the people  
11      that need to actually use that information.

12              So once we identified those major  
13      steps which sounds simple but it actually took  
14      about two to three hours of small groups looking  
15      at what they think was going to happen with a  
16      system and saying, okay, first a, then b, then c  
17      and then everybody coming back together and kind  
18      of coming to a consensus on what was going to  
19      actually happen under this program.

20              We then looked at developing process  
21      flow maps. So this is a fairly standard approach

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1 to strategic planning for a program that you're  
2 looking to implement.

3 This was also an opportunity for  
4 representatives to share some operational  
5 concerns. So we were taking a very high level  
6 approach and having very broad discussions about  
7 this.

8 But in some cases this was for some of  
9 these industry representatives their first sort  
10 of bird's eye view of what was going on from an  
11 implementation standpoint. So they, I think that  
12 they found it very insightful.

13 We heard a lot, the participants  
14 voiced their concerns about the development and  
15 implementation of SEFHIER. The primary concern  
16 that came through this workshop was reducing  
17 reporting burden and inefficiencies.

18 There was also concern about the need  
19 for calibration and validation mechanisms. I am  
20 not the SEFHIER team lead. So I have some points  
21 of contact for you if you have questions later

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1 on.

2 But the, my understanding of the  
3 calibration process is that these programs,  
4 these, they would basically need to be run  
5 concurrently with current programs. So they  
6 would implement SEFHIER but they would also have  
7 to continue normal data collection processes for  
8 a couple of years in order to calibrate for stock  
9 assessment purposes the data that's coming in.

10 And that use for stock assessment  
11 purposes is one of the main purposes for this  
12 program. There was also a request for a lot of  
13 transparency in the development and  
14 implementation of SEFHIER.

15 So they wanted to know when is this  
16 data going to be used. So these are all things  
17 that, you know, we as a division looking at a  
18 future program I think we would also need to keep  
19 these concerns in mind as we move forward.

20 Another concern that came up is that  
21 this is an unfunded mandate. And this has come

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1 up at council meetings. But it really hit home  
2 that as of now there is no funding available or  
3 allocated for this program as of yet.

4 So what does that mean? It could mean  
5 the data is collected but not incorporated in a  
6 stock assessment.

7 So these are all conversations that  
8 have to happen at, you know, the council level  
9 between the council and staff to really figure  
10 out, you know, under different scenarios what  
11 could happen.

12 And then there is some uncertainty  
13 about multiple permits and, or dual permitted  
14 vessels. So if you happened to have a Gulf of  
15 Mexico permit and an HMS permit are you having to  
16 report your fish through SEFHIER? Are you having  
17 to report your fish through an HMS system?

18 Again, we hope that any future system  
19 that we are looking at would be streamlined. But  
20 there is the potential for a risk of double  
21 reporting here.

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1           So the Electronic Vessel Trip Report  
2           is another program that is, as we know, being  
3           implemented now for New England and Mid-Atlantic  
4           fisheries.    The New England eVTR system was  
5           implemented in 2013 as an optional system.

6           It has, they have the option of either  
7           reporting through eVTR via paper or electronic  
8           methods.    And they report weekly.

9           The Mid-Atlantic system which was, as  
10          I said, implemented in 2018, has a shorter time  
11          frame for reporting and it is wholly electronic.  
12          Although folks do have the option of writing out  
13          their trip information on a paper form before  
14          they arrive in port and then submitting it within  
15          48 hours via the system.

16          eVTR    has    several    options    for  
17          reporting.    It's not just one program.    And so  
18          on this slide we have a screen shot from the NOAA  
19          FishOnline phone app as you would see it in the  
20          Apple store.

21          There are five or six other options

1 that you can use for reporting. We believe that  
2 at some point the risk of double reporting for  
3 eVTR is going to be mitigated somewhat.

4 MR. HUTT: So currently, yes, there  
5 are multiple apps that you can report on for your  
6 VTRs. It could be eTrips, you know, the SAFIS  
7 eTrips that ACCSP provides. It could be the app  
8 provided by GARFO. And there's a few others that  
9 not too many captains use.

10 Our understanding from talking with  
11 the VTR folks at GARFO is that within the next  
12 month, HMS reports, you know, reports of bluefin  
13 tuna on their app should be automatically pushed  
14 to our system so that you don't have to report it  
15 twice through the VTR and then again through the  
16 HMS reporting app.

17 We're still working on that with ACCSP  
18 to make that available through the eTrip system  
19 which is the same reporting app that will be used  
20 largely through the South Atlantic electronic  
21 logbook reporting.

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1           So we're trying to, again through that  
2 process trying to eliminate duplicate reporting.

3           MS. CUDNEY: Thank you. Okay, so one  
4 of the options through eVTR for reporting is  
5 SAFIS eTrips. And we were are keeping our eye  
6 on SAFIS eTrips as a potential platform, one of  
7 many.

8           But it is, the benefits of this  
9 particular approach are that eTrips is very  
10 flexible and it has the capability to address  
11 reporting needs for multiple programs. So we  
12 like that idea.

13           You know, you could access one system  
14 and possibly be able to satisfy your state  
15 reporting requirements, federal reporting  
16 requirements, and HMS reporting requirements all  
17 at once.

18           SAFIS eTrips is managed by ACCSP and  
19 it is compatible with several different devices.  
20 So again, there is some flexibility there.

21           We also did some research on the

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1 recording mechanisms that are used by eVTR  
2 participants. And about 85 percent of people are  
3 reporting through eTrip through the GARFO  
4 program.

5 So it is pretty heavily used and  
6 familiar to a lot of folks that might be affected.  
7 So getting, keeping all of those programs in mind  
8 getting to what a potential goal for or potential  
9 goals for a future HMS charter/headboat  
10 electronic reporting program might be.

11 Of course we would want to use this  
12 process to improve data for management and stock  
13 assessments. Ideally we would reduce the, or  
14 improve the timeliness of getting this  
15 information.

16 We would also hope to reduce reporting  
17 inefficiencies and burden on captains so that  
18 they would be able to go to one place to report  
19 their fish, their landings, information about  
20 their trip. So as I've mentioned we're looking  
21 at programs with an eye of ensuring flexibility

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1 and compatibility.

2 And we do understand that a lot of  
3 people have multiple permits or are dual  
4 permitted across regions. So Cliff provided for  
5 this report an analysis where he looked at  
6 different, the different HMS charter/headboat  
7 permits and identified the number that just had  
8 HMS permits and the ones that had other regional  
9 office permits as well.

10 So over 1,200 or 35 percent had not  
11 only an HMS permit but also permits either from,  
12 that pertained to the New England managed  
13 species, Mid-Atlantic, South Atlantic or Gulf of  
14 Mexico permits that would require additional  
15 logbook recording.

16 So I've got the breakdown here. You  
17 can see under different combinations the  
18 percentage of HMS charter/headboat vessels that  
19 have different types of permits.

20 So you can see that this is definitely  
21 a complex situation. So as we thought through

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1 this presentation and as we looked at some of the  
2 issues that we've heard from constituents  
3 involved with SEFHIER programs and reflecting on  
4 our participation in development of, in the  
5 conversations regarding the development of eVTR  
6 we came up with some issues that we wanted to  
7 consider.

8 So these include calibration and  
9 whether or not there might be a short-term  
10 increase in burden in order to achieve a longer  
11 term pay off in terms of reporting efficiency.  
12 With new technology comes potential for new  
13 costs.

14 That could be relayed or translate to  
15 a higher permit cost to offset any new  
16 developments in technology that would support  
17 this program. The technology also constantly  
18 changes. Realistically it takes some time to  
19 implement a new reporting program. So we need a  
20 system that is flexible. We don't want to, you  
21 know, spend a year or two developing an amendment

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1 and then find out that the system that we were  
2 looking at is now outdated.

3 Flexibility can increase  
4 administrative burden and costs. Data  
5 collection, some of these efforts are still going  
6 to be ongoing.

7 This program can't necessarily  
8 replace some of the efforts that are being  
9 exerted through longstanding reporting and  
10 surveying programs. We're going to have to deal  
11 with the fragmented data environment for some of  
12 the reasons listed here.

13 A complicated effort in catch  
14 estimates. Any time you change something you  
15 have potential bias. You know, any time you  
16 introduce a new program it can be confusing.

17 There are going to be training and  
18 outreach challenges. We also recognize that the,  
19 there is some use of the HMS charter/headboat  
20 permit by private anglers and commercial tuna  
21 fishermen.

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1           So we try to get at that through  
2 adding vessel endorsements. So we wanted to  
3 understand, you know, who was actually using  
4 these permits for commercial sales and who is  
5 using it for charter/headboat activities or for  
6 other reasons.

7           So now we would like your feedback,  
8 your ideas on things that we should consider as  
9 we continue to think about a new potential  
10 charter/headboat electronic reporting program.  
11 We put some prompt questions up here. What are  
12 your thoughts? You know, is this something that  
13 we need to consider just for the for-hire trips?  
14 Should we look at it for both for-hire and non  
15 for-hire trips?

16           Are you hearing or thinking of  
17 objectives that we need to include in this  
18 program or goals that we didn't list in the  
19 previous slides? Are there other issues that you  
20 want us to be aware of as we start to explore  
21 this and participate in, you know, the

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1 implementation of other programs?

2 Should Caribbean charter/headboat  
3 trips be included? Are there unique concerns  
4 there? So I would love to hear your thoughts on  
5 this.

6 MR. BROOKS: Thanks very much. Let's  
7 start off with Rick and then down to Marcos.

8 MR. BELLAVANCE: Thanks, Jen. That  
9 was a great presentation. Very helpful and very  
10 informative. I do have some questions though.  
11 I hope I don't take too long here.

12 But when you estimated the annual  
13 operating costs, \$6 to \$7 million, can you break  
14 that down a little bit as to what that might  
15 encompass? I'm kind of confused on once they  
16 build something and they use it -- the costs.  
17 What are the costs? Do you have any clue on that  
18 one?

19 MS. CUDNEY: Sure. So these are very  
20 back of the envelope calculations that we got  
21 from the SEFHIER Implementation Team leads. But

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1 it's going to include things like, you know, when  
2 you have a program like this there are different  
3 validation requirements.

4 So you have to have more enforcement  
5 people maybe in certain areas. You need to have,  
6 there's some capital costs and maintenance costs  
7 that are going to be involved in that.

8 You need to have people that are doing  
9 validation surveys from, you know, going out and,  
10 people are reporting their catch. But there also  
11 is an element of validation where you actually  
12 have to have an observer or a dockside sampler go  
13 out and verify that is indeed what was reported  
14 for stock assessment purposes.

15 If you would like a more thorough  
16 breakdown I would encourage you to reach out to  
17 Jessica Stephen and Rich Malinowski. Their  
18 contact information is here.

19 A lot of this hasn't seen a whole lot  
20 of air time yet. But this was stuff that came  
21 up at the SEFHIER workshop so it is on the public

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1 record and they can give you a better breakdown  
2 of what this looks like.

3 MR. BROOKS: You've got a couple of  
4 questions, Rick?

5 MR. BELLAVANCE: Yes, I kind of do,  
6 sorry. Another question I had was in the part  
7 of your presentation where you mentioned the most  
8 stringent logbook requirements may be required.

9 I'm getting wound around the axle on  
10 exactly what that means because some of the  
11 programs that I've seen for the South Atlantic as  
12 opposed to the Gulf portions of the South  
13 Atlantic program might be more stringent than the  
14 Gulf.

15 Portions of the Gulf might be more  
16 stringent than the South Atlantic. And then add  
17 the Mid-Atlantic in that there might be more  
18 stringent requirements there. Who trumps who?

19 MS. CUDNEY: So this is a question  
20 that the Agency is going to have to contend with.  
21 And they have to, basically our Agency is going

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1 to have to consider these different scenarios and  
2 determine who trumps who under different  
3 conditions.

4 So vague response. But generally  
5 stringent refers to the timing like the number of  
6 days or number of hours. So a more stringent  
7 program would be, would have a shorter turnaround  
8 time for reporting. It could be the number of  
9 data elements, another example.

10 MR. HUTT: So one thing for  
11 clarification. The South Atlantic was the only  
12 group that in their rule said you could default  
13 to the more stringent program because they were  
14 in a situation where both the Mid-Atlantic and  
15 the Gulf had aspects that were more stringent  
16 than theirs.

17 So the Mid-Atlantic requires more  
18 stringent reporting time line at 48 hours than  
19 the South Atlantic which is a week. The Gulf  
20 requires reporting before you reach the dock.

21 The data elements between the Gulf and

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1 the South Atlantic are fairly similar other than  
2 the ones dealing with the VMS. But the  
3 interesting thing between the Mid-Atlantic and  
4 the South Atlantic is while the Mid-Atlantic is  
5 more stringent by time the South Atlantic  
6 requires more data elements.

7 So in that sense they're more  
8 stringent. This is one of the advantages of the  
9 SAFIS eTrips app in that it's adaptable and that  
10 you can report in 48 hours to meet your Mid-  
11 Atlantic requirement but it will still ask you  
12 all the data elements that you need to meet the  
13 South Atlantic requirement.

14 So I mean it's a way we're trying to  
15 kind of meet all these different, varying  
16 requirements from all the different regions.

17 MS. CUDNEY: And having a single  
18 system that you would log into means that you  
19 don't have to worry about which one is more  
20 stringent. The business rules would be  
21 incorporated into the program. And based on your

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1 combination of permits it would basically  
2 populate the questions or the fields that would  
3 then, you know, send your report off to the  
4 appropriate people.

5 MR. HUTT: And just because there's a  
6 South Atlantic says you have a week there's  
7 nothing to say you have to wait a week. I mean  
8 you could still do your report before you get to  
9 the dock if that's how you prefer to do it.

10 MR. BROOKS: So in essence, in theory  
11 it will be smart enough to understand and tell  
12 you where your most stringent reporting  
13 requirements are?

14 MR. HUTT: Exactly.

15 MR. BROOKS: Okay.

16 MR. BELLAVANCE: So that's a good  
17 segue into my two points of comments or advice.  
18 One of them was you mentioned that you're looking  
19 at a reporting program for HMS. And my question  
20 was why, if we have this SAFIS system, eTrip  
21 system that is up and running and can do a lot of

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1 this stuff why not just use that?

2 If 85 percent of the folks that are  
3 required to report are already using it, why not  
4 just use that instead of trying to develop a new  
5 program or you mentioned maybe having to do two  
6 reports.

7 I think that's counterproductive. So  
8 I would recommend looking down the road. And  
9 then the other piece of advice that we got from  
10 the implementation of the Mid-Atlantic Council's  
11 rule was definitely doing due diligence to get a  
12 good idea of the affected parties and make sure  
13 that you do outreach to all folks that are going  
14 to be affected by any rule that you might make so  
15 you don't miss someone and they freak out and say  
16 I didn't know about it and stuff like that.

17 So try to be aware of all the  
18 different permit holders that might need to  
19 suddenly have this new reporting requirement and  
20 reach out to them. And I think that's about it.  
21 Thanks, appreciate your time, guys.

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1                   MR. BROOKS: Just to double check are  
2                   there any other affected users other than all  
3                   permit holders that you're thinking of when you  
4                   say that?

5                   MR. BELLAVANCE: Well so just  
6                   understanding that you have to reach out to those  
7                   permit holders. I think the Mid-Atlantic did a  
8                   good job of understanding the affected parties.

9                   But they missed the boat on reaching  
10                  out to them. So make sure you do that.

11                  MR. BROOKS: Marcos.

12                  MR. HANKE: Thank you. Using the  
13                  guide, the questions that we have to guide the  
14                  discussion for sure for-hire, not for-hire have  
15                  to be included at the same time.

16                  If you're going to do a stock  
17                  assessment you don't want just a portion of the  
18                  landings or the, what is happening on the water  
19                  especially out in our area.

20                  And about, if you have to include the  
21                  Caribbean it's something they have been taking to

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1 many meetings is that the best group to start  
2 anything like this in the Caribbean is the  
3 charters.

4 It's a very controlled group that we  
5 have the benefit of collecting data of people or  
6 a group that behave like a commercial and like a  
7 recreation or at the same time sometimes they'll  
8 depend on the operation.

9 They give you a great feel of testing  
10 the system. And once you get through the charter  
11 probably going to be much more effective  
12 collecting electronic reports for the commercial  
13 and also for the recreational is a good way to  
14 start.

15 And one thing that I want to encourage  
16 you guys to do is to coordinate with the Caribbean  
17 Council because there is some effort for the  
18 electronic reporting. It's not implemented yet  
19 through the council. But they are working on it.  
20 I would hate to do a dual effort there for no  
21 reason. And also I encourage because of our

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1 multispecies fishery when the charter go out they  
2 don't go out just for HMS.

3 They go out for many other species.  
4 You should have a way to report everything that  
5 you catch. Give you data like how dependable is  
6 that charter from HMS species on their day to day  
7 operation and on and on and on.

8 I think that's it. That's my  
9 comments. Thank you very much. One more thing.  
10 Right now my boat is monitored under the FAD data  
11 collection implemented by Dr. West (phonetic) and  
12 he's having my position real time every day with  
13 everything I catch, species specific, right.

14 And I'm reporting that every day. And  
15 in terms of the validation we have some ideas.  
16 I have some ideas how to help you guys on that.  
17 We are available to help in the process. Thank  
18 you very much.

19 MR. BROOKS: Thank you, Marcos.  
20 Let's go to Jason and then over to Martha.

21 MR. ADRIANCE: Thanks. Under issues

1 to be aware of, so a couple years ago when we saw  
2 this coming down the pike as an Agency we  
3 partnered with one of these companies that puts  
4 these devices on boats.

5 They had funding for 100 federal  
6 permits to put those devices on the vessels. We  
7 secured extra funding to pay the subscription  
8 fees for two years.

9 We held outreach meetings statewide.  
10 We had four charter captains sign up. We thought  
11 it was a great way to, hey, this is coming get  
12 the units for free now.

13 So I think there's going to be a lot  
14 of outreach needed and a lot of discussion  
15 because I was surprised. We were offering  
16 everything for free and four people took  
17 advantage of it.

18 MR. BROOKS: Jason, why do you think  
19 that was?

20 MR. ADRIANCE: I can't answer that.  
21 I don't know.

1                   MR. HUTT: I know there's been a lot  
2 of plans. I mean we have a whole outreach  
3 education subgroup with the SEFHIER process. A  
4 big chunk of that budget estimate was adding more  
5 port agents into the mix to help with the  
6 enforcement and getting the word out of the  
7 requirements to do this and just to help people,  
8 you know, get kind of started with it.

9                   MR. BROOKS: Marcos, do you want to  
10 jump in on that point?

11                   MR. HANKE: The reason when I explored  
12 the idea of doing similar things that I'm doing  
13 on my boat nobody wants to give their  
14 information, where they are fishing and so on.

15                   And the main thing that worries us as  
16 an industry is that in the past we have experience  
17 and see the problem that companies can create  
18 apps using those information to get money out of  
19 it and advertise to go fishing in the Caribbean  
20 you have to do and take those tracks, go to those  
21 places, use this technique or this to just give

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1 a roadmap for fishing.

2 And this is not intention. This way  
3 addressing the point we have the accessibility  
4 and the dissemination of the data. That's a key  
5 point on that outreach. You have to make sure  
6 that there is no risk of revealing the secrets of  
7 the charter once you go. Right now I'm doing  
8 because I believe that I need to do.

9 But in terms of nationwide system we  
10 have to make sure that's very, very, very secure  
11 and clear.

12 MR. ADRIANCE: Just a quick follow up  
13 to that. We had those same provisions that data,  
14 location data was not going to be shared. It was  
15 purely for analysis if needed. So I don't think  
16 that was necessarily the issue.

17 MR. BROOKS: Martha.

18 MS. GUYAS: Okay. This one works.  
19 So a couple of thoughts on this. So I think the  
20 first place to start here and I see it's on your  
21 list would be really where we need to start is

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1 what do we want from this.

2 So I think with this issue in  
3 particular a lot of times we tend to work  
4 backwards and say hey, let's do electronic  
5 reporting because it's really great and awesome.  
6 But why?

7 What are we trying to monitor? The  
8 quota more timely? Are we trying to get more  
9 accurate data? And then go from there. So  
10 there's that.

11 I think another thing that we're  
12 learning from SEFHIER process is it probably  
13 would be better to identify funding before you  
14 actually implement this because we're going to be  
15 maybe implementing a program that we can't  
16 validate and that's a huge problem.

17 We're going to potentially lose a lot  
18 of trust in people that, you know, they think  
19 they're providing all of this really great data  
20 that's going to be used in assessments and until  
21 it's validated it shouldn't be. I don't know

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1 that it will be.

2 But it certainly shouldn't be. So I  
3 also would agree with the points about trying to  
4 streamline platforms to the degree that you can.  
5 Particularly, maybe the way to do that is by  
6 location, right.

7 So if you're in the South Atlantic  
8 you're and you have the South Atlantic permit  
9 you're following the South Atlantic in the HMS  
10 and it's more by that than by the permits you  
11 have depending on if you have multi-region  
12 permits.

13 And then one last thing to think about  
14 as you're moving forward with this, also think  
15 about how the states could be involved and be  
16 useful with this. Whether it's just in terms of  
17 validating what's coming across the dock or, you  
18 know, like LA Creel.

19 You know, how do you use the data that  
20 Louisiana is already collecting and integrate  
21 that again to further streamline this process.

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1           MR. HUTT: There is definitely a plan  
2           to use data like the APAIS intercept data for  
3           validating. Those surveys would still be going  
4           on even after this is implemented and that will  
5           be a big part of validating catch reports.

6           But then that gets to the issue of,  
7           you know, Texas and Louisiana where we don't have  
8           those surveys. So we've got to kind of  
9           coordinate there.

10          And a lot of that port agent hiring is  
11          also for helping to validate. We definitely  
12          don't want a situation where people are reporting  
13          in a HMS logbook and some other regional logbook.

14          The big issue is we look at our permit  
15          overlaps. Only about a little over a third of  
16          our permit holders are going to be required to  
17          report in one of these systems.

18          What are we doing about the other two-  
19          thirds? Do we just require them to report in  
20          their respective regional reporting system or do  
21          we create our own kind of separate one to kind of

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1 cover those individuals?

2 Do we like expand our current HMS  
3 reporting system to do that? So it's just  
4 figuring out how we want to handle those guys.

5 MR. PIERDINOCK: Thank you. With the  
6 first point there things to consider one stop  
7 shopping is very important. I mean as you know  
8 now we have to contact various offices and so on  
9 to report our landings.

10 So that's one thing that's key. You  
11 get the one stop shopping. Then it's going to  
12 be easier for everyone to use and more user  
13 friendly.

14 For-hire trips I'm using them, others  
15 are using them certainly. For non for-hire trips  
16 there could be other options with apps and so on.  
17 And one thing to take into consideration I use as  
18 an example and I understand it's a good example.

19 If you're deer hunting ten percent of  
20 the deer hunters get 90 percent of the deer.  
21 And, you know, ten percent of the anglers get 90

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1 percent of the fish recreational anglers.

2 So those that are really motivated are  
3 going to want to put it in an app, not the other  
4 90 percent that really don't want to. So that  
5 could skew the data and it's going to take some  
6 time to deal with that.

7 But the whole recreational private  
8 boating is a mystery within itself of how we come  
9 up with the numbers. But that would be my  
10 recommendation at that end.

11 What issues do we need to be made  
12 aware of? I know the problem we ran into was  
13 lack of, there was lack of outreach up in New  
14 England when it was implemented.

15 And there was some apps that were out  
16 there that would provide confidential information  
17 of where they transited from the time they left  
18 the dock to the time they returned.

19 As a result of that I know the  
20 Stellwagen Bank Charter Boat Association and  
21 North Shore Charter Boat Association and Cape Cod

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1 Charter Boat Association did not want to  
2 cooperate when they were told they had to use it  
3 because at that time prior to implementation  
4 there was rumors out there that, not rumors.

5 There was actual apps that had been  
6 used to provide all those transiting details. We  
7 ultimately were told that's not the case when it  
8 was implemented.

9 And the level of detail that's  
10 presently provided remains confidential and is  
11 consistent with historical VTRs. So we're  
12 comfortable now with cooperating with that.

13 One thing to keep in mind, areas such  
14 as Maine, Downeast they're still using paper.  
15 They're still using 1950s technology. You need  
16 to have the outreach to those people in those  
17 areas that are doing it the old way.

18 And you're going to have major  
19 kickback with them. I know for me I was used to  
20 using paper and it took a lot for me to get used  
21 to the app. I use it now and I enjoy it.

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1 Well not enjoy it. It's user friendly  
2 and I love it. It makes it a lot easier. One  
3 last thing is though as one who has had a federal,  
4 Northeast Federal Permit for 15 years now we've  
5 been filling out paper VTRs forever.

6 And we come back and why aren't you  
7 using them in stock assessment? We're only using  
8 them for effort. And then do we, we are  
9 wondering why our PSEs are sky high and then they  
10 don't use our numbers in our stock assessment.

11 So the best thing you all can do is  
12 to get this so it can get validated or get put to  
13 use. This is another comment that we had that  
14 we felt that it would be good to do a pilot test  
15 with the public instead of pushing this down our  
16 throats and dictating that it had to be done. Do  
17 a pilot.

18 Teach us how to use it. It's taken  
19 me close to two years to figure it out. And, you  
20 know, I'm able to be proficient with it now. And  
21 be in the position to use it for stock assessments

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1 otherwise you're not going to get cooperation  
2 because we've had it.

3 Because we continue to have these high  
4 PSEs. We continue to cooperate. We continue to  
5 provide the data and information and National  
6 Marine and Fishery Service continues to not use  
7 it in stock assessments.

8 Now one of the difficulties of this is  
9 because it's not the panacea is how it deals with  
10 effort. But I know on my trips I'm doing multi-  
11 species trips.

12 So I may first be going after black  
13 sea bass, scup, albies and so on near shore.  
14 Then I'm going off shore and then I'm going after  
15 tunas and sharks and so on.

16 How you deal with that effort and  
17 timing and so on that's still not clear. And  
18 that's the difficulty of this. This app works  
19 great.

20 This data works great if I'm just  
21 going to go out there and catch yellowfin for the

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1 day or bluefin. That's why if you look at  
2 straight bass it works well with striped bass,  
3 PSEs are low because the typical striped bass  
4 fisherman is just fishing for striped bass.

5 When you get into the multispecies it  
6 gets difficult. And many of these people on this  
7 are multispecies fishermen. So lastly with the  
8 Caribbean, you know, I would, I'm not going to  
9 tell the Caribbean what to do.

10 But from what we experienced up by us,  
11 you know, with Downeast and places like that and  
12 we have a portion of the population that, you  
13 know, they're not going to use electronics or  
14 anything whether they're recreational or, you  
15 know, it's tough enough for their charter boat  
16 guys.

17 So if you're dealing with people that  
18 it's subsistence to eat I don't know how much of  
19 that is in the Caribbean, to get them to cooperate  
20 is very difficult. We have that in our area too  
21 in Buzzards Bay and Vineyard Sound and other

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1 areas which adds to the difficulty of getting a  
2 non-hire to cooperate with their landings. So,  
3 thank you.

4 MR. HUTT: We know from, particularly  
5 in the northeast from a recent study that, you  
6 know, at least about 40 percent of our for  
7 charter/headboat, HMS Charter/Headboat permit  
8 holders, you know, from North Carolina north are  
9 primarily using it for private boat trips.

10 Not for charter, not for commercial  
11 but for just personal, private recreational  
12 trips.

13 MR. PIERDINOCK: Good question  
14 because this came up. I know at the state level.  
15 How does MRIP record that? Are they recording  
16 that as a charter/headboat for-hire trip or  
17 private recreational angler trip?

18 MR. HUTT: As a for-hire permit holder  
19 they would be contacted by the for-hire survey  
20 because they would be on that sample.

21 MR. PIERDINOCK: (Off microphone

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1 comment.)

2 MR. BROOKS: Let me push on. I've  
3 got five people. Anna, is that your card up?

4 MS. BECKWITH: Yes. And just really  
5 quickly, one of the primary concerns we had when  
6 developing the South Atlantic charter logbook was  
7 duplicate reporting as folks have mentioned.

8 And, you know, most of our guys are  
9 reporting to the South Atlantic, Mid-Atlantic and  
10 HMS. So bringing HMS into that is important.  
11 But of course you guys are all covered through  
12 the fact that all of our other reporting  
13 strategies will force people to report all fish  
14 on all trips.

15 So for your other sub-portion it would  
16 not be that difficult to have them tie into a  
17 region that's already reporting because that  
18 would cover not only the HMS species but, you  
19 know, all fishing trips.

20 So that could be one easy way to move  
21 that forward for you guys. Another huge concern

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1 that we have was really just the amount of  
2 information that we were requesting from the  
3 guides.

4 They don't want to report it. So  
5 certainly keeping the information and the  
6 economic information we had a huge struggle in  
7 discussions of, you know, what was the scientific  
8 and economic gold standard that we wanted to  
9 achieve versus what was actually practicable to  
10 get from the guides in an honest manner.

11 And one suggestion that the South  
12 Atlantic continues to make is that if there is  
13 additional information that is needed it should  
14 be sub-sampled from the guides in terms of  
15 economic information or additional information as  
16 needed in a very small percentage and very  
17 carefully done so you don't lose the desire for  
18 those guys to actually buy into the system.

19 MR. BROOKS: Great, thanks. Dewey.

20 MR. HEMILRIGHT: Thank you. For the  
21 commercial side for pelagic longline and bottom

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1 fishing commercially I have advocated for  
2 electronic logbooks.

3 I'm tired. I've got five or six  
4 different paper logbooks. We're living in the  
5 Flintstone age. But when I see a presentation  
6 that's a lot of encompassing stuff here if you're  
7 a charter boat you can go through the whole year,  
8 go fishing never send in the first report.

9 Come next year you get your permit  
10 again. There's no enforcement here. I mean  
11 you're wasting your time because there's no  
12 enforcement activity here that checks and  
13 balance.

14 Anna said the guides don't want to  
15 report so there's no need of it. And so I don't  
16 see how you've addressed, you might need the data  
17 faster, different things.

18 But there's no way to, a charter boat  
19 can go fishing the whole time, never fill out a  
20 logbook and he gets his logbooks -- he gets his  
21 permit the next year. So and in this, I saw a

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1 nowhere that it talked about enforcement.

2 So how are you going to come up with  
3 doing that? And not only that, it seems like why  
4 not take everybody's logbook that you want them  
5 to fill out, they're supposed to fill out.

6 Send it out to private industry and  
7 say how about giving me an app or something that  
8 allows us to do this because I see this as two or  
9 three years down the road for you all at least  
10 and it's not even funded.

11 So it's like, you know, it's kind of,  
12 it's not comical because it's important. It  
13 needs to be done. It needs to be done for HMS  
14 fisheries commercially.

15 I mean we've got VMSs on our boat that  
16 should have been that luckily the government has  
17 paid for it \$3,000. There should have been  
18 something implemented in that for us to do vessel  
19 reporting.

20 But you have no mechanism enforced in  
21 place today for enforcement of what you've got

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1 here. And if you do how about please share with  
2 us how it works because I've yet to see that.

3 MR. BROOKS: Thanks, Dewey. All  
4 right, let's work our way around the table. You  
5 want to respond.

6 MS. CUDNEY: Well I would just say  
7 that, Dewey, that's something that we would have  
8 to keep mind as we're going forward. And we  
9 would take that as a thing to consider.

10 We have not put a whole lot of, I mean  
11 we've put this presentation together. But right  
12 now we're at the point where we're participating  
13 in the development and finalization of other  
14 programs and seeing the direction that things are  
15 going.

16 So at this point in time I don't have  
17 a lot of the answers that you're looking for.  
18 But they would be forthcoming in a program as we  
19 move forward.

20 MR. HUTT: And I can say as far as the  
21 SEFHIER program goes in the Southeast, I mean the

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1 Gulf of Mexico they're going to be requiring VMS  
2 units or similar units on these vessels so they  
3 will know when these boats are going out.

4 And in the South Atlantic part of the  
5 reason why that budget, estimated budget was so  
6 high is they are proposing to hire several  
7 hundred additional port agents to monitor vessels  
8 so that they know when they're going out with  
9 charters and can determine if, you know, you saw  
10 the boat go out with a charter, it didn't report.

11 And they can take enforcement action.  
12 They are planning for this. The thing is like  
13 to get this funded we can't lobby Congress to  
14 provide funding for this extra program.

15 We need other outside groups to do  
16 that. We can shift so much of our own existing  
17 budgets around to implement and get the program  
18 off the ground.

19 But to have the adequate enforcement  
20 there's going to be a need for additional funding  
21 allocated. And Congress needs to do that and we

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1 cannot be the ones to lobby them to do that and  
2 provide that funding.

3 MR. BROOKS: Okay. I want to get the  
4 last few people in on this. Clearly folks have  
5 a lot of advice to pass along which is great.  
6 Jeff.

7 MR. ODEN: You know, I'm noticing the  
8 compliance there with the General category in the  
9 Northeast, you know, just stands to reason you  
10 were going to have less than minimal compliance  
11 without some mechanism to, you know, I'm glad to  
12 hear the 200 port agents.

13 And one great place they could start  
14 is at the fish cleaning table, you know. And  
15 each boat comes in they should go in there and  
16 verify right there.

17 No better way especially considering  
18 all the allocation battles we've got coming.  
19 And, you know, it's time to ante up. As an  
20 industry, you know, the charter/headboat same as  
21 we have to. I mean again, I'm watching fisheries

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1 be diminished that I used to participate in and  
2 we're losing status and it's not right. And  
3 again, you know, it's time to verify.

4 MR. BROOKS: Thanks, Jeff. Over to  
5 the corner. I can't quite see. Is that, Marcos,  
6 is that your card up?

7 MR. HANKE: I want to clarify a few  
8 things about the discussion we are talking about  
9 here is charter. For the Caribbean this is not  
10 a subsistence fishery.

11 We are talking about savvy people with  
12 a phone and computers. And we are talking a  
13 different set of people if you compare to the  
14 artisanal small scale fishery, right.

15 And I want to clarify that. And also  
16 we have advantage over many other people that  
17 average around the island ten miles off.

18 We have cellular signal, you know,  
19 that some place in the U.S., continental U.S.  
20 probably you don't have that advantage to have  
21 that infrastructure because we are a little

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1 island, many antennas and a lot of reception  
2 around Puerto Rico.

3 And one thing that I want to bring to  
4 the table is that I think we are trying to make  
5 us swallow this piece of specific stock  
6 assessment setting to an area that is a  
7 multispecies that it would maybe have to be a  
8 little more creative the way we manage and we  
9 analyze the effort and the data that we receive.

10 Once you have from me what I do every  
11 year in a longer period of time you're going to  
12 have my patterns of seasonality, my patterns of  
13 how specific I'm going to fish for HMS or reef  
14 fish or whatever throughout a longer period of  
15 time which is very valuable in terms of  
16 management.

17 And all those new analysis and new  
18 ways of looking how the stock is, how the  
19 fisherman is behaving in respect to the abundance  
20 that's very important. And for a multispecies  
21 that's a major thing to analyze.

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1                   And please don't lose that part of it.  
2           And about the cleaning station. Once we  
3           complement with spot samplers for the validation  
4           which is important there is many things that have  
5           been done in the past that was abundant like  
6           getting information from the captain on the e-  
7           report.

8                   Let's say now that you have the ports  
9           that are getting information from me and from the  
10          clients on the cleaning station. You can create  
11          a way to validate and to see what is the  
12          difference if there is any difference on that  
13          report because the captain probably, my  
14          experience is going to report way more accurately  
15          than the guy that hire me to go blue marlin  
16          fishing and we caught three barracudas, four  
17          skipjacks and one blue marlin he going to report  
18          to you. Guess what the blue marlin.

19                   And we are losing information. All  
20          of those considerations we have to take into  
21          account. Another thing is that I really don't

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1 understand. You guys issue a permit to us.

2 You have the whole control of  
3 everything and not using to the benefit. It can  
4 be a recreational, a charter or commercial.  
5 Obligatory e-report validated by port samplers  
6 and agents on the dock is the way to go.

7 I think I am on the same line of the  
8 other people that talked here. You know, if you  
9 say the units here have to comply with this I  
10 will have to comply.

11 Why not to do something like that?  
12 And the first step for sure I agree with Michael,  
13 have to be a pilot project identifying those key  
14 players that can give you good information to  
15 start something that is workable. Thank you.

16 MR. BROOKS: Thanks. I can't see if  
17 that's Grant or Tim. Tim, go ahead.

18 MR. PICKETT: Just a suggestion in  
19 being someone who has filled out both commercial  
20 and charter boat logbooks in the past. I would  
21 start with this being as simple as possible and

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1           then make it difficult.

2                           And when I say that I mean, you know,  
3           you could start with just a count.   How many  
4           yellowfin tunas did you catch today?   How many  
5           did you let go?

6                           Just with that rather than get into  
7           hook size.   Were you trolling?   Were you  
8           chunking?   Were you chumming?   You know, you go  
9           through a longline set book now and there's 100  
10          different questions, you know.

11                          There's not 100 but there's a whole  
12          bunch of different data that would I think, I  
13          don't want to say bore but would complicate the  
14          thing and complicate the data you're trying to  
15          catch.

16                          So if you would start out in the type  
17          of data you're getting being small I think the  
18          accuracy will be high.   If you try and collect a  
19          lot of data to start the accuracy is going to be  
20          very, very low.

21                          People are going, you know, a charter

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1 boat guy is tired at the end of the day. He's  
2 going to fill out, you're going to notice a lot  
3 of form letters at the end of the day. You know,  
4 and then you're not collecting something that's  
5 useful. In terms of the funding mechanism, a  
6 General category permit or a Charter/Headboat  
7 permit costs \$25 a year to renew. Do you think  
8 a charter boat wouldn't renew it if it was \$100?

9 You know, I mean it's there, you know,  
10 paying for their livelihood to be monitored  
11 correctly, you know, and to have some oversight  
12 in the industry. And it might weed out some  
13 people that aren't charter boats.

14 It might, you know, it's a little bit  
15 in the change of, you know, over the course of  
16 thousands and thousands of permits could easily  
17 pay for funding like that and it wouldn't be  
18 overly burdensome, I don't think, for the  
19 industry. So, you know, it's just a thought.

20 MS. CUDNEY: Real quick with respect  
21 to simplicity I have heard of some programs where

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1       you can set up a template of sort of preferred  
2       answers.

3                   If you know you're always going to be  
4       fishing with j hooks, if you're always going to  
5       be, you know, doing trolling you can set those  
6       values in a template to always be the same and  
7       then just go to the fields that would be dynamic  
8       on a trip by trip basis. So that's something we  
9       could consider.

10                   MR. SAMPSON: Yes. As far as that  
11       goes to I also would reiterate that trying to  
12       keep it simple. I know that whenever we're  
13       getting forms together, logs together or whatever  
14       sometimes it's very easy just to say well let's  
15       just ask them that.

16                   And while you're at it ask them that  
17       and whatever. And obviously there's nothing  
18       wrong with being proactive and thinking well  
19       maybe down the road this will be good  
20       information.

21                   But I would suggest that maybe not

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1 right away because this, as was just alluded to,  
2 to get people to accept this, you know, right now  
3 just keep it as simple as possible. And just  
4 like off the top of my head I think that the  
5 eTrips app there it asks number of gear.

6 Okay, so I guess we're referring to  
7 how many rods, reels we used that day. In the  
8 course of a day, you know, what does that mean?  
9 Does that mean in the morning when we're just  
10 trolling for whatever with four lines or later on  
11 when things are getting tough and we have 12 lines  
12 out or, you know, one or two, whatever?

13 And, okay, maybe that's important.  
14 But are you all really using it? I mean does  
15 that really, I guess that's just, you know, the  
16 type of thing that you'll have to ask yourself.

17 But I do think that's important to  
18 keep it simple. One other thing too. This might  
19 be an opportunity too because I know particularly  
20 in the Charter/Headboat end of it depending upon  
21 where you are and what you fish for there's

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1 obviously more than one type of permit that we  
2 are required to have, okay.

3 So and some guys just don't know.  
4 They don't know that they need a dolphin permit,  
5 you know, if they want to catch those fish or a  
6 multispecies permit if they want to fish for  
7 black sea bass or bluefish or whatever, an HMS  
8 permit.

9 And, you know, I know this is  
10 something, it might be more complicated. But I  
11 guess we have the IT guys that can work this  
12 through. Lord knows with the way websites are  
13 nowadays, you know, they can make anything  
14 happen.

15 But so a guy enters that he caught a  
16 dolphin along with these other things. But he  
17 doesn't have a dolphin/wahoo permit and so maybe  
18 a red light would flash or something or at least  
19 at the end of his entry he would get a notice  
20 that hey, by the way, you know, you need a  
21 dolphin/wahoo permit, you know, to fish for that

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1 fishery, in that fishery.

2 That could be a thing. Also at the  
3 start when they are first getting set up with the  
4 program it could, and I'm pretty sure the way it  
5 is now with the eTrips you sort of, you populate  
6 the log of what you might catch, what kind of  
7 fish you'll be going for, I think.

8 And anyway, when you started out if  
9 you could see I'm going to fish for this, this  
10 and this. You add all these things in. And  
11 maybe it would then inform you what permits you  
12 need if you want to fish for those species.

13 Again, you know, when you're talking  
14 about the IT stuff the sky is the limit, I guess.  
15 And with the \$6 million to work with you can  
16 probably do whatever you want or a lot anyway.

17 MS. CUDNEY: We're not saying we have  
18 --

19 (Off microphone comment.)

20 MR. BROOKS: Well in that case make  
21 it ten. Go ahead, yes.

1                   MR. HUTT: One quick point. I mean  
2                   on the electronic accounts for the e-logbooks  
3                   it's supposed to know which permits you have and  
4                   that's part of how it determines which questions  
5                   it has to ask you. So it could be a situation  
6                   where you report dolphin/wahoo and it's like you  
7                   don't have that permit.

8                   MR. BROOKS: So it connects the dots  
9                   there for you. Scott, last word here and a short  
10                  one.

11                  MR. TAYLOR: One of the reasons that  
12                  you have the compliance for the HMS pelagic fleet  
13                  is because we love to report. You made a  
14                  distinction earlier about people that sold fish,  
15                  Brad. If you're selling fish you're a commercial  
16                  fisherman. If you're taking people out for-hire  
17                  you're making your money by catching fish. It's  
18                  a distinction without a lot of meaning for me.

19                  As long as there's no accountability  
20                  like Dewey says, you're never going to get any  
21                  compliance. And this is not a little issue for

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1 us. I mean, some of the members from the  
2 Southeast Fisheries Council will tell you they  
3 just had a yellowtail closure this last year down  
4 in the Keys. First time that they've ever, you  
5 know, had that.

6 The number of yellowtails that are  
7 being caught recreationally that are being  
8 unreported pale in comparison to the numbers that  
9 are being caught commercially.

10 There are people in this room, there  
11 are people in the industry that have a  
12 responsibility to their constituency to explain  
13 to them how important this reporting is and that  
14 it isn't going to come from the government. It's  
15 in kin with a conversation that we had earlier  
16 with Sam Rauch today about understanding of  
17 different user groups, okay.

18 It is inconceivable to me that the  
19 recreational sector because it doesn't happen to  
20 be politically correct for this group or for the  
21 councils not to be communicating with their

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1 constituency that the amount of product that is  
2 being taken out of the ocean by that particular  
3 sector goes unaccounted and unreported for.

4 And until you come up with a way for  
5 there to be a level of accountability where they  
6 don't have a license to be able to go out in the  
7 same way that we wouldn't that you're not going  
8 to get that level of compliance.

9 And the flip side of that is that  
10 maybe if they have a real understanding of what  
11 the uses are within the user groups that there  
12 would be more continuity between the user groups.

13 MR. BROOKS: Thanks, Scott. So I am  
14 not going to attempt to repeat everything that  
15 was said here because that was a very rich  
16 conversation and I know there were a lot of people  
17 taking notes.

18 But things that did jump out at me  
19 that I'll just hit are a couple of  
20 recommendations that sort of touched on things  
21 that the Agency should be thinking about before

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1 it does anything.

2 Be really clear on the objectives.  
3 Really think about your funding and what are you  
4 going to have. And think about enforcement that  
5 those are sort of these foundational pieces that  
6 you really need to get your arms around before  
7 you start to do anything.

8 Beyond that were some really important  
9 pieces around outreach that, you know, heard that  
10 in several different times in several different  
11 ways. The value of piloting of something first.

12 Test it. See how it works so you are  
13 confident when you put it out there that it's  
14 going to be successful. Similarly, start simple,  
15 start streamlined and then as needed layer on.

16 On the Caribbean guidance there was  
17 start with charters. I heard several people  
18 weighing in on, yes, for, for-hire, a maybe for  
19 the not for-hires.

20 And then as well just be, you know,  
21 integrate, be efficient. You know, whether

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1 that's one stop shopping, whether it's somehow  
2 piggybacking on the SAFIS or tying it to a region  
3 that's already got reporting going.

4 Those are a number of the main themes  
5 that jumped out to me. So, but lots more was  
6 said as well. So thank you all for a really good  
7 conversation there. Anything you all want to say  
8 before we shift?

9 MS. CUDNEY: No. If you have other  
10 ideas and you want to share them with us please  
11 don't be shy.

12 MR. BROOKS: All right. So one last  
13 topic we want cover here which is Amendment 12  
14 which is implementing recent NMFS national policy  
15 directives. I think Rick is going to come up and  
16 handle that.

17 And just while he's getting up here  
18 let me just remind folks we will have public  
19 comment. It's scheduled for 6 o'clock. It will  
20 certainly not be later than 6 o'clock and it might  
21 be a little bit earlier than that.

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1 I know at least one person, Glenn is  
2 interested in public comment. But are there  
3 others in the room who are interested in public  
4 comment? Okay. Yes, the room may not be full,  
5 Glenn.

6 MR. PEARSON: Good afternoon. I know  
7 it's been a long day, but we are in the home  
8 stretch. The topic of this presentation is  
9 Amendment 12 to the 2006 HMS FMP to implement  
10 recent national policy directives. The  
11 presentation does cover a lot of information.  
12 But I will do my best to hit the high points.

13 The first thing that I want to  
14 emphasize before we get into the presentation is  
15 that we do not anticipate that there will be any  
16 associated rulemaking or new regulations  
17 associated with this amendment. So that's an  
18 important point to mention and I'll emphasize  
19 that at the end.

20 The purpose of Amendment 12 is to  
21 comply with recently published Magnuson-Steven

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1 Act guidelines and national policy directives.  
2 The Agency publishes guidelines to interpret the  
3 ten national standards.

4 Recently in 2016, National Standard 1  
5 guidelines were published that addressed  
6 overfishing among other things. So there are two  
7 topics that we're going to discuss with regards  
8 to the recent National Standard 1 guidelines.

9 The first is reassessment of the HMS  
10 FMP's objectives. And the second is a review of  
11 the stock status determination criteria. In  
12 addition, in 2017 NMFS published some national  
13 policy directives to ensure that certain issues  
14 are addressed consistently nationwide.

15 This includes review of standardized  
16 bycatch reporting methodology or SBRM and the  
17 consideration of triggers that can be used to  
18 determine when to review quota allocation  
19 decisions.

20 Many of you will recall that each of  
21 these four topics, FMP objectives, stock status

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1 determination criteria, SPRM and allocation  
2 triggers have been addressed in recent previous  
3 HMS Advisory Panel meetings.

4 So what we are doing, what we have  
5 decided to do is to combine these four topics  
6 into one amendment and they will be presented to  
7 you all in this order. So the first topic is a  
8 reassessment of the HMS FMP objectives.

9 They were most recently assessed in  
10 2006 when we combined the 1999 Tuna, Swordfish  
11 and Shark FMP with the Billfish FMP. Those FMP  
12 objectives were reassessed to remove redundancy  
13 when we combined those two plans and to update  
14 the objectives.

15 So right now there are 16 objectives  
16 in the current 2006 HMS FMP plus several other  
17 objectives that have been described in the ten  
18 amendments since 2006.

19 So the final National Standard 1, the  
20 final rule for the National Standard 1 guideline  
21 indicates that FMP objectives should be

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1 reassessed on a regular basis to reflect the  
2 changing needs of the fishery over time.

3 So this is really an interesting time  
4 to be on the HMS Advisory Panel because the last  
5 time that the FMP objectives were assessed was 12  
6 years ago. So this doesn't occur very often.

7 And I've provided a list of the, it  
8 should be available on your laptops a list of the  
9 current 16 objectives. I also have hard copies  
10 of the 16 objectives.

11 And so your homework for the next six  
12 months will be to take a look at the FMP  
13 objectives and to be thinking about those as  
14 we're going through this process.

15 FMP objectives, this is from the  
16 National Standard 1 guidelines, should be clearly  
17 stated, practically attainable, framed in terms  
18 of definable events and measurable benefits and  
19 based upon a comprehensive rather than a  
20 fragmentary approach.

21 You'll see that in Amendment 12 a lot

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1 of what the Agency is trying to do is to get a  
2 logical pre-established process for addressing  
3 issues in the fishery as they occur. The  
4 National Standard 1 guidelines also indicate that  
5 an FMP should make a clear distinction between  
6 its objectives and the management measures chosen  
7 to achieve them.

8 The objectives of each FMP provide the  
9 context within which the Secretary will judge the  
10 consistency of the FMPs conservation and  
11 management measures with the National Standards.  
12 So I'm not going to spend much time on this list.

13 As I indicated, you should have a list  
14 of the FMP objectives on your laptop and I have  
15 hard copies. But these are the 16 objectives.

16 In the ten subsequent amendments since  
17 2006 the most frequently referenced objectives  
18 were Objective 1, prevent or end overfishing.  
19 Objective 2, to rebuild overfished HMS stocks to  
20 minimize bycatch and bycatch mortality.

21 Objective 6, provide data necessary

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1 for assessing fish stocks and managing the  
2 fisheries. Objective 7, manage HMS fisheries for  
3 continuing optimum yield to provide the greatest  
4 overall benefit to the nation.

5 And Objective 8, to provide for  
6 coordination, conservation and management taking  
7 into account the multi-species nature of the HMS  
8 fishery. So I included this slide just to show  
9 you what the most frequently referenced  
10 objectives are.

11 Prevent overfishing, rebuild  
12 overfished stocks, reduce bycatch. The other  
13 objectives in the subsequent amendments obviously  
14 were more narrowly focused.

15 Increase opportunities to harvest  
16 swordfish. Implement smoothhound shark  
17 management measures. Update essential fish  
18 habitat.

19 Amendment 7, key objective was to  
20 reduce bluefin tuna dead discards. And Amendment  
21 8, increase Caribbean participation in HMS

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1 fisheries.

2 We are only going to be reassessing  
3 the 16 objectives in the FMP. So different ways  
4 we could revise the objectives. Streamline the  
5 language, use inclusive language, combine similar  
6 objectives.

7 So we have a few examples here.  
8 Currently Objective 5 reads minimize to the  
9 extent practical adverse economic and social  
10 impacts on fishing communities and recreational  
11 and commercial activities during the transition  
12 from overfished fisheries to healthy ones,  
13 consistent with ensuring achievement of the other  
14 objectives of this plan and with all applicable  
15 laws.

16 That's quite a mouthful. So perhaps,  
17 and these are just examples. These are not  
18 drafts. This is not proposed. We're just  
19 showing how we might go about this exercise.

20 So minimize to the extent practical  
21 adverse social and economic impacts on fishing

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1 communities and activities consistent with  
2 ensuring achievement of the other FMP objectives  
3 and all applicable laws.

4 So that might be one way  
5 streamlining. A couple additional examples.  
6 I'm not going to read each one of them now. But  
7 these are more things that we just tossed around  
8 to use more inclusive language.

9 For example, Objective 6 use the words  
10 identify and collect data rather than provide  
11 data. So these are just examples. Then there's  
12 also the potential for new FMP objectives.

13 We've looked at how other fishery  
14 management councils have undertaken the same  
15 exercise. And we found a couple of potential new  
16 FMP objectives.

17 The first has to do with enforcement,  
18 so a new one. Promote understanding, compliance  
19 and effective enforcement of HMS regulations.  
20 And then the other one was a topic we touched on  
21 earlier today. Promote ecosystem-based science

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1 to support and enhance effective HMS management.

2 So again, take a look at the  
3 objectives. Think about it. They're actually  
4 quite comprehensive. And we'll have a predraft  
5 next time and more discussion on these HMS  
6 objectives.

7 Topic Number 2, review of stock status  
8 determination criteria or SDC for internationally  
9 managed HMS. The Magnuson-Stevens Act specifies  
10 that annual catch limits and accountability  
11 measures apply to all fisheries unless otherwise  
12 provided for under an international agreement in  
13 which the United States participates.

14 For those stocks the National Standard  
15 Guidelines provide that NMFS may decide to use  
16 the stock status determination criteria defined  
17 by the relevant international body. This could  
18 apply to some ICCAT-managed tunas, swordfish,  
19 billfish and sharks.

20 So we've undertaken this exercise.  
21 And we identified four species which could be

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1 affected if we were to adopt the ICCAT stock  
2 status determination criteria.

3 And if you'll look in the column  
4 international threshold and then the column  
5 domestic threshold these are for biomass. You  
6 can see that ICCAT generally adopts BMSY whereas  
7 the United States adopts .6 BMSY which is BMSY  
8 minus natural mortality.

9 What that results in is that the  
10 biomass threshold that ICCAT uses, it's a larger  
11 threshold than what the United States utilizes.  
12 So, for example, bigeye tuna the biomass estimate  
13 is in between .6 BMSY and BMSY.

14 So under the United States stock  
15 status determination criteria bigeye tuna is not  
16 overfished. But under the international  
17 threshold bigeye tuna would be overfished.

18 I do want to emphasize that bigeye  
19 tuna is going to be reassessed at the upcoming  
20 ICCAT meeting. So this is based upon the 2015  
21 assessment.

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1           So some of this could change and it is  
2           in flux. But another potential example is West  
3           Atlantic sailfish. The international stock  
4           status criteria indicates that it, sailfish is  
5           not likely overfished.

6           That's largely due to a lot of  
7           uncertainty regarding the assessment. Whereas  
8           the United States indicates that it is not  
9           overfished.

10           So again, these were the two examples  
11           I just described. Bigeye tuna overfishing  
12           occurring, overfished under ICCAT. Domestic  
13           stock status overfishing occurring not overfished  
14           rebuilding.

15           So there's a different threshold for  
16           overfished status. I just want to go back one  
17           slide again. So essentially what we would be  
18           doing is adopting the ICCAT biomass threshold for  
19           all of the HMS that are managed under ICCAT and  
20           that would be BMSY.

21           These four species right here are the

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1 ones where there are some potential differences  
2 in biomass estimates. So the implications of  
3 this is that it would reduce confusion.

4 We would be adopting consistent stock  
5 status determination criteria that ICCAT  
6 utilizes. It is true that stocks, some stocks  
7 not previously identified as overfished may now  
8 be identified as overfished.

9 So what does the Magnuson-Stevens Act  
10 indicate in that type of a situation? Well the  
11 United States would be required to assess the  
12 effectiveness of the international rebuilding  
13 plan and U.S. compliance with the ICCAT  
14 rebuilding plan.

15 Management implications may be  
16 mitigated due to the presence of that  
17 international rebuilding plan, U.S. compliance  
18 with that plan where applicable and the  
19 relatively small impact of U.S. vessels.

20 For example, for many HMS the United  
21 States lands less than five percent of the total

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1 catch, the total Atlantic catch. So implementing  
2 a rebuilding plan, you know, based upon, would  
3 not have much of an impact.

4 So we would be required to sort of  
5 make this assessment here that a relatively small  
6 impact to the U.S. fleet that because it would be  
7 overfished it complies with the ICCAT, the United  
8 States complies with the International Rebuilding  
9 Plan.

10 And then also the use of not likely  
11 for sailfish may create some uncertainty. We  
12 have not fully determined what that would imply.

13 Okay. The third topic is review of  
14 standardized bycatch reporting methodology. The  
15 Magnuson-Stevens Act requires that FMPs must  
16 establish SBRM to assess the amount and type of  
17 bycatch occurring.

18 SBRM required procedures may include,  
19 but are not limited to, observer programs,  
20 electronic monitoring and self-reported  
21 mechanisms. The final rule published in 2017

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1 defines SBRM as established, consistent  
2 procedures used to collect, record and report  
3 bycatch data in a fishery.

4 So this clarifies the requirements.  
5 We have to identify bycatch reporting  
6 methodologies in FMPs. We've done that for the  
7 vast majority of our fisheries.

8 Explain how SBRM meets its purpose  
9 based on a fishery-specific analysis which is  
10 what we'll be doing for those fisheries for which  
11 we have not described SBRM. And it provides for  
12 regular review of SBRM.

13 Again, these are required contents of  
14 the fishery management plan. Describe the  
15 characteristics of the bycatch, the feasibility  
16 of the methodology to report the bycatch,  
17 uncertainty of the data and how the data  
18 resulting from the methodology are used.

19 The fisheries circled in red are the  
20 fisheries for which we have not described a  
21 standardized bycatch reporting methodology. The

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1 SAFE Report and the FMP have already described  
2 bycatch reporting methodology for PLL, BLL,  
3 handgear.

4 So we're going to be looking at the  
5 buoy gear fishery, the greenstick fishery and the  
6 recreational spear gun fishery for BAYS tuna.  
7 And we've been kind of scratching our head with  
8 regards to how to describe bycatch in the spear  
9 gun fishery for BAYS tuna. But we'll cross that  
10 bridge when get there.

11 These are some of the methods that we  
12 would describe for bycatch data collection.  
13 Self-reported data, logbooks, reporting of  
14 swordfish and billfish on hmspermits.gov, IBQ  
15 program, VMS catch reports.

16 So that's self-reported data,  
17 observer data, LPS and MRIP and electronic  
18 monitoring, pelagic longline camera systems.  
19 Again, this is something that's required to be  
20 described in an FMP, how do you report your  
21 bycatch.

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1                   We don't anticipate any new  
2 regulations associated with this. It's just a  
3 fishery description.

4                   So we intend to prepare an amendment,  
5 update the next SAFE Report to include  
6 descriptions of bycatch reporting methodology for  
7 greenstick, spear gun and buoy gear and other  
8 gears if necessary.

9                   The FMP has to be consistent with this  
10 final rule by 2022. And we will continue to  
11 review SBRM every five years to verify continued  
12 compliance.

13                   And the last topic is consideration of  
14 allocation triggers for quota-managed highly  
15 migratory species. Policy Directive 01-119  
16 creates a transparent process for assessing when  
17 a fishery allocation may need to be reviewed and  
18 what should be considered.

19                   Again, it tries to describe a logical  
20 pre-established process for determining if quota  
21 allocations should be reassessed rather than an,

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1 on an ad hoc basis. It describes a three-step  
2 mechanism to ensure that fishery allocations are  
3 periodically evaluated.

4 I'll show you a chart that outlines  
5 those three steps. For fisheries with an  
6 allocation, triggers should be identified within  
7 three years or as soon as practicable. That is  
8 Step 1.

9 This is where we are at in the  
10 process, determining the triggers that we would  
11 consider quota reallocation. Only one trigger  
12 would need to be met to initiate an allocation  
13 review.

14 Examples include public interest,  
15 time or fishery indicators such as decline in  
16 effort, decline in landings. So these are the  
17 five allocation triggers that we have initially  
18 preliminarily established for consideration.

19 Public comment received by the Agency  
20 with new information to review. That's interest.  
21 A maximum of ten years between the review of an

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1 allocation for a management group and/or species.

2 That's time.

3 A species and/or management group  
4 stock status change based on a recent stock  
5 assessment or ICCAT recommendation. So fishery  
6 indicator.

7 Change in effort or participation in  
8 the fisheries, fishery indicator or the  
9 implementation of a national rulemaking that  
10 impacts HMS fishery. So these are the  
11 preliminary allocation triggers that we are  
12 considering.

13 These are preliminary. We will seek  
14 public comment on these allocation triggers when  
15 we publish the draft FMP amendment.

16 I know that this is a busy slide. But  
17 I did want to include it. This is from the  
18 national presentation that was given. And it  
19 shows the three-step process in adaptive  
20 management of fishery quota allocations.

21 So in the upper left hand corner you

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1 can see fishery indicator triggers, as we said,  
2 change in effort, change in stock status. Number  
3 one is triggers.

4 Public input and a time trigger. So  
5 then it goes down, it flows down. Is there a  
6 need for a review indicated per social, economic  
7 or ecological criteria?

8 If, yes, then the Agency would review,  
9 this is where this whole thing kind of comes into  
10 focus. Then the Agency, okay, we've hit a  
11 trigger. Now we review our FMP objectives.

12 Are the objectives being met? Have  
13 other relevant factors changed that would impact  
14 future allocations? And then Step 3, if the  
15 objectives are not being met or other relevant  
16 factors have changed that would impact allocation  
17 then the process for an FMP amendment is  
18 initiated.

19 And this is the important point to  
20 emphasize here. Formal analyses would be  
21 initiated based on factors that should be

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1 considered when making an allocation decision.

2 So we are at the very, very early  
3 step. You go through these three steps. And if  
4 at that point you see that, yes, we should  
5 reconsider the allocation, the quota allocation  
6 then we go through a formal rulemaking following  
7 the Administrative Procedures Act, NEPA, public  
8 hearings, public comment, review time that the  
9 whole analysis.

10 In conclusion, Amendment 12 is  
11 entirely administrative in nature. We  
12 anticipate no change to the human environment, no  
13 change in fishing locations, effort or timing of  
14 fishing.

15 Any actions resulting from changes to  
16 the FMP objectives, standardized bycatch  
17 reporting methodology, stock status  
18 determination criteria or allocation criteria  
19 would occur in future actions. Such actions  
20 would be analyzed as appropriate under NEPA at  
21 that time with the opportunity for public

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1 comment.

2 Because of this we anticipate that  
3 this action may be categorically excluded from  
4 the need to prepare an environmental assessment.  
5 The time line in March we're going to hopefully  
6 have a pre-draft FMP amendment to just show you  
7 how this process is continuing.

8 We're going to solicit Advisory Panel  
9 input. Next year we'll present the draft FMP to  
10 the Advisory Panel, conduct public hearings  
11 and/or webinars with a 60 day comment period.

12 And then hopefully in winter, spring  
13 2020 the final FMP amendment will be published.  
14 And that's it.

15 MR. BROOKS: Okay. Let's see if  
16 we've got questions or comments. And I'm going  
17 to start off with one, Rick.

18 On the FMP objectives I think you had  
19 early on said, you know, so sort of around the  
20 table think about what kind of changes you might  
21 want to make here. And then I think you also

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1 said that, if I heard you right, staff will be  
2 coming to the spring meeting with a straw man of  
3 FMP objectives.

4 So I'm wondering is there a way to get  
5 input, is there some sort of input wanted to  
6 inform the straw man or if AP Members have ideas  
7 that they want to share is that now or some other  
8 way?

9 MR. PEARSON: We can always obtain  
10 comment. Just to, and that's one of the reasons  
11 we actually originally had planned to have the  
12 draft FMP amendment at this meeting.

13 But that would have, you know,  
14 prevented people from being able to comment on  
15 the objectives. So right now there is actually  
16 two bites at the apple to provide input into the  
17 objectives.

18 The first would be between now and the  
19 spring meeting and then at the draft FMP  
20 amendment stage. So there's two chances for  
21 public comment.

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1                   MR. BROOKS:   So thoughts people have  
2                   on objectives right now would be helpful?

3                   MR. PEARSON:   Sure.

4                   MR. BROOKS:   So let's start off with  
5                   Katie.

6                   MS.   WESTFALL:        Sure.        Just a  
7                   question.  So the, regarding SBRM it sounds like  
8                   the focus is really kind of at the fishery level.

9                   I'm wondering if there's any effort  
10                  going into focusing at the species level because  
11                  a lot of, you know, the highly migratory species  
12                  interact with multiple fisheries that are  
13                  governed my different councils and by HMS.

14                  And particularly for sharks it can be  
15                  really challenging to cobble together mortality  
16                  across multiple fisheries that a lot of times  
17                  were reported either in pounds or individuals or  
18                  by individual or by group.  Is there any effort  
19                  to kind of standardize that at the species level  
20                  and particularly for sharks?

21                  MR. PEARSON:   Presently we've been

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1       doing it at the gear level. You know, say for  
2       like sharks bottom longline, hand line fishery,  
3       gillnet fishery. But we will certainly take that  
4       into consideration. Thank you.

5                   MR. BROOKS: David.

6                   MR. SCHALIT: We went through a recent  
7       revision of National Standard 1. I saw a draft  
8       that showed the original text and then the text  
9       that was lined out and then what was changed in  
10      a different color, let's say a red.

11                   And I found that to be tremendously  
12      useful for my purposes. So, you know, so I could  
13      see what it was and what we were pitching about  
14      making it. So that's something to just keep in  
15      mind.

16                   But I have a question for you in  
17      connection with something you mentioned earlier  
18      on in your presentation having to do with stock  
19      status, okay. This, the issue I'm kind of  
20      suffering from customer confusion.

21                   And I'm just wondering if you could

1 help me out. I'm interpreting what is said that  
2 the United States is in a position to deviate  
3 from the scientific advice of ICCAT science or  
4 must concur with ICCAT science. I'm a little,  
5 I'm not understanding that.

6 MS. MCLAUGHLIN: So the, no, not  
7 really as you phrased it. Our, the action in  
8 front of us would be to consider using the  
9 international threshold so we would be consistent  
10 with, you know, if SCRS says it's overfished we  
11 say it's overfished rather than well our  
12 threshold is one minus natural mortality and  
13 therefore our threshold is, you know, .6 and the  
14 stock isn't that bad yet.

15 It's actually .8 so, you know, we're  
16 considering it rebuilding but it's not overfished  
17 whereas ICCAT would say it's overfished.

18 MR. SCHALIT: Hi, Sarah.

19 MS. MCLAUGHLIN: Hi.

20 MR. SCHALIT: By the way, well, okay,  
21 so maybe bigeye is a bad example because the

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1 assessment is going to ready in October.

2 MS. MCLAUGHLIN: Right, this is  
3 generic.

4 MR. SCHALIT: So let's skip to another  
5 easier one, bluefin. With bluefin I'm just  
6 taking a look at what it says in FishWatch, okay.

7 And it says based on the information  
8 in the 2017 stock assessment NOAA fisheries has  
9 determined that the Western Atlantic bluefin tuna  
10 stock has an unknown overfishing status, unknown  
11 overfished status.

12 Now I don't want to turn this into a  
13 big discussion. I'm just saying that I see that  
14 --

15 MR. BROOKS: Nor will I let you.

16 MR. SCHALIT: -- is at variance with  
17 what ICCAT is saying because ICCAT doesn't use  
18 the word unknown. ICCAT uses the word uncertain.

19 So I'm wondering is the U.S. sort of  
20 maintaining that they will ultimately decide on  
21 the stock status based on the U.S. science point

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1 of view or that they must always be in concurrence  
2 with the international like in this case ICCAT?  
3 Thanks.

4 MS. MCLAUGHLIN: Yes. And I guess I  
5 would again say that's not really how we would  
6 phrase it. It's just that the threshold that we  
7 used to determine, but that's a bad example.  
8 Bluefin is a bad example.

9 Let's pick something simpler. In  
10 other words for a generic fish, right. If ICCAT  
11 says anything less than 1.0 BMSY is overfished  
12 but our threshold is .9 and the stock assessment  
13 comes back and says the biomass is currently at  
14 95 percent of BMSY ICCAT would say it's  
15 overfished.

16 We would say well it's not overfished.  
17 It's rebuilding because rebuilding is between our  
18 domestic threshold and the ICCAT threshold of  
19 1.0. So does that help?

20 MR. SCHALIT: In other words, it's  
21 another way of saying the same thing. Putting

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1       it into our own language in a sense.  Putting it  
2       into NOAA's language is what you're saying.

3                   MS. MCLAUGHLIN:  We would not be using  
4       our own different language.  We would, see the  
5       terminology see like sailfish or, no -- which is  
6       the one that's not likely? -- sailfish.

7                   SCRS says it's not likely overfished.  
8       But we domestically NMFS has very prescriptive  
9       language where you don't get to choose something  
10      that has the word likely in it.

11                  So we have to indicate if it's  
12      overfished or not overfished.  So that's a  
13      trickier one and we'll have to think about what  
14      the implications are for the status of stocks  
15      report, what kind of language they would use if  
16      SCRS is using a term that we don't have in our  
17      lexicon.

18                  MR. BROOKS:  Rick, you want to jump  
19      in on this.

20                  MR. WEBER:  Yes.  I was going to just  
21      say stick with bigeye because it is relevant

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1 because the assessment is out now. And one of  
2 the models comes back at .59 and two of the models  
3 come back in the .7, .8 range.

4 And it becomes really relevant as to  
5 whether or not if ICCAT doesn't act whether we  
6 have to go it alone because if we're triggering  
7 domestic regulation because the fish is  
8 overfished, if ICCAT does not act we are, we will  
9 be compelled to act.

10 I'm in no big hurry to change our  
11 definition of overfishing because as it is right  
12 now we're going to have discretion because it  
13 hasn't, only one of the models has hit our  
14 threshold so we don't have NMFS necessarily  
15 compelled to do something on their own.

16 We get to get into a discussion of  
17 whether or not we want to go along with the  
18 international body. You know, we, I was going  
19 to bring this up anyway.

20 Brad, we've got an overfished with  
21 overfishing assessment on bigeye. I, and the

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1 next time we get together we're already going to  
2 have ICCAT advice.

3 So rather than throwing a bomb into  
4 this discussion as we get into the social, I  
5 encourage people to talk to NMFS staff about what  
6 that's going to look like if we ended up coming  
7 home with a quota because it could be a lot more  
8 than a bag limit, you know, on recs.

9 It could be tight across the board.  
10 We don't know. We need this conversation  
11 domestically before we go over so that you or  
12 Margo or whoever is there is best informed from  
13 the domestic about what is tolerable, what is  
14 doable.

15 We've got any number of ICCAT informed  
16 people in the room if anyone wants to hop in, you  
17 know. We've got the chair of IAC and others.

18 But I was going to get around to  
19 bringing up bigeye because you're right. There's  
20 going to be major conversation.

21 MR. SCHALIT: The allocation key will

1 be the big argument that will take up all the  
2 space in that room. But I think, I mean doesn't  
3 this ultimately stock status come down to Kobe  
4 matrix essentially, Kobe plot?

5 MR. PEARSON: I'm not going to get  
6 into, you know, any pre-ICCAT discussions or  
7 whatever. If ICCAT were to implement a bigeye  
8 tuna rebuilding plan and establish quotas or any  
9 other management measures irregardless of what  
10 the domestic stock status says we would be  
11 obligated to take action to implement measures to  
12 address those ICCAT recommendations  
13 nevertheless.

14 So that's why I'm indicating that we  
15 don't anticipate any real impacts as a result of  
16 this. It's just combining the two, the  
17 terminology.

18 But if ICCAT were to do that we would,  
19 the United States would be obligated to implement  
20 those actions irregardless. I'm not saying it  
21 in the most artful way. It's kind of difficult

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1 to explain.

2 But that's sort of the bottom line the  
3 way that I understand it.

4 MR. BROOKS: I want to get a few other  
5 people into the conversation here. Steve.

6 MR. IWICKI: So if you could go to, I  
7 think it was 17, the one that had the spear  
8 fishing thing on there. Is there any statistical  
9 data that says this is even a relevant issue for  
10 recreational fishing?

11 I mean I see that supposedly according  
12 to Google sources most of them that you can do  
13 this in Louisiana and there's a charter boat that  
14 does it out of Long Island. But I mean it sounds  
15 like, and maybe California too.

16 But it sounds like the people that are  
17 doing this are going on charters that have  
18 reporting requirements already that are targeting  
19 the species. This isn't a bycatch thing.

20 So you guys have got so much on your  
21 plate. I'm just trying to figure out is this

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1 statistically, how do you determine if it's  
2 statistically relevant enough to warrant all this  
3 effort.

4 And in this case if it is it sounds  
5 like you need to target commercial just as much  
6 as, you know, you do on the recreational side  
7 because there's charters that take you out spear  
8 fishing for yellowfin for instance.

9 MR. PEARSON: Yes, that's correct.  
10 There was actually, it was a pretty concerted  
11 effort to authorize the recreational spear gun  
12 fishery for BAYS tuna several years ago.

13 So now it, on the books it is an  
14 authorized fishery. So technically we do need  
15 to describe the bycatch reporting methodology for  
16 it. But truthfully I don't expect that to be  
17 more than maybe a paragraph.

18 MR. IWICKI: But you're talking about  
19 in terms of bycatch. If they're doing it they're  
20 targeting it so there must be a permit or the  
21 boat has a permit.

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1           You're not going to be sitting  
2           somewhere and just there's a tuna. Maybe down  
3           south but definitely up in New England. So they  
4           don't jump on the pier in Long Port like, you  
5           know, the photo showed sometimes this week. But,  
6           yes.

7           MR. PEARSON: Point taken. Like I  
8           said, I don't think the description will be much  
9           more than a paragraph if it's a targeted fish or  
10          --

11          MR. IWICKI: But how do you determine  
12          if it's statistically relevant to even --

13          MR. PEARSON: We would just have to  
14          describe the reporting methodology that they use.

15          MR. IWICKI: Okay. It seemed like  
16          that would be a waste of time on the rec side.  
17          But you've got to do what you've got to do. I  
18          get it.

19          MR. BROOKS: All right. Let's go to  
20          Grant and then up to Marty.

21          MR. GALLAND: Thank you. Just a

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1 variety of comments about the presentation and  
2 some of the conversation around the room.

3 First, with respect to Objective 1 of  
4 the FMP on preventing and ending overfishing and  
5 adopting the precautionary approach. I just  
6 wanted to mention that this might be an  
7 opportunity to recognize the new direction that  
8 fisheries management is starting to take around  
9 the world with respect to management procedures  
10 or harvest strategies.

11 This seems like a good place in the  
12 management plan to include some language about  
13 that. Harvest control rules that are tested by  
14 management strategy evaluation, et cetera.

15 So this is just, that movement towards  
16 having the science directly lead to management  
17 actions and taking a little bit of the kind of  
18 back and forth politics out of it.

19 And that's particularly important at  
20 the international level where of course quotas  
21 are having to be negotiated between, you know, in

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1 the case of bigeye maybe 35 countries. So that  
2 might be a good spot to incorporate that new  
3 management technique into the FMP.

4 Secondly, all my work is at ICCAT. My  
5 entire job revolves around ICCAT. And so with  
6 respect to your couple of slides on the biomass  
7 reference points, you know, I just wanted to  
8 mention and reiterate some of the things that you  
9 said that we're already here in the United States  
10 essentially tied to whatever decisions are taken  
11 at ICCAT.

12 So regardless of where the stock is  
13 assessed against the reference point here in the  
14 U.S. if ICCAT takes some management action then  
15 we implement that management action here.

16 So we or I generally support moving  
17 towards the using ICCAT's reference points in our  
18 domestic FMP because as you mentioned that does  
19 reduce confusion.

20 Also the ICCAT reference points are  
21 essentially treaty-based and are not likely to

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1       ever change, frankly. And the United States of  
2       course has a reputation around the world as  
3       having some of the strongest fisheries management  
4       in the world.

5                   And this is one area where, you know,  
6       ICCAT, this broad organization of 52 countries  
7       seems to have adopted something that's a bit  
8       stronger than the U.S. has domestically. And  
9       this is an opportunity to fix that by moving from  
10      0.6 BMSY to 1.0 BMSY with respect to a biomass  
11      reference point.

12                   So that's something that I really  
13      support and think this might be a really nice  
14      opportunity to do that. And then finally, I have  
15      been involved in the bigeye stock assessment this  
16      year.

17                   So just since it was mentioned on the  
18      floor I'm just, I wanted to let folks know that  
19      I was there. I unfortunately can't come to the  
20      social tonight but I will be here all day tomorrow  
21      and I'm happy to discuss what I heard in the room

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1        amongst    those    40    scientists    that    were  
2        internationally setting and assessing the stock  
3        for bigeye.

4                    And I should say that stock assessment  
5        just like almost all ICCAT stock assessment is  
6        led very strongly by U.S. scientists. So that's  
7        another reason, by the way, to align those two  
8        sets of biomass reference points.

9                    But also, you know, this is something  
10       where the U.S. really leads on tuna, shark and  
11       billfish and swordfish science. This is  
12       something that we go to ICCAT and U.S. scientists  
13       take the lead roles and really represent us well  
14       at ICCAT.

15                   And so I'm happy to share what I  
16       learned in that room with those 40 scientists led  
17       by the U.S. with respect to the bigeye  
18       assessment.

19                   But I will mention that while there  
20       were three stock assessment models that were run  
21       there and two of them were, you know, showed the

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1 stock somewhere between .6 and 1 and one of them  
2 showed it below 0.6, those 40 scientists  
3 unanimously decided to craft all of their  
4 management advice for bigeye on the model that  
5 was below 0.6.

6 And the reason they did that is  
7 because it's what's called an age structured  
8 model which means that was the only of the three  
9 models that could consider juvenile catch which  
10 for the bigeye folks in the room you all know of  
11 course that's really important because that's  
12 what happening around FADs in the Gulf of Guinea,  
13 juvenile catch.

14 And that's the one model that can  
15 really account for that juvenile catch when  
16 assessing the stock, the current stock status and  
17 the likelihood of recovering the stock in the  
18 near term. So that's what the management advice  
19 is going to be based on.

20 That was unanimous between the U.S.,  
21 Japan and all of the European scientists who

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1 represent governments that flag fleets that use  
2 FADs. That was unanimous.

3 So that's, the advice for that stock  
4 is going to be based on that third model, that  
5 range. Thank you.

6 MR. BROOKS: Thanks. John, you  
7 wanted to just quickly weigh in on that I'm  
8 guessing.

9 DR. GRAVES: Yes, just thanks, Grant.  
10 But in all deference I'd like to point out that  
11 Craig Brown who was the head of the U.S.  
12 delegation to that meeting has joined us for this  
13 meeting.

14 Craig attends all of our ICCAT  
15 Advisory Committee meetings as he is our chief  
16 scientist at ICCAT. And so Craig was out there.

17 And so, you know, I think we ought to  
18 give credit to Craig for coming here, but also if  
19 you want the skinny on it certainly Craig would  
20 be a good source as well as Grant who was there.  
21 Just to give Craig his credit.

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1 MR. BROOKS: Thanks. Marty.

2 MR. SCANLON: I'm looking at this on  
3 Slide 22 here which says that consideration of  
4 the allocation of triggers to quota management of  
5 HMS. It says here maximum of ten years.

6 Would that essentially create a  
7 midnight clause on all of the regulations to be  
8 reviewed after ten years? It says the  
9 implementation of national rulemaking that  
10 impacts HMS fisheries change in effort of  
11 participation in HMS fisheries.

12 You know, would that create a midnight  
13 clause? We've all had some midnight clauses in  
14 most of these regulations and so they just don't  
15 continue on forever. So that's my question.

16 MR. PEARSON: No. If ten years have  
17 passed or we're approaching ten years we would  
18 take another look at that allocation structure  
19 for that quota managed species. That's all that  
20 means.

21 We may, then we would assess. We

1 would still, we would determine whether the FMP  
2 objectives are still being met, if this is an  
3 appropriate allocation.

4 If not, then we would follow the FMP  
5 amendment process. But it just means that after  
6 ten years we would reexamine the quota  
7 allocations under the FMP.

8 MR. BROOKS: So the allocation  
9 wouldn't go, the quota wouldn't hit a reset?

10 MR. SCANLON: I don't mean for the  
11 regulation to be gone. But you would be forced  
12 to review it in some way because if you're not  
13 going to review the reason for the allocation,  
14 right.

15 So wouldn't you have to review the  
16 regulation to some extent?

17 MR. PEARSON: We have similar things  
18 for reviewing standardized bycatch reporting  
19 methodology every five years. So these are just  
20 triggers, periodic triggers to reexamine these  
21 aspects of the FMP after a certain amount of time

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1 has passed.

2 MR. SCANLON: Then how come that  
3 process hasn't been applied to the, you know,  
4 Charleston Bump area and those closed areas?

5 MR. MCHALE: So, you know, again,  
6 Marty, this is specific language as it relates  
7 allocation not all regulations across the board.  
8 And it is a review.

9 So it doesn't necessarily result in  
10 action. So in this context, you know, it's a  
11 little bit of apple and orange when you're  
12 looking at say time management measures versus  
13 something that's solely allocation centric, you  
14 know, as articulated in the Magnuson Act.

15 MR. SCANLON: But doesn't all  
16 regulations start off with some sort of an  
17 allocation? That's why the regulation is in  
18 place in the first place.

19 MR. MCHALE: I would disagree. You  
20 know, that not everything stems solely from an  
21 allocation. You know, we don't have quotas for

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1 some of our species but yet there are regulations  
2 associated with them.

3 So it's not one stems directly from  
4 the other in all situations. It doesn't mean  
5 it's not up for, you know, consideration hence  
6 our discussions around the table, you know, over  
7 the last few years. But it's not automatic.

8 MR. BROOKS: Okay. I do not see any  
9 other cards up. So thank you both very much.  
10 What I think I want to do is get us to public  
11 comment and then let people go on to the social  
12 hour and their evenings.

13 Let me again double check. I know  
14 Glenn has a public comment he would like to make.  
15 Anyone else in the room who wants to make a public  
16 comment? If not, Glenn, just if you would start  
17 off introducing yourself and then --

18 MR. DELANEY: Glenn Delaney. I work  
19 for the Blue Water Fisherman's Association among  
20 other fisheries. I have a long history of  
21 involvement in HMS management particularly in the

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1 ICCAT world.

2 And I appreciate the, a former member  
3 of the AP, and I appreciate the opportunity to  
4 address you today. I apologize. I found that  
5 at this stage in my life if I don't write down  
6 what I'm going to say I can't remember what I was  
7 going to say or if I even said it.

8 So maybe some of you will get there.  
9 Did I mention, maybe some of you can relate.  
10 Many of my points echo the excellent inputs you  
11 received from Marty, Dewey, Scott, Jeff and  
12 others and I just want to recognize that.

13 I'm really just going to provide some  
14 emphasis on two points of many that I could  
15 address today. With respect to the area based  
16 in weak hook management discussion that we had  
17 earlier today, with Amendment 7 we implemented an  
18 output control management strategy with very  
19 intensive individual accountability measures.

20 This is the ideal of present day  
21 fishery management. In theory we can precisely

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1       achieve fishing mortality targets while still  
2       allowing and maximizing or optimizing efficient  
3       fishery operations.

4               And that should be the goal. Yet we  
5       maintain input controls in area, closed areas and  
6       the weak hook requirements which are by design  
7       for the purpose of opposing inefficiencies on our  
8       fishery in an aspirational effort to achieve a  
9       fishing mortality target.

10              These input controls are the  
11       definition of redundancy under the current system  
12       and really should be a no-brainer for  
13       elimination. This is not a theoretical argument.

14              The consequences of retaining these  
15       input controls as a redundant layer of  
16       regulations has been severe. Pelagic longline  
17       landings and the number of active participants  
18       continue to decline sharply.

19              I'll just mention a couple of data  
20       points to add to what you already presented. In  
21       2017 the pelagic longline fleet landed only

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1 approximately 29 percent of its swordfish  
2 adjusted quota.

3 Same number 29 percent of its northern  
4 albacore. These are two stocks that are fully  
5 rebuilt, not overfished, not overfishing. For  
6 the first six months of 2017 the pelagic longline  
7 catch of bigeye tuna was down 12.6 percent from  
8 the same period the year before.

9 Yellowfin was down 43.5 percent for  
10 the same period in the previous year. Just  
11 pointing out that this decline happens every  
12 single year.

13 This is a consequence of regulations  
14 in desperate need of reform, not of any  
15 conservation objective. I know you guys totally  
16 recognize this problem exists and want to fix it  
17 deep in your hearts.

18 But my concern here is really timing.  
19 As Marty noted, the President issued an executive  
20 order directing agencies to, among other things,  
21 eliminate redundant regulations. That was in

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1 January of 2017.

2 The comment period closed on the  
3 scoping document on the area in weak hook  
4 management on May 1st. In Tom's presentation it  
5 appears measures to reform these measures,  
6 hopefully eliminate these redundant input  
7 controls will be part of Amendment 13 which  
8 cannot begin until, as I understand it, at least  
9 the spring of 2019 when the final three year  
10 review document is issued.

11 And then, as was stated, it might take  
12 another 20 months or more to complete a  
13 rulemaking including scoping, proposed rule,  
14 final rule, cooling off period. We are looking  
15 at fishing year at least 2021 for making these  
16 no-brainer reforms to the input controls.

17 That's four years after the three year  
18 review period of 2015 to 2017. This is not  
19 reasonable. We just can't survive that long.  
20 It's not going to happen.

21 Look at the numbers. Look at the

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1 participants. We'll be harvesting five percent  
2 of our swordfish quota by then. It's going to  
3 get reallocated to other countries that do  
4 nothing for bycatch conservation, target species  
5 conservation, compliance monitoring, the works.

6 We're the gold standard at ICCAT and  
7 all that fish is going to go to other countries  
8 that do squat. And it will be a major negative  
9 conservation result of this situation.

10 Again, we can't make it to 2021  
11 waiting just for the simplest of reforms,  
12 regulatory reforms and the elimination of  
13 redundant input controls. We've got to do better  
14 than that.

15 I don't know where the answer is. You  
16 know, if we need to go to the NOAA level, to the  
17 Secretary's level, to the White House, whatever  
18 we've got to do we can't just slog through a four  
19 year process of trying to eliminate redundant  
20 input controls.

21 It's ridiculous. And I don't blame

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1       you. I mean you're saddled with the realities  
2       of how things work in terms of rulemaking. But  
3       this industry isn't going to be here.

4               The second issue, three year review  
5       document. I'm going to pick on Tom again. Tom's  
6       presentation, I gave him a heads up on this,  
7       identified, one of the objectives he identified  
8       was reducing pelagic longline catch especially of  
9       course dead discards which, you know, for a  
10      number of years, many years probably far exceeded  
11      the pelagic longline share of the U.S. ICCAT  
12      quota.

13              And, yes, it is true that Amendment 7  
14      appears to achieve that objective. You know, I  
15      think we're at two or three times our ICCAT, our  
16      pelagic longline quota share.

17              And now however we're only harvesting  
18      48 percent of our adjusted quota. I think we  
19      overshot substantially and need to bring that  
20      into line with what our actual allocation is.

21              You know, just to preach a little the

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1 quota allocated by ICCAT to the U.S. is science  
2 based and sustainable by definition. In fact,  
3 based on SCRS advice last year ICCAT increased  
4 the TAC for western bluefin by 350 metric tons,  
5 17.5 percent increase.

6 We've ended overfishing. In terms of  
7 where we are in BMSY is essentially unknown or  
8 uncertain, whatever word you want to use. But  
9 we've got an F-based rebuilding strategy or  
10 management strategy in place and things are  
11 looking very positive for the stock.

12 You know, the goal of the U.S. is per  
13 the mandates in the Magnuson-Stevens Act and the  
14 Atlantic Tunas Convention Act, is to fully  
15 utilize our science-based sustainable ICCAT  
16 quotas.

17 Therefore in turn the goal of  
18 Amendment 7 reforms, i.e. Amendment 13 should be  
19 to enable the pelagic longline fleet to fully  
20 utilize its share of the U.S quota not just reduce  
21 it to below its quota and call that a victory.

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1           At 48 percent utilization that's not  
2           a victory. There's not conservation basis for  
3           leaving 52 of the pelagic longline bluefin tuna  
4           quota in the water.

5           So as we have communicated numerous  
6           ways and times to you folks we must reform some  
7           key elements of Amendment 7. Performance metric,  
8           we've discussed dispersals and others to make  
9           sure that, you know, active vessels are going to  
10          be able to utilize the quota.

11          And that's what we, Blue Water have  
12          recommended and I hope you will take that to heart  
13          and find a way to readjust the measures of  
14          Amendment 7 so we can not only fully harvest our  
15          bluefin allocation but might have a shot at  
16          getting back in the swordfish and other stock  
17          business. Thank you very much.

18          MR. BROOKS: Thanks very much, Glenn.  
19          Any other public comments at this point? I think  
20          you can make a comment as an AP Member.

21          MR. CANNIZZO: Thank you. I'm

1 speaking for Bob Bogan. And it's interesting  
2 just this afternoon at lunch I got a call from  
3 the party boat skippers asking me if I asked the  
4 HMS about fileting at sea for party boat  
5 inspected vessels for just yellowfin tuna,  
6 longfin tuna.

7 It wouldn't apply to any swordfish,  
8 billfish, sharks or bigeyes or bluefin. Over the  
9 years the party boat fleet basically from Cape  
10 May to Massachusetts has been decimated.

11 Right now start of the season,  
12 September there's less than ten full-time party  
13 boats that actually tuna fish. We're trying to  
14 make sure we keep getting customers on our  
15 vessels.

16 We're trying to do something where we  
17 have trips where we catch a couple of fish, the  
18 ride home is four to seven hours long. We cut  
19 the fish on the boat, filet a fish on the boat.

20 And there's no change as far as any  
21 regulations. But just allowing to cut the fish

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1 on the boat so that the customer can walk off the  
2 boat if someone pulls up after the long trip.

3 Their fish would be kept in clear  
4 bags. Racks would be retained and enforcement  
5 could be at the dock, like I said, less than ten  
6 boats.

7 In New York there's one boat left  
8 full-time fishing tuna fish. State of New  
9 Jersey, five; Rhode Island, one; Massachusetts  
10 Jill Huckamine (phonetic) and Helen H, that's it.

11 We're just looking for just a little,  
12 like I say the burden taken off the party boats  
13 where inspected vessels can filet at sea. Get a  
14 filet at sea permit, be allowed to filet the fish.

15 Have them available for inspection and  
16 like I said, let the people as soon as they get  
17 in from the trip go home without waiting for their  
18 fish to be cut. Thank you.

19 MR. BROOKS: Thanks very much. I  
20 know this was brought up by Bob at the last  
21 meeting. I don't, maybe you can weigh in on

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1 that.

2 MR. MCHALE: Yes, so you're  
3 absolutely correct that Bob did raise this at the  
4 last meeting. And there was some dialogue around  
5 the table from a whole variety of users of, would  
6 love to have the ability to filet their fish at  
7 sea.

8 Heck, I as a recreational fisherman  
9 would enjoy the benefit of fileting at sea. But  
10 the conversation also came back to the importance  
11 for not only species identification but  
12 enforcement of our regulations.

13 And I think the tone of the  
14 conversation at that point said that, you know,  
15 needing to be able to properly identify yellowfin  
16 from a bigeye from a bluefin was pretty  
17 essential. And some of those physical  
18 characteristics are the key elements of  
19 identifying those species.

20 Myself individually as well as folks  
21 in my office have reached out to folks on the

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1 west coast where there are some provisions where  
2 they allow fileting at sea as well and I inquired  
3 on how is that going.

4 And let's just say I didn't get  
5 glowing recommendations of including those same  
6 techniques here in the Atlantic especially where  
7 we have more species identification matters then  
8 they're experiencing say on the west coast.

9 So that request isn't lost. We  
10 definitely, you know, as managers as well as  
11 fishermen see the benefits of being able to  
12 process fish at sea so clients can then get off  
13 the vessel.

14 As one of those clients and future  
15 clients I don't mind having a cold beer while  
16 somebody is fileting out and staking out that's  
17 a good problem to have versus just being able to  
18 run off the boat.

19 And so it's not lost. But I don't  
20 necessarily see us gravitating in that direction  
21 in the short term. It doesn't necessarily close

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1 the door on it.

2 Like perhaps that's something that we  
3 could entertain like that Amendment 13 process.  
4 But we've kind of kicked it around a fair amount  
5 and at this point I think we're leaning more  
6 towards maintaining that reg even though we've  
7 heard the benefits.

8 The costs still seem to outweigh them  
9 slightly though.

10 MR. BROOKS: Thanks, Brad. If there  
11 are no other comments we should probably let you  
12 all get out of here. Just to remind us of a  
13 couple of things.

14 No-Host Social down in the lobby at  
15 6:30 or whenever you can get there between now  
16 and 6:30. And we reconvene here tomorrow at  
17 8:30.

18 Contrary to what we said earlier in  
19 the day we're actually not able to tweak the  
20 agenda lineup for tomorrow. I think we've  
21 already, someone has touched base with you on

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1       that Dewey and I think going to connect up on  
2       that.

3                       So the printed agenda you have is the  
4       one we will be following tomorrow.   So again,  
5       we'll start at 8:30 and run until 3 o'clock.   So  
6       thank you all very much.

7                       (Whereupon, the above-entitled matter went off the  
8       record at 6:11 p.m.)

9