

UNITED STATES DEPARTMENT OF COMMERCE
NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION

MARINE FISHERIES ADVISORY COMMITTEE MEETING

Washington, D.C.

Tuesday, December 3, 2013

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14 Director, Marine and Coastal Conservation,
15 National Fish and Wildlife Foundation

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17 Owner, F/V Augustine

18 JOHN S. CORBIN
19 President, Aquaculture Planning and
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10 BOB BEAL
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12 HEATHER SAGAR

13 MARK SCHAEFER

14 BRANDON SOUSA

15 JENNY THOMPSON

16 Other Participants:

17 MR. CROSS, The Pew Charitable Trusts

18 MS. DOERPINGHAUS, Ocean Conservancy

19 MS. MILLER, Northwest Atlantic Marine
20 Alliance

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

2 (8:37 a.m.)

3 Welcome & Roll Call/Introductions

4 DR. HOLLIDAY: Can we all take our
5 seats? We are going to start the meeting this
6 morning. You all may have noticed that it's a
7 little dark in here, and I'd like to welcome you
8 all to the --

9 SPEAKER: Mood lighting.

10 DR. HOLLIDAY: We had power in the room
11 this morning, but there was an outage. The street
12 lights and other electricity in the area is also
13 affected, not the whole building, but parts of it
14 so. So rather than wait for that to come back on,
15 we're going to start the meeting. We'll take
16 notes as best we can and move along on our agenda.

17 So I think we're pretty much all here.
18 There's coffee and some light refreshments here.
19 The restrooms, as you go out this door back
20 towards the stairs, instead of going down the
21 stairs you go left, and you'll find the restrooms.
22 And again, emergency egress through the stairwell

1 right to our right in case of an actual emergency
2 or this emergency stairwell right behind you.

3 So with that, I'll turn the meeting over
4 to Keith. If you need copies of the agendas, we
5 have some printed copies as well that were on the
6 front if you hadn't gotten one.

7 CHAIRMAN RIZZARDI: Good morning,
8 everybody. Thanks for making the trip here. I
9 think it's appropriate that we've begun with a
10 power failure. This is sequestration in action.
11 You know, I think our entire meeting is really an
12 exercise in perseverance, and I want to say a big
13 thank you to the folks from NOAA. We are meeting
14 in person instead of by Facebook, and that's
15 because NOAA felt it was important to have MAFAC
16 get together. We're here despite sequestration,
17 which I think is also a testament to what they
18 think of the value of MAFAC. And I hope that by
19 the end of our time together here on Thursday, we
20 get to look back and say, wow, all that effort and
21 that perseverance was really worth it because look
22 what got accomplished.

1 We've got quite a bunch of things on our
2 agenda for the next couple of days. We've got
3 white papers on ESA implementation, on
4 recreational fishery perspectives, and on fishery
5 sustainability certification. And in addition,
6 we're supposed to come up with our work plan for
7 2014. So our subcommittees will be busy, and all
8 of us will be busy, and I expect that there will
9 be, as usual, things that will take place after
10 hours over at McGinty's and otherwise where we're
11 still editing and working on papers.

12 But we also have the honor before we
13 start with the discussion of all those things of
14 recognizing some of the dignitaries, and Mr.
15 Schaefer, in particular, who are here with us.
16 Before I allow Alan to do the formal
17 introductions, however, I wanted to go around the
18 room and have the folks here at the table
19 reintroduce themselves to each other. I'm Keith
20 Rizzardi, and I'm a law professor at St. Thomas
21 University. And I'm Chairman of the Committee.
22 Pam?

1 DR. YOCHER: Pam Yochem, Hubbs-Sea World
2 Research Institute, MAFAC member.

3 MS. LONGO EDER: Michelle Longo Eder
4 from Newport, Oregon, commercial fishing vessel
5 owner.

6 DR. RHEAULT: I'm Bob Rheault from Rhode
7 Island. I represent the East Coast Shellfish
8 Growers Association.

9 MR. CORBIN: I'm John Corbin. I'm from
10 Hawaii. I'm a consultant in aquaculture.

11 MR. AMES: I'm Ted Ames. I'm a retired
12 ground fisherman, and (inaudible).

13 MR. BEAL: Bob Beal, the Executive
14 Director of the Atlantic States Marine Fisheries
15 Commission.

16 MR. FISHER: I'm Randy Fisher. I'm
17 Executive Director of PSMFC.

18 MR. DONALDSON: I'm Dave Donaldson, the
19 Interim Executive Director of the Gulf States
20 Marine Fisheries Commission.

21 MS. LOVETT: Heidi Lovett, Office of
22 Policy.

1 MS. THOMPSON: Jenny Thompson, Office of
2 Policy.

3 DR. CHATWIN: I'm Tony Chatwin with the
4 National Fish and Wildlife Foundation.

5 MS. BONNEY: Julie Bonney, Alaska
6 Groundfish Data Bank in Kodiak, Alaska.

7 MS. MORRIS: Julie Morris, New College
8 in Florida and Sarasota, Florida.

9 MR. WALLACE: Dave Wallace from
10 Maryland, representing commercial fishermen. I
11 (inaudible) from Seattle, Washington commercial
12 fishermen.

13 MR. BROWN: Columbus Brown, retired,
14 U.S. Fish and Wildlife Service.

15 DR. HOLLIDAY: Mark Holliday, Director
16 of Policy for Fisheries, and your Designated
17 Federal Official for MAFAC.

18 MR. RISENHOOVER: Good morning. Alan
19 Risenhoover. I'm currently the Acting Deputy
20 Assistant Administrator for Regulatory Programs.

21 DR. SCHAEFER: And good morning. I'm
22 Mark Schaefer, the new Assistant Secretary for

1 Conservation and Management at Commerce and NOAA.

2 DR. HOLLIDAY: And shall we do the folks
3 -- let's do the folks around the room, too.

4 MS. LEROUX: I'm Celeste Leroux. I'm
5 the PCO, Program Coordination Officer, for NOAA
6 Fisheries.

7 MS. SAGAR: I'm Heather Sagar. I'm Mark
8 Schaefer's advisor.

9 MS. FULLENKAMP: I'm Lindsay Fullenkamp.
10 I'm the Deputy CFO for Fisheries.

11 MS. RIVELLI: I'm Donna Rivelli. I'm
12 the Acting CFO for Fisheries.

13 MS. NAUGHTEN: Kate Naughten, Director
14 of Communications for NOAA Fisheries.

15 MR. DUNN: Russ Dunn. I'm the Policy
16 Advisor on Recreational Fisheries.

17 MS. DOERPINGHAUS: Jessi Doerpinghaus,
18 Ocean Conservancy.

19 MR. ROGERS: Stan Rogers, Office of
20 Protected Resources, representing Donna Weems this
21 morning.

22 CHAIRMAN RIZZARDI: Okay. I think that

1 covers everybody. Did we miss anyone? Nope.

2 Alan?

3 MR. RISENHOOVER: All right. Thank you,
4 Keith, and I'd like to start by thanking everybody
5 for rearranging their schedule due to a little bit
6 of a blip in the road earlier this year. I'm glad
7 to see -- I think you've got pretty much the whole
8 committee here. So getting this group together is
9 always a challenge. Getting this group together
10 in such short order is often an impossible
11 challenge.

12 But as Keith indicated, I think you've
13 got a great agenda this time. You've got three
14 for four topics that we've been talking about
15 internally and would really like some advice on.
16 When we've been asked on things about Magnuson or
17 sustainability, we've routinely been saying our
18 MAFAC Committee is going to advise us on that, and
19 we'll get back to you after that. So you've got
20 some direct input on some things that are coming
21 up.

22

1 Introduction of Dr. Schaefer

2 But to start with today, I'd like to
3 introduce Dr. Mark Schaefer to my left here. He
4 is the Assistant Secretary of Commerce for
5 Conservation and Management. What that means is
6 he has oversight over NOAA Fisheries Service, as
7 well as the National Ocean Service, so the good
8 wet side of NOAA is under him. Most recently, he
9 was the Director of the U.S. Institute of
10 Environmental Conflict Resolution, so he comes to
11 us with good recent credentials. I as part of
12 this introduction started looking back into his
13 past and took about four pages of notes.

14 So he has a well-rounded resume, as they
15 say. I was encouraged to see he started or early
16 in his career was with a regulatory agency, the
17 Environmental Protection Agency. He was also a
18 congressional science fellow, so he comes with
19 good background there. But some of the notables,
20 and these are just a couple of notables, are that
21 he was the Deputy Assistant Secretary of Interior
22 for Water and Science, Director of the U.S.

1 Geological Survey, and Assistant Director for
2 Environment of the Office of Science and
3 Technology Programs at the White House for several
4 years. And also in the private sector was the CEO
5 of NatureServe that most of you, I'm sure, have
6 heard of.

7 So with that, welcome, Mark, and welcome
8 to our MAFAC Committee. And thank you for
9 rearranging your schedule to come today as well.

10 Report from NOAA Deputy Administrator
11 and Q&A with MAFAC members

12 DR. SCHAEFER: I'm very happy to be
13 here. Thanks, Alan. Thank you, Keith. And thank
14 you to all of you for taking the time to help
15 guide our programs. MAFAC is one of the
16 longer-standing federal advisory committees in the
17 environment and natural resources arena, and it's
18 critical to our programs at the National Marine
19 Fisheries Service. You all have taken on a number
20 of thoughtful analyses, delivered a number of
21 thoughtful analyses to us over the years. As Alan
22 said, there are several important ones that will

1 be reported on today, and we take your advice
2 seriously. And I think that the past record shows
3 that NMFS and NOAA more broadly pays close
4 attention to the advice and analyses that you
5 provide.

6 I am new at NOAA. I've just been here
7 about three months, so I'm still learning the
8 ropes to a degree. But as Alan mentioned, I've
9 spent most of my career working on the interface
10 of science and public policy and mostly in the
11 water resources arena. And when I was at
12 Interior, I worked on salmon recovery issues in
13 the Pacific Northwest. I worked on Gulf of Mexico
14 hypoxia issues on Everglades, to some degree on
15 Chesapeake Bay matters. And also since it was
16 Bruce Babbitt's tenure at Interior, of course, we
17 paid attention to dams and the potential to
18 operate them differently, and got to work on the
19 artificial flood of the Grand Canyon some years
20 ago. But also worked with him on thinking through
21 ways of encouraging dam operations that would be
22 more fish-friendly, and also worked with him on

1 the Elwa Dam removal up in the Pacific Northwest,
2 which was an interesting, relatively early removal
3 project that had major implications for salmon.

4 We have a lot of things going on at NOAA
5 obviously in terms of major goals. I'm trying to
6 focus on continued progress in building fish
7 stocks, working to further the conservation of
8 protected species. And, of course, we have a
9 major potential listing coming up of corals that
10 we're paying a lot of attention to right now.
11 Focusing a lot of attention on habitat
12 conservation.

13 Most of you have probably had a chance
14 to take a look, or at least hear about, the
15 wetlands report that we put out with the Fish and
16 Wildlife Service just week before last. And that
17 report shows that in the last five years, we've
18 lost wetlands at a rate of 80,000 acres per year.
19 That's significant because in the previous five
20 years we were losing wetlands at the rate of
21 60,000 acres per year. So unfortunately not only
22 have we not achieved no net loss, we're seeing an

1 acceleration of the decline in wetlands. And for
2 all of us here and what we're concerned about,
3 that's a very important number to pay attention,
4 and it's sort of a reminder that we have to
5 continue to step up our game, so to speak, in
6 terms of habitat conservation.

7 Gulf of Mexico, of course, because of
8 recent circumstances, we're focusing a lot of
9 attention there. I'm personally involved in a
10 number of the restoration related activities in
11 the Gulf, and I'm learning more and more. It's a
12 very complex system, and the financial aspects of
13 the settlement and so on are also very
14 complicated. And there's many states involved in,
15 and we're still sort of working our way through
16 that.

17 The big picture challenge I think that
18 we have is that if you look at the range of
19 stressors that are impacting the coastal marine
20 environment, it's pretty broad, and they're very
21 significant. And it seems like we're becoming
22 more and more aware of their significance over

1 time from warming of the ocean, sea level rise,
2 acidification, classic nitrogen and phosphorous
3 inputs, toxic substances, including pesticides,
4 plastics, plastics at a macro scale, and now, you
5 know, smaller particles. And we're not even sure
6 what those particles may be doing. Sedimentation,
7 habitat loss, loss of mangroves, loss of sea
8 grasses, and so on.

9 So on the upside, we're making very nice
10 progress, and this is we've done collectively in
11 recovering fish stocks. And I think that's really
12 an example of if we do focus time and attention on
13 these challenges, we can make a difference over
14 time. We just have to sustain that effort, and we
15 have to stay focused. Some of these issues it's
16 going to be very difficult to get our arms around.
17 Obviously sea level rise, warming, and so on,
18 those are due to some very big picture economic
19 drivers and sociopolitical forces.

20 But we do know that, for example, on
21 acidification, while that is related to these
22 broader forces, we do know that when it comes to

1 impacts on shellfish, there's a variety of
2 stressors acting together. And so we need to
3 focus on the ones where we can make a difference,
4 and hopefully the cumulative effects of all these
5 different stressors will be minimized, and we can
6 still maintain viable shell fisheries. Just one
7 example.

8 I think, too, because of the budget
9 situation, we have to work harder than ever to
10 ensure that we're working together, we're on the
11 same page, we're really working as partners.
12 There's simply not enough money around to tackle
13 these things the old-fashioned way, and even the
14 old-fashioned way, it seemed like we were
15 continuing to lose ground.

16 So I don't have all the answers here as
17 to how we can do this. But I think we do need to
18 think bigger picture about how the public and
19 private sectors work together to meet these
20 challenges. Now, we can work with industry, NGOs,
21 our academic institutions, state and federal
22 government, tribes. All of us are directing our

1 energies towards common goals, and we're trying to
2 make the most effective use of the limited funding
3 and resources that we have. I think that's the
4 only way we're going to make real progress in the
5 years ahead.

6 In terms of some of the hot topics that
7 we're dealing with, of course, Magnuson-Stevens
8 Reauthorization is getting more attention on the
9 Hill. We think we may see a draft House bill here
10 shortly. Issues about allocation, management
11 flexibility in our multi-species fisheries,
12 rebuilding trajectories, potential transfer of
13 some management authority to the states when it
14 comes to recreational fisheries, there's a number
15 of interesting issues on the table.

16 Another hot topic, ensuring strong stock
17 assessment enterprise, thinking about how we set
18 priorities, ways to improve efficiency, continued
19 advancement of our assessment technologies, and,
20 of course, trying to ensure that we have adequate
21 funding to do the priority stock assessments that
22 we're identifying.

1 Ultimately, of course, the goal is to
2 have a very strong scientific basis for our ACLs,
3 and NMFS has made good progress on this front
4 obviously since the last Magnuson reauthorization.
5 We want to continue that. There's a great story
6 in advancing the sustainability of our fisheries,
7 and I think you all know the basics, but you'll be
8 hearing more about that later today.

9 Another big and important area to us has
10 to do with advancing and applying electronic
11 technologies and using these technologies in the
12 context of log books, vessel monitoring systems,
13 catch monitoring, and so on. We also have to
14 think about the fact -- let there be light. We'll
15 be generating a lot of data using these
16 technologies, and so we have to think about how
17 we're going to process that, and analyze it, and
18 make use of it, and make sure we're not just
19 amassing a lot of data.

20 Catch weight accounting. You know, we
21 can use technologies to monitor fisheries, but
22 there are certain things that are more difficult

1 than others. And so, we have to recognize both
2 the strengths and the limitations of the
3 technologies and think about ways of getting
4 around those or dealing with those limitations and
5 how we can augment electronic information with
6 more traditional activities.

7 Data transmission -- how are we going to
8 move the information from one place to another?
9 And data confidentiality -- how are we going to
10 make sure that commercially important information
11 is maintained in a confidential manner?

12 Another big issue that NMFS has been
13 focusing a lot of attention on, of course, is the
14 recreational fishing initiative, the recent
15 summit, the creation of the recreational fisheries
16 working group, identification of regional
17 fisheries coordinators, and then appointing a
18 National Recreational Fisheries Policy Adviser,
19 Russ. And I recognize the catch allocation issue
20 is still a challenge, and we've got to work on
21 that and think through, again, the role of the
22 federal government and the states in terms of

1 making allocation decisions.

2 ESA, we're now up to 94 listed species,
3 and that's a very significant management
4 challenge. At the same time, we have 75
5 additional species proposed for listing, and 66 of
6 those are corals. And a decision on the coral
7 listing will take place later this spring or early
8 summer.

9 You know, listing 66 or even a subset of
10 related species that are dispersed throughout our
11 tropical, subtropical waters is a major challenge,
12 and thinking about how to designate critical
13 habitat and so on. It's really pressing the
14 envelope here in terms of our scientific and
15 management capacity. But if you look at what's
16 happening to our corals and coral reefs, it's a
17 very timely issue. And just as with the wetlands
18 and mangroves, the coral reefs are declining in
19 places like the Caribbean and Hawaii where reefs
20 are very much a part of recreation and our key
21 resource for our fisheries.

22 We have to raise the visibility of this

1 problem, I think, publicly and make sure that
2 people understand that reefs are not something
3 that we can take for granted, and that they have
4 tremendous biological and economic importance. So
5 I think we will be able to highlight this issue in
6 the months ahead, and that's a personal priority I
7 have. I think Eric Schwaab really tried to zero
8 in on this habitat conservation and restoration
9 issue, and I think he absolutely did the right
10 thing. And I want to congratulate him, and I want
11 to do the best I can to continue the momentum that
12 he built up.

13 There's a variety of ESA-related matters
14 that we're focusing on more broadly, you know,
15 methodologies for doing impact assessments. How
16 do we account for cumulative effects? How do we
17 assess the auditory impacts to marine mammals?
18 Those are all active issues right now.

19 And through your 2020 report, among the
20 many very good recommendations in that report was
21 that we need to work more to try to keep species
22 off the list and try to look big picture at what's

1 coming down the pike and make sure that we're
2 managing effectively so that we're limiting the
3 number of species that we have to add, and that
4 we're also doing the best we can to manage the
5 listed species so that we can do some de-listings.

6 There's been some really nice, tangible
7 progress reported. Just two nights ago on the NBC
8 evening news, they talked about the increased
9 populations of the green sea turtles in Florida.
10 We have some other nice sea turtle stories on the
11 Gulf. There again, it just shows that if federal
12 and state government, and NGOs, and industry, and
13 academia stay focused, we can turn these things
14 around.

15 Another issue we're focusing attention
16 on is aquaculture. And as you all know, we have a
17 large and increasing seafood deficit in this
18 country. I think it's greater than \$11 billion.
19 We import 91 percent of our seafood supply by
20 volume, and we need to advance environmentally
21 sustainable aquaculture methods. And I emphasize
22 "environmentally sustainable" because you can

1 obviously do that right or even do it wrong. And
2 we want to make sure that we're working with
3 industry to make sure that we're doing it right.

4 There are three initiatives that have
5 emerged on the aquaculture front: The National
6 Shellfish Initiative, the Tech Transfer
7 Initiative, and the Gulf of Mexico Plan for
8 Aquaculture. So we're moving those forward. And
9 also in the National Ocean Policy Implementation
10 Plan, there's seven interagency aquaculture
11 related directives. So the spotlight is on this
12 now, and we want to try to move the ball forward,
13 and, as I said, make sure that we are advancing
14 aquaculture in a sustainable fashion.

15 So those are just a few things,
16 honestly. The list is long, and we're having to
17 work on many fronts, at a time when our budgets
18 are either level or declining. We're continuing
19 to make the arguments for increased funding, but
20 there are some bigger budget realities that are
21 limiting our success in that arena. We'll
22 continue to push, and we'll continue to push to

1 maintain what we have.

2 I view it was my job to speak out on
3 behalf of the wet side programs at NOAA, and I
4 know the recent history. And the good thing is we
5 have lots of friends on the Hill, and we have you,
6 and we have our NGO private sector colleagues.
7 And we need to work together to make sure that
8 we're maintaining a viable level of funding so
9 that we can work on these many fronts.

10 Ultimately for me, I'm a biologist by
11 training. I strongly believe that managing
12 natural resources effectively requires a strong
13 scientific base, and you have to pay a lot of
14 attention to that scientific base, and make sure
15 that you're supporting it, and that you're taking
16 advantage of the best expertise out there. That's
17 what we're trying to do through this committee and
18 accessing both scientific and management
19 expertise.

20 And like I said, there's been a long and
21 successful history of this Advisory Group guiding
22 programs at NOAA and at NMFS. We take your work

1 and your time very seriously. We know that you
2 have other things to do. We know that this is
3 voluntary. And we even try to make sure you have
4 the lights on when you have meetings. And we are
5 sensitive to the idea -- I'm not in favor of this
6 idea -- that meetings can be just as effective
7 over the phone. Meetings have to do with either
8 interacting either a little more formally in this
9 situation, but it's often the informal
10 conversations and the opportunity to get to know
11 each other that's critical to the success of
12 advisory groups of this kind. So we're going to
13 continue to press to make sure that we can find
14 the resources to meet in person, at least half the
15 time.

16 And like I said, I'm new at NOAA. I
17 still have a lot to learn. I look forward to the
18 advice that you're providing in the three or four
19 areas you're going to focus on today. And I'm
20 happy to try to respond to any questions or get
21 your thoughts on any of the things I've raised.

22 CHAIRMAN RIZZARDI: Thank you, Dr.

1 Schaefer. I want to point out that there is
2 significant alignment between your comments and
3 the things that we've already identified on our
4 short list of potential topics for our discussion
5 on the 2014 work plan. And I heard a theme of
6 emphasizing habitat, emphasizing data needs, and
7 also, of course, the changing context both
8 budgetary and climate that we're operating in.

9 And then the sub-themes I heard you talk
10 a lot about, wetlands, and the challenges of
11 Magnuson and the Endangered Species Act. Our
12 committees have been very vocal on aquaculture
13 issues that you mentioned at the end, and I think
14 your comments will be instructive for our
15 discussion in the next couple of days. So thank
16 you for that.

17 Questions and comments for Dr. Schaefer?

18 (No response.)

19 CHAIRMAN RIZZARDI: All right. Thank
20 you, Dr. Schaefer. We really appreciate your
21 time here today.

22 DR. SCHAEFER: Thank you.

1 CHAIRMAN RIZZARDI: All right. So,
2 Paul, your timing was exceptional. You walked in
3 just at the right moment, and you're the next
4 person on the agenda to help us out with a budget
5 briefing.

6 Budget Briefing

7 DR. DOREMUS: Thank you very much. Are
8 you queuing things up? My apologies to the Chair
9 and the Committee for coming in a little bit late.
10 I had some scheduled calls true to my topic today
11 with some health staffers on the Appropriations
12 Committee. So we'll be delivering current
13 information.

14 So there is a briefing that's going to
15 get put up here. Are you going to take five while
16 that happens?

17 CHAIRMAN RIZZARDI: Heidi, do you need
18 five?

19 MS. LOVETT: Yeah, two minutes.

20 CHAIRMAN RIZZARDI: Yeah. We can take a
21 five-minute break.

22 DR. DOREMUS: Perfect.

1 (Recess)

2 CHAIRMAN RIZZARDI: We've got the
3 presentation up. Paul is ready to start. Paul,
4 looking forward to hearing your comments. Yes,
5 please.

6 DR. DOREMUS: All right. Make sure
7 we're in place here. Thank you all very much.
8 Appreciate the opportunity for a short break to
9 get things queued up here.

10 So I have the mixed blessing of taking
11 on the budget update. I do want to acknowledge
12 some of you may have heard that we continue to
13 help the greater good of NOAA through some of our
14 key staff. Our CFO, Gary Reisner, has been asked
15 to step in and serve as the NOAA budget officer
16 during a vacancy there. So we're very pleased to
17 have the Deputy Director from the National Ocean
18 Services CFO Donna Rivelli step in behind him.
19 Donna is here. And she is also accompanied by the
20 Lindsey Fullenkamp. Many of you may know her as
21 our Deputy CFO. And we have a very strong team
22 with the two of them, and our full management and

1 budget operation to maintain path on all of our
2 efforts in this territory.

3 So they will be there to assist me with
4 some detailed questions that you may have. But I
5 want to focus on quickly -- we have about 30
6 minutes scheduled for this, although we have some
7 time if questions and the like go longer.

8 I do want to convey to you what might
9 not be entirely new news, but we can discuss sort
10 of where we are and how we are talking about the
11 budget. I was just having a sidebar with the
12 Chair here about the budget reality. And we do
13 have numbers all over the place, as many of you
14 know, and I know many of you have discussions in
15 your communities and with our respective
16 stakeholders that I think could benefit from a
17 common discussion here about where there's risk
18 and where the budget realities are trending.

19 So I do want to start briefly with just
20 noting some accomplishments. We often say
21 internally, and I think it warrants notice here,
22 that even though we've been suffering a series of

1 reductions and our focus has been on the delta and
2 the things not done, we still have upwards of
3 \$860, \$870 million budget to execute, and we're
4 doing a lot with that. And in these
5 accomplishments you can see, I think, the benefits
6 of sustained investments in our mission functions.
7 And that, I think, is part of our message as well.

8 So current challenges are all about the
9 budget environment, where we stand in '14, and
10 what our outlook is, which we can discuss at
11 greater length when we open things up. But just a
12 couple of slides on accomplishments, and some of
13 these here are sort of near term issues. You have
14 participated in some of them, like our stakeholder
15 engagement work that's showing up here in Managing
16 Our Nation's Fisheries III, and the work that
17 we've done to better engage the recreational
18 fisheries sector. And I think we have made
19 considerable progress there.

20 But I do want to point out this point of
21 the long-term trend, added four more stocks here
22 for a total of 34 rebuilt, which is significant,

1 long-term progress for sustainable fisheries for
2 the profitable fishing sector. Add that, along
3 with these other very significant accomplishments,
4 in 2013. The de-listing of the Steller sea lion
5 that was listed some 25 years ago. It is the
6 first de-listing in 19 years, and I believe only
7 the second that we have ever de-listed due to
8 recovery. That again, as I was talking about
9 recently, is not a function of FY '13 funding or
10 FY '12 funding or FY '11 funding, but sustained
11 effort over time. And that, along with the
12 returns of salmon in the Columbia River, driven by
13 a lot of factors. But we're seeing unbelievable
14 returns there.

15 Most (inaudible) in the past, that dam,
16 since it was built in 1938 on the Columbia and
17 twice the 10-year average of about 390,000, so
18 we're seeing returns on the order of 820,000 this
19 fall.

20 So these are major, I think, core
21 mission accomplishments that demonstrate the value
22 of sustained expertise, sustained investment, and

1 sustained partnerships in all of these to be able
2 to achieve these types of mission accomplishments.

3 A couple more. One that we've been
4 making a great deal of progress, and we have been
5 focusing in our budget, and have had, as I'll
6 highlight in a few minutes, relatively good
7 support for is to maintain our ability to develop
8 advanced sampling technologies. We are dealing
9 with the need to improve quality of observations,
10 cost of observations, and to be able to take
11 observations where we haven't been able to in the
12 past through a variety of different sampling
13 technologies, remotely operated sampling
14 technologies. We've got types of gear, remotely
15 operated vehicles that can get into territory that
16 we have not been able to get into with nets active
17 and passive, acoustics, multi-beam SONAR. We're
18 trying to put all these together in ways that at a
19 minimum -- at a minimum -- at current cost, we can
20 improve the range, scope, and utility of data
21 collection for our core mission functions.

22 We've got some other accomplishments

1 here from '13. First ever Western Pacific
2 Citation Survey out in the Pacific Island Center,
3 so it produced abundance estimates for 19 species.
4 It hadn't been done before, and we've got a long
5 way to go with these types of population
6 assessments, but that was a major achievement in
7 '13 that we'd like to draw attention to.

8 We also got going -- Sam was able to
9 actually visit the Russian River Watershed. This
10 is one of our first major steps forward in the
11 implementation of the habitat blueprint. This is
12 pulling together a wide variety of partner
13 organizations, about 30 different organizations,
14 to concentrate, as is true to the concept of the
15 habitat blueprint, to really concentrate expertise
16 and focus to have a step increase in habitat
17 conditions in the Russian River Watershed. We're
18 bringing together efforts to recover threatened
19 endangered species to provide better basically
20 river precip and river level forecasts and
21 increase habitat and community resilience in the
22 face of all kinds of things that are affecting

1 that watershed, not the least of which is changing
2 climate regime.

3 And lastly, another dam removal on the
4 record here, the Veazie Dam, as I think well
5 communicated, on the East Coast. Penobscot River,
6 the second largest in New England, and this is,
7 along with passage elsewhere, we've opened up
8 something on the order of a thousand miles of
9 habitat for Atlantic salmon, Atlantic and
10 short-nosed sturgeon river herring, and other
11 species. So this, again, is the long-term
12 picture, both of these, in fact, these last two
13 bullets, of using habitat-based strategies to
14 advance our sustainable fisheries objective.

15 So the key message there, I think, a lot
16 of progress even in the face of a challenging
17 budget environment, and, in my view, the types of
18 things that the nation is at risk of seeing
19 reduced progress on in the future if we continue
20 on the type of path that we're on with our budget
21 environment. So those are kind of sounding the
22 notes for the briefing here today.

1 So we're going to get on here to what
2 our declining budget environment means for us.
3 This is probably familiar to you now. It is the
4 chart that we typically start with when we talk
5 about budget to put our current budget environment
6 in historical trend. We could spend some time on
7 this. The main things I typically like to point
8 out are the initial period in time from 2004 to
9 2010 where we had congressional enacted budgets
10 well in excess of Administration proposals, and
11 trending for a considerable period of time to a
12 level in FY '10 of about a billion dollars for us,
13 all on the heels of Magnuson reauthorization. And
14 I think we view that, in many respects, as budget
15 following mission requirement.

16 Of course, the environment for
17 sustaining and even holding that type of increase
18 really changed with the financial market collapse
19 and the subsequent prolonged recession and the
20 type of deficit-driven budget politics that we now
21 have. So big drop offs since '10 on the order of
22 13 percent for us, and a new pattern of enacted

1 budgets well below the presidential request. And
2 we anticipate the same thing in '14.

3 '14 you see there, the House mark
4 smaller obviously of the two at \$838.7. Senate
5 mark of over a billion. That does include a
6 substantial segment there of \$150 million to fund
7 a disaster recovery fund. So that's, in some
8 respects, not quite representative, but it does
9 show a continued pattern, and I'm going to get
10 into some detail on this, of very significant
11 differences between the House and the Senate on
12 what our budget should look like. And I'll point
13 out some areas where that's the case.

14 The last point on this slide, budget
15 year to year, any economist is going to want to
16 put these things in inflation-adjusted terms, and
17 that's what that dotted line there means. So when
18 we look at the purchasing power of the enacted
19 dollar, we are in 2004 adjusted dollars, if you
20 baseline it in 2004, we have purchasing power of
21 the dollar that's at about 2007 levels or lower.
22 It's one of the lowest levels on this whole chart

1 here, not an easy situation. So declines year to
2 year are one thing, but our ability over time in
3 inflation-adjusted terms to continue moving
4 forward is something that definitely concerns us.

5 All right. In this environment, we have
6 had to make a lot of adjustments both to
7 accommodate real budget declines, also to
8 accommodate potential further budget reductions,
9 which is where I'm going to end up. Sequestration
10 is still the law, and it is the default policy
11 position of NOAA, the position is reached, and we
12 have to look very seriously at what that might
13 mean for us. So we have had to draw down staff,
14 particularly in FY '13. We had to put severe
15 reductions on all kinds of discretionary spending.
16 Many of you witnessed that directly, and I think,
17 based on what I could tell coming, was part of the
18 subject of Dr. Schaefer's remarks.

19 We have drawn down our staff levels on
20 the order of nearly 300 positions since the high
21 water mark in 2011. So it's reduced capacity
22 there, the inability to do what we have done in

1 the past, and we are all trying to adjust to that.
2 Expectations meanwhile remain high, and many of
3 the problems that we are here to address continue
4 to grow. The continued requirements for
5 rebuilding stocks, continued pressure on species,
6 continued listing activities, and lots of demand
7 for the science and management functions in our
8 core fisheries and protected resources business
9 lines.

10 So we're at a point now where this isn't
11 about nice to do things. This is about things
12 that we have to do to achieve our mission
13 functions. As our budgets go down, mission
14 critical activities are on the table. We've made
15 about every conceivable adjustment you can make,
16 and I'd be happy to provide detail about our
17 travel reductions, our conference reductions, our
18 training reductions, and all manner of other
19 expenditures that we have restricted to be able to
20 meet these current levels.

21 So here is some detail. I also will
22 pause a little bit on this before launching into

1 the specifics here. This is our budget at the
2 sub-activity level. So you can get a thumbnail
3 sketch of what our budget looks like from a
4 protected resources point of view.

5 If you can work on the focus. I thought
6 it was just me.

7 (Laughter.)

8 DR. DOREMUS: When did I get that
9 prescription adjustment? There we go. All right.
10 Rare moment of clarity in the budget world.

11 (Laughter.)

12 DR. DOREMUS: So you see in here are
13 basically our protected resources, you know, in
14 our fisheries research line, enforcement, and
15 observers. This is how our budget is structured:
16 Habitat, range of other activities supporting
17 fisheries. That's all part of our operations
18 research funding. And then we have below that
19 we're noting the Pacific Coastal Salmon Recovery
20 Fund, a major grant program, and it's been a big
21 focus in these budget discussions.

22 So we pulled these things out. I'd like

1 to show you, we put FY '10 here as a starting
2 point. That is that \$1 billion budget year that
3 comes closest to reflecting our requirements. And
4 I'd like to point out the difference between --
5 you can just kind of read across these rows at
6 where we are from '10 to '11 to '12 to '13 is
7 today. That's the sequestration budget that we
8 are currently enacting. And you can look at the
9 difference between '10 and '13 by sub-activity.

10 And what you'll notice is what's in the
11 title there, "More consistent support for
12 fisheries research and management, PR, or
13 habitat," over that time period. Our fisheries
14 research and management enforcement and observer
15 training lines have gone down about four percent.
16 It's varied within there, different budget lines
17 within there. But at that high level, about four
18 percent. Our protected resources line down 19
19 percent. Habitat conservation and restoration
20 down 33 percent. PCSRF down from a '10 level of
21 80 to a '13 level of 60, is down 25 percent. So
22 there's been some significant movement at the

1 sub-activity level. There has been more pressure
2 on basically the protected resources and habitat
3 funding lines where we've had to make the greatest
4 adjustments. And we still have had with our very
5 large and core fisheries research and management,
6 enforcement observer training, we've had to make
7 adjustments there.

8 A key take away, from my vantage point,
9 is, don't take that support for granted. I'm
10 going to note in the coming slides these are the
11 areas where we tend to have less of a spread
12 between the House and the Senate and less of a
13 spread between what's being talked about in the FY
14 '14 marks and where the PB is, the President's
15 budget, is. But still, there are substantial
16 differences, and I think we need to work hard to
17 maintain something close to level or slow decline
18 patterns even in those core lines of business.

19 So let me run through those very quickly
20 in the interest of time so we can open things up
21 with a discussion about current circumstances.

22 So this gives you just the top line

1 look. The House mark is essentially close to what
2 we would be looking under a sequestration type of
3 scenario. Probably the sequestration would be
4 even lower, but we are looking here at substantial
5 reductions off the request level of the
6 President's budget, nearly 10 percent, further
7 reduction off the '13 spending plan.

8 Sequestration would be even more than that. We
9 are seeing here now, after three years of this,
10 impacts on core mission functions. We've got
11 substantial shortfalls in our staff level
12 staffing, and I have to say it's non-strategic.
13 It's not necessarily the best composition, the
14 composition that we would want. We're going to
15 see continued hiring freezes under this kind of
16 scenario.

17 Our ability to invest in our staff in
18 the future, training, professional development
19 will continue to be limited. Travel restrictions
20 will make us unable to be where we need to be to
21 conduct our work in the type of info force, I
22 should say. And we're going to start to see

1 greater and greater impacts under this kind of
2 scenario on our core stock assessment work, data
3 collection efforts, increased uncertainty, and
4 attendant consequences for management functions if
5 we continue down this sort of path.

6 We are likely to also see, out of that,
7 impacts on industry, on the economic vitality of
8 the industry. And we're going to see impacts in
9 other core mission areas. We've seen during the
10 course of this drop off in our budget a lot of
11 pressure on our ability to do Section 7
12 consultations on the ESA side, for example, and we
13 would expect that backlog to increase with all
14 kinds of impact on other federal agencies, states,
15 and other constituents that need those
16 consultations to be able to carry out a variety of
17 different types of activities that have real
18 economic consequences by slowing them down. So
19 that's the kind of direction provided in the
20 House.

21 The Senate mark is very close to the
22 request level. This is looked at by many,

1 frankly, as recovering from lost ground in '13.
2 And I think as our sidebar recently was talking
3 about, for most people in the FY '14 setting, this
4 is a very, very optimistic, if not overly
5 optimistic, outlook. But at least it is a
6 starting point and a good starting point, and
7 we're pleased to have it for negotiations. So
8 it's just a pretty big spread between these two of
9 764 and 840.

10 So just a couple of notes. We've got a
11 couple of slides on increases and a slide on
12 decreases, and then we'll open it up for
13 questions. And I'm not going to go into detail
14 here. But as you read these, many of you have
15 seen these. We have used them quite a bit. The
16 main thing I'd like to point out there are those
17 areas where there is a greater delta between the
18 marks are relative to the President's budget and
19 where the House and the Senate are relative to
20 each other.

21 So in species recovery grants and, to a
22 lesser extent, in the American Fisheries Act

1 funding, you see greater divergence. The annual
2 stock assessment survey and monitoring lines are
3 among those lines that have been more constant and
4 better supported by both the House and the Senate,
5 which is a good thing, and I think we need to work
6 to continue.

7 Similarly in this slide, we have
8 concurrence to the extent that you could say on
9 jurisdictional grants, a big recovery from FY '13.
10 And folks here today had a lot to do with that.
11 Observer and training line and at the end our
12 cooperative research line, those again are the
13 areas where we have greater alignment of interest,
14 I guess you could say, or views on our budget
15 requirements.

16 Habitat management and restoration is a
17 pretty significant divergence there, the House
18 providing \$18 million below the request level, the
19 Senate at the request level, a pretty substantial
20 gap there of some \$18 million, and aquaculture to
21 a lesser extent. Smaller numbers, but still a
22 difference of opinion between the House and the

1 Senate on what should be funded in that area.

2 So on the decrease side, we had some
3 decreases to make room for proposed increases in
4 FY '14. Prescott was one of those. The House
5 took it. The Senate provided \$4 million, the same
6 as our '14 level. And they want to kind of get
7 back to business as usual in that territory. So
8 very different views on Prescott.

9 Salmon management is also an area where
10 the House provided below request, Senate above,
11 different views on what should be supported there.
12 And PCSRF has historically been a source of a
13 great deal of variation in what the allowable, or
14 available, or right level of funding should be.
15 And this is probably where the greatest spread is
16 between the House and the Senate, between \$35 and
17 \$65 in this particular line. A very significant
18 area, and very consequential for our recovery
19 efforts for salmon in the Pacific, which is a huge
20 enterprise and well worth your understanding.

21 So summary. To open things up, we've
22 got until January 15th. We've got spending

1 authority until January 15th. There is an
2 expectation, or at least Congress set for
3 themselves, given their current schedule, a budget
4 agreement deadline of December 15. Right now we
5 don't see the basis for an agreement. It is a
6 slowly moving discussion at this point in time.
7 We expect the mostly likely scenario, at least
8 from my vantage point, is to be an extension of
9 the continuing resolution and possibly even ending
10 up with a continuing resolution for the entire
11 year if an agreement cannot be reached.

12 Meanwhile we have sequestration sitting
13 there, and many of us -- I'll have to acknowledge
14 I was one of them -- did not think that Congress
15 would end up enacting the sequestration budget
16 requirements in FY '13. We are over that. We
17 crossed the river on that one. And it's quite
18 likely we could run into that scenario again in FY
19 '14, and there's a lot of folks on the hill who
20 would very much like to see that happen, possibly
21 with different terms, you know, greater
22 flexibility, but still the target being about

1 right, net five percent down across all domestic
2 discretionary non-defense. This would also apply
3 to the Pentagon, and there's very different views
4 on that.

5 But this is kind of what it means for
6 us. That solid line is where we are with our
7 current spending plan at \$882 and a half. And you
8 can see where the PresBud is in the first column,
9 the '14. Sequestration scenario would drop us to
10 \$838. The '15 sequestration scenario would drop
11 us below \$800. We're looking at substantial
12 reductions from today, and those would be
13 extraordinarily difficult to accommodate.

14 This is fisheries. There would be
15 similar pressures on NOAA broadly, and a very,
16 very challenging adjustment to make in the type of
17 timeframe that we're talking about, on top of all
18 the adjustments that were made to get that '13
19 line. So this is a non-zero probability. I can't
20 tell you what the probability is, but for those of
21 us who do planning, this is a realistic scenario
22 that we have to be prepared for.

1 So one of the steps we've taken from an
2 operational point of view is to be prepared for
3 executing at a level of about \$840 million. We're
4 doing work to be prepared for continued reductions
5 so we don't have to get into RIF situations,
6 preferably not furlough. Those are techniques of
7 last resort. But with continued reductions at
8 this pace, you know, it increases the likelihood
9 that NOAA as a whole would not be able to execute
10 without using those types of authorities.

11 So it's a very challenging environment.
12 We're planning for a wide range. The delta there
13 between what the PresBud asked for, \$929M, and
14 where sequestration would put us at \$838M is
15 pretty substantial for an organization our size.
16 It would have very far-reaching impacts on our
17 mission functions and on or entire partnership
18 community that we have to work with and hope to
19 work with to be able to achieve our mission
20 functions.

21 So that is my cheery morning budget
22 presentation. Discussions this morning, you know,

1 nothing here to really alter the view. I think
2 the concern generally speaking, looking ahead at
3 conference and at negotiations, is for those who
4 are seeking to, at a minimum, prevent further
5 reductions from our current levels, who are
6 particularly committed to our mission functions.
7 The question there is, how can we best prevent
8 this middle column from happening? And I think
9 that's the challenge we've been facing for several
10 years now.

11 So there you have it. Sorry for being
12 in some respects the bearer of bad news, but this
13 is a reality. You asked to be real, so here it
14 is. This is what we're looking at. And it's an
15 unprecedented level of uncertainty and an
16 unprecedented level of downside risk for me in my
17 career in federal service and probably for most of
18 us who have been involved in this line of work for
19 some period of time. Thank you.

20 DR. CHATWIN: Thanks, Paul. So I have
21 asked this question of Mark as well. I think one
22 of the things we lose sight of when we have budget

1 dialogues is what's not getting done. You know,
2 we have this abstract discussion of what happens
3 to our numbers, but I think it would be helpful
4 sometimes to better understand, you know, truly
5 this is what we're now no longer going to do. And
6 one of the ones that really jumped out at me was
7 Prescott grants. And, in fact, NOAA asked for no
8 funding on Prescott grants.

9 DR. DOREMUS: So, you know, that's an
10 example of one where we need to just publicly say
11 here's what we can't do anymore. If you're not
12 going to fund us, here's what doesn't get done.
13 Are there other clear items like that where we can
14 we expect no longer to be doing X, Y, and Z?

15 Starting with the FY '13 Pres Bud, we
16 have put forward various things like that where
17 we've had to make difficult decisions to be able
18 to maintain funding levels in our core mission
19 functions in these lines that I was telling you
20 about.

21 There is a constituency for every
22 program, so even something like Prescott, which

1 does have other sources of funding, that was part
2 of our logic. And where you could argue is very
3 important, very valuable. We would want to do it,
4 but not at the expense of other missions that
5 really have no other alternative other than our
6 work. Those often get restored, as was the case
7 here.

8 We don't have a lot, and I'm going to
9 talk about this in my next segment. A big piece
10 of what we've been doing is to make sure that
11 everything we are funding is lined up with our two
12 primary mission functions in sustainable fisheries
13 and protected resources. And that alignment in
14 this organization is pretty tight. There are a
15 variety of areas, I think, where we could continue
16 to find modest efficiency gains, and we're
17 pressing very hard across the waterfront from IT
18 to various types of improvements in our
19 facilities, posture, et cetera. But most of these
20 are small compared to the big program movements.

21 So I don't think in this budget
22 environment that we can make wholesale

1 terminations of major programs. We are in the
2 territory of sacrificing core mission functions,
3 and we're going to have to just talk about at what
4 level, in what areas, and with what consequences.

5 CHAIRMAN RIZZARDI: Other questions for
6 Paul?

7 MR. CLAMPITT: Thanks, Mr. Chairman.
8 You mentioned that staffing was down by 300
9 people. What's the total staff?

10 DR. DOREMUS: Total staff levels, so
11 those are the number of positions on board. Total
12 staff is a little over 3,000. It's about 3,300.
13 The last number I saw was 3,318, but that varies
14 daily, and we could give you an update at any
15 time.

16 MR. CLAMPITT: Okay, thank you.

17 DR. DOREMUS: It's approximately that.

18 MR. CLAMPITT: I just wanted to --

19 DR. DOREMUS: Yeah. I believe we are
20 now substantially below that.

21 MR. CLAMPITT: Okay.

22 DR. DOREMUS: Do either of you know that

1 number off the top of your head? We can look that
2 up.

3 MR. CLAMPITT: That's close enough.
4 Thank you very much.

5 CHAIRMAN RIZZARDI: Okay. Mr. Corbin?

6 MR. CORBIN: In budget uncertainty,
7 prioritization comes up. Can you comment on how
8 NOAA prioritizes among and within programs, and
9 what the role of stakeholder input into that
10 process might be?

11 DR. DOREMUS: NOAA as a whole?

12 MR. CORBIN: Yes.

13 2014 NMFS Priorities Document

14 DR. DOREMUS: All right. I will be
15 talking about in our next discussion how Fisheries
16 is doing that in the context of NOAA with our
17 priorities document and how we do make decisions.

18 Stakeholder input typically is done --
19 there's a number of different levels. One is at
20 the broad strategy level, longer term, which is
21 where the process is more open to stakeholder
22 input. Within any given budget year, you're

1 getting into managing and working with
2 administratively restricted data, so it's very
3 hard to have open stakeholder consultations when
4 you're dealing with an immediate budget
5 environment, if you will.

6 But generally speaking, NOAA has a
7 fairly elaborate process for considering options,
8 doing what they call a portfolio review and
9 corporate portfolio options that leadership
10 weighs. They do consider known stakeholder
11 interest in that process, among other factors.
12 Those factors have to do with the nature of the
13 impact, whether and under what timeframe we could
14 recover if we could, so that elasticity notion.
15 Whether there's any substitutable function, which
16 is like a Prescott type of idea. Would there be
17 other funding sources that could help fill a gap?
18 So substitutability, uniqueness are
19 considerations. And non-stakeholder views are
20 incorporated in that process.

21 Outside of that, I can talk to you about
22 where we hope to go with our Fisheries discussion.

1 And part of our discussion today is intended to
2 open up a dialogue with you about how we're
3 describing and characterizing our priorities, and
4 we look forward to a discussion along those lines.

5 MR. CORBIN: Thank you.

6 CHAIRMAN RIZZARDI: Tony?

7 DR. CHATWIN: Well, Paul, thank you very
8 much for that presentation. You know, I know it's
9 not good news, but it's great to have it so
10 clearly put out there for us to consider.

11 You know, I head up the Budget and
12 Strategic Planning Subcommittee, and I would very
13 much like to hear if you have any thoughts on how
14 we can best be helpful in this. I'm sure we're
15 going to be looking at this as one of the issues
16 that we would want to formulate some
17 recommendation or statement. But I want to make
18 sure that it's useful to you and to the agency as
19 you move through that process. So if you have any
20 ideas, please share them with us.

21 DR. DOREMUS: Well, I'll share with you
22 a general idea right now, and we will certainly

1 talk about this further, and Fisheries Leadership
2 Team. And I do appreciate your offering the
3 opportunity.

4 I would pick up on a comment that the
5 chair made just a moment ago about really
6 understanding and thinking through, as I was
7 indicating in my discussion of FY '13
8 accomplishments. Thinking through what the
9 long-term consequence of this budget environment
10 are for the organization and for the mission
11 functions that we carry out throughout funding,
12 both we carry out directly and in concert with a
13 wide variety of partners that we work with.

14 I think your independent reading on the
15 implications of this type of budget environment,
16 your concerns about impact to the Nation, impact
17 to the environment, impact to the ecosystem
18 functions, would be highly valued. In any
19 environment like this, it's one thing for an
20 agency to communicate its concerns. It's another
21 thing for constituents and respected external
22 partners to communicate their concerns as well.

1 And I think that's probably, generally speaking,
2 the area where your work could be most helpful.

3 We are trying to and have done a
4 reasonable amount of work internally, and we'll
5 look at what we'll at what we can do to provide
6 that to you soon, on impacts, known impacts, of
7 this budget trends and of some of the
8 perturbations we've been through recently with
9 shutdown and the like.

10 The shutdown was just consequential, but
11 it was small in the context of this broader trend.
12 That's the bigger picture to stay focused on, and
13 I think that's where I would encourage the Budget
14 and Planning Committee to focus.

15 CHAIRMAN RIZZARDI: Mr. Wallace?

16 MR. WALLACE: All of you probably, and
17 you, Paul, also, remember that a year, year and a
18 half ago, we went through the budget process. We
19 were given a task as a committee to look at what
20 we would recommend as the budget is cut five
21 percent, 20 percent, or increased 10 percent. And
22 if my memory serves me well, it was a very strong

1 message that you support the science. This is a
2 scientific agency that has this management
3 authority, regulatory authority, driven by
4 science. So without science, you do not have
5 enlightened management ideas.

6 And I would hope that with Tony's
7 subcommittee that we would come to that same
8 conclusion. But we were very, very strongly in
9 support of protecting science to the maximum
10 extent possible.

11 DR. DOREMUS: Well, thank you for that.
12 And that work was very valuable to us. And we
13 took it into close consideration and used it in
14 our considerations. We had very strong direction
15 to try to preserve our science investments to the
16 greatest extent possible, and we have directed the
17 research community under the leadership of our
18 Chief Scientist, Richard Merrick, to make sure
19 that that's a primary focus of our budget
20 discussions. And we're having internal
21 discussions there about balancing different
22 components of the science budget.

1 But I think you probably also heard
2 coming in, some comments from Dr. Schaefer very
3 sympathetic to that view. I think our leadership
4 team, not just in Fisheries, but in NOAA, is very
5 sympathetic to that view. But we've got an
6 external community to speak to as well, and that's
7 more where I was focusing in my prior comment.

8 But I do think that work that you have
9 conducted is very valuable to us and part of what
10 we consider to be key stakeholder input into our
11 budget considerations.

12 MS. BONNEY: I was just wondering, if
13 you end up with the sequester in fiscal year '14,
14 does that affect every line item in terms of the
15 budget at the same trajectory in terms of
16 reduction? In other words, when you see the
17 budget, I don't know. Both the House and the
18 Senate are giving priorities to particular line
19 items, but yet if you're just going into an
20 automatic reduction, does that hold all those line
21 items at one point, and then you're just adding or
22 subtracting the five percent across all the

1 categories? Do you follow what I mean?

2 DR. DOREMUS: Oh, absolutely. The way
3 the sequestration law is currently written
4 requires that every component of the budget be
5 reduced by five percent. So it is not flexible,
6 and with any given budget area, you've got a
7 different composition to spending. Some have high
8 percentages of labor funded, some have lower. So
9 there is very different pressure on the pieces of
10 our budget that were relatively flexible or less
11 flexible.

12 So if we had, and Congress apparently is
13 considering, changes while maintaining the target
14 levels would allow for greater flexibility in how
15 they are achieved. That would -- while it's not a
16 great situation -- would be better than how it was
17 done before where we had very little management
18 capacity to minimize the impact. So that remains
19 a concern.

20 MS. BONNEY: Just a follow-up then. So
21 what David was suggesting where you prioritize
22 science over other components of your budget,

1 under the sequester you don't have that ability
2 then, is what you're saying.

3 DR. DOREMUS: Pretty much. One of the
4 reasons that a lot of folks have challenged this
5 whole sequestration concept, and one of the
6 reasons it was written to be undesirable, is
7 because it is completely non-strategic. It
8 eliminates what little ability you have to make
9 choices in that kind of environment. So that's
10 correct. It wouldn't give us very much latitude.

11 MS. BONNEY: So just one more thing
12 then, Tony. That seems something that maybe we as
13 a committee could weigh in on in terms of more
14 strategic reductions than just an across the board
15 cut.

16 DR. DOREMUS: I would note, as I did
17 earlier, that the pieces of our budget that have
18 held up the best have been largely science
19 intensive pieces. So you've got -- again, don't
20 take anything for granted. I think that continued
21 support is something we would need to maintain.
22 But I do think that there are broad constituencies

1 that recognize how our core mission functions rely
2 on underlying scientific steps to execute them.

3 DR. RHEAULT: Paul, thanks for that.
4 I'd just ask you to drill down a little bit. One
5 of the categories that I noticed the biggest
6 disparity between the House and Senate marks was
7 the "other" -- \$150 million difference between the
8 House and Senate mark. I mean, you did talk a
9 little bit about the aquaculture. That explained
10 a few million of it, but, I mean, that's a big
11 number, \$150 million. Are there things that jump
12 out at you in that "other" category that you can
13 share with us?

14 DR. DOREMUS: What you're looking at
15 there is the Senate mark, and the biggest issue is
16 that's where the \$150 million contingency fund for
17 fishery disasters is located. So that's what
18 drives that number. It's an outlier because of
19 that one proposal that the Senate has.

20 DR. RHEAULT: That explains it. Thank
21 you.

22 DR. DOREMUS: Yes.

1 MS. MORRIS: Paul, in your presentation,
2 you sort of invited a question about the Pacific
3 Salmon Recovery. You said people don't really
4 understand that, and it seems like a very
5 contested area. So tell us more about Pacific
6 Salmon Recovery and how a group like us might
7 enter the conversation and make a contribution.

8 DR. DOREMUS: It is interesting at times
9 to look at what information is on the table when
10 people make decision at very high levels about
11 budgets. And as you go up, people have broader
12 scope and less in-depth knowledge of what actually
13 goes on in these programs. Based on my
14 interactions with people in our budget and policy
15 stakeholder community, outside of direct
16 constituencies on the West Coast who understand
17 what salmon recovery is all about, they understand
18 the magnitude of the problem, how many decades it
19 took us to get into this, the size of the
20 watersheds involved, the economic and cultural
21 implications of recovery. They are not well
22 understood elsewhere.

1 At a certain level, to be frank, it's a
2 big grant program, right? You can push that
3 number down or whichever direction without
4 significant immediate consequence, without having
5 to follow people, et cetera.

6 So it gets treated often as a bill payer
7 with fairly little consideration to what the
8 program has been able to accomplish and what type
9 of challenge we are up against with the whole
10 salmon recovery enterprise and how central that
11 program is to it.

12 So we would be happy to provide
13 additional information to you about what the
14 program has done, what it's invested in, how it
15 functions. A very substantial part of it is
16 basically habitat restoration for salmon recovery,
17 but with other spillover benefits. So it's a
18 level of programmatic detail that is often just
19 not entertained or not able to be entertained, and
20 if we have avenues to be able to do that, we'd
21 like to take advantage of them.

22 So we've just been concerned about, I

1 think, or I'll say I have been concerned about how
2 it has been viewed dominantly as a large grant
3 program, bill payer, and I think a little bit more
4 attention to its contribution to kind of a core
5 mission function of ours would be very helpful.

6 So at a minimum we understand the consequences of
7 operating at different levels. If you look at the
8 long-term recovery plan, we would need to be
9 substantially above even our current level, so
10 what does it mean to operate at 100 versus 75
11 versus 60/50, versus 35? Pretty significant
12 rightward shift of the recovery timeframe if you
13 go down that path.

14 CHAIRMAN RIZZARDI: Paul, thanks for the
15 presentation and the question and answer. I was
16 just looking at the agenda, and the next person on
17 our agenda is Paul Doremus.

18 DR. DOREMUS: I hope he shows up.

19 CHAIRMAN RIZZARDI: So we are scheduled
20 for a 10:00 break, but if you want to push through
21 and take a break afterward, we can do your
22 priorities document now or you can have your

1 break. It's up to you.

2 DR. DOREMUS: I'll defer to the Chair.

3 CHAIRMAN RIZZARDI: I think we took a
4 break just a little bit ago, so I'd prefer to just
5 push through and take the break after you finish
6 the priorities document if that's okay.

7 DR. DOREMUS: Is this going to get put
8 up? Yeah. Okay.

9 All right. Thank you. There's two
10 things to look at. We've got some visual in the
11 room here, but the key thing I want to draw your
12 attention to, we circulated to you in recent days
13 our Priorities and Annual Guidance document for
14 2014. This is the second version of an annual
15 priorities document for us that we started in
16 2013. In part, we had provided significant
17 programmatic guidance, but less formally delivered
18 in prior messages from the Administrator. And we
19 felt very important in the current budget
20 environment to clearly communicate to our staff
21 and from our leadership about our programmatic
22 priorities and what we take into consideration

1 when we make decisions in this kind of budget
2 environment.

3 This document is intended to do that.
4 It is annual guidance internally to the
5 organization, obviously not knowing what our FY
6 '14 budget is, but signaling where we intend to go
7 with general expectations about our budget
8 environment. So this is, as everything, a
9 contingent, if you will, set of priorities.

10 So this document, I do want to say, was
11 generated by and is effectively signed by the
12 Fisheries Leadership Council. It was produced
13 through discussions with the Leadership Council
14 over time. The FY '13 product was as well, and
15 this represents the synthesized thinking of our
16 leadership team, and obviously ultimately signed
17 off by the Fisheries Assistant Administrator, our
18 Acting Assistant Administrator in this case. And
19 I'm going to come back to where these priorities
20 are situated in the context of our leadership team
21 both in Fisheries and in the greater NOAA and
22 Department because we expect some developments

1 there in the coming year and coming months, as a
2 matter of fact.

3 But the key pieces that I want to draw
4 to your attention really how we are characterizing
5 our core mission functions and our anticipated
6 results. We also thought it was very important
7 and have in this document right up front in the
8 first section a statement of our core mandates,
9 but also a statement of guiding principles. This
10 is basically trying to communicate inside our
11 organization how leadership thinks and how we want
12 everybody to think in the organization in the
13 context of our mission and in the context of the
14 type of environment that we're in.

15 So we define these things carefully. We
16 have messages here in terms of principles. This
17 is the mission impact, know what business you're
18 in, starting point. Our job is to sustain the
19 nation's living marine resources habitats and
20 ecosystems. It's a big mission. We need to focus
21 our resources to maximize benefit. We can only do
22 that through partnerships, which you hear

1 constantly and is a big piece of what this
2 Committee has to contribute to our efforts.
3 And, in this context in particular, the need to
4 make strategic choices. So we make statements in
5 here about these.

6 There are some others, too, that are
7 particularly important internally in the context
8 of FY '13 in particular, when we restricted staff
9 activity hugely. This was felt throughout the
10 organization, and it's really important, we feel,
11 as the leadership team, to convey our long-term
12 commitment to sustaining a professional workforce,
13 to sustaining excellence. It requires investment
14 in our workforce, and we were not able to do that
15 in '13. That has substantial mission impacts if
16 sustained.

17 We also are doing everything that we
18 can, and have put the entire organization on
19 notice, and as a big part of my job, to extract
20 the greatest efficiencies we can through
21 information technology, through adjustments to our
22 facilities portfolio, observing systems. Any

1 other way that we can operate our current
2 functions at lower cost, that is a major focus.
3 And in this environment, too, as always, you can
4 never do a good enough job in communications. And
5 part of our effort here today is to improve our
6 communications with you about our priorities and
7 our thinking.

8 That starts with a characterization of
9 our core mission. This is simple, you may think
10 simplistic. But coming out of a planning
11 discipline, there's just volumes of work and
12 effort that people put into making sure that
13 everybody in the organization knows what business
14 you're in, making sure your stakeholders know what
15 business you're in.

16 This is how we characterize our two
17 business lines, our mandates, what we're here to
18 do to ensure the productivity and sustainability
19 of fisheries and fishing communities through
20 science-based decision making and compliance with
21 regulations, and to recover and conserve protected
22 resources through the use of sound natural and

1 social sciences. Strong science message, you can
2 tell. We are a science-driven organization,
3 applied science with these mission functions in
4 mind. Everything we do, every investment we make
5 should line up to these two core purposes.

6 So there is no question in our minds
7 when we go through and look at budget options what
8 our ultimate decision gates are. And they turn
9 back to these two core mandates.

10 So in the interest of brevity, I'll just
11 give you some highlights of some of the major
12 focus areas in FY '14, and you can page through
13 the document itself to see how we characterize
14 that in greater detail in the text. And I do want
15 to kind of end on anticipated results because
16 there's a significant message there.

17 But we're looking, and you'll see that
18 because there's a sort of core mission message in
19 all of this. But back to some of the things I was
20 talking about sustained investment and technology
21 and in science to improve our ability to predict
22 stock status, obviously getting more complex as we

1 understand the complexity of environmental
2 stressors and human stressors on the marine world
3 broadly construed and on particular stocks and the
4 interaction among stocks. We are trying to better
5 to look at ecosystems in their broadest context.
6 That's including socioeconomic dimensions to make
7 sure that our choices are as ecosystem sensitive
8 in the broadest sense of the term as possible.

9 We, I think, have, and this is an
10 interesting strategy message that we continue to
11 make, and it isn't necessarily reflected in big
12 budget dollars. But certainly within the
13 Department of Commerce and looking at patterns of
14 seafood consumption, important trends, in
15 particular, we want to do what we can within our
16 limited capability to increase the supply of
17 quality and diversification of domestic seafood
18 production through aquaculture. There is no way
19 you can look at the long term of domestic seafood
20 and the need for seafood or for marine-based
21 sources of protein and not have aquaculture being
22 a big part of the solution. And we are trying to

1 make that message more loudly and to get a greater
2 connection and traction within.

3 In addition to being a science-driven
4 organization, we're an extensive organization in
5 the sense that our work is conducted with and
6 through a variety of partnerships in industry and
7 the academic sector with consumer groups. We
8 think that our ability to be intelligent in making
9 choices and our ability to understand need and our
10 ability to make sure we're focused on the unique
11 things that only we can do requires very, very
12 strong partnerships and communication efforts.
13 That's why that is here as a focus area for FY
14 '14.

15 And part of it that goes along with
16 that, but part of our broad efficiency drive is
17 not just generic cost factors, facility costs, IT
18 costs, et cetera, but it's also how we work. So
19 we're trying to invest in streamlining,
20 particularly in Endangered Species Act related
21 work. Efficiency how we extend our enforcement
22 capability and compliance work, big transition in

1 the enforcement world to greater focus on
2 compliance assistance to essentially try to
3 preempt non-compliance as efficiently as possible.

4 So those are some of the focus areas in
5 that core area of fisheries. On the protected
6 resources side as well, this is a key thing. We
7 are concerned about the balance of science to
8 management investments in this territory. That'll
9 continue to be a focus in '14. Likewise, this is
10 an area where actual recovery efforts,
11 conservation efforts are heavily driven by
12 activities with external partners. We need to
13 look at how we can improve our capacity there on
14 existing resources.

15 We're looking at habitat drivers of that
16 recovery pathway. Our habitat blueprint has that,
17 and our efforts that I alluded to earlier have
18 that as a major focus, and we want to continue to
19 advance that as well as the enforcement and
20 compliance component and marine mammal incident
21 mortality. So these are some, when we talk about
22 PR, these are some of the areas.

1 I do want to note, and substantial
2 effort went into this, hard to read, but do look
3 in your text. It anticipated results in Fiscal
4 Year '14. We worked hard to look at and to make
5 sure we had fairly well crafted objectives for '14
6 to make this tangible and real inside the
7 organization. There's a lot of text here, and I
8 don't have time to get into it. I commend it to
9 you. But these are the things that we are asking
10 our leadership team to commit to. These are in
11 our performance plans. These are how we're trying
12 to run our organization to achieve these
13 objectives.

14 As I mentioned earlier, it's budget
15 sensitive, sensitive to a lot of other factors.
16 But this is what we were aiming for and what we
17 expect to be a realistic assessment of our likely
18 budget environment for FY '14. And our annual
19 operating plans at the Fisheries level as well as
20 our component pieces, and all of the ways that we
21 tie our operating plan elements together are
22 oriented to these anticipated results.

1 All of this, to get back to the earlier
2 point I was making, we sit within a larger
3 organization, NOAA. We have a new NOAA
4 Administrator. We sit within an even larger
5 organization, the Department of Commerce, with a
6 new Secretary. And they have both indicated a
7 strong interest in re-framing some strategic
8 priorities for the Department. We anticipate a
9 statement coming forward, a new strategic plan
10 from the Department in a matter of weeks that will
11 have the Secretary's characterization of where we
12 need to be focused near term. We also have
13 complementary statements from the NOAA
14 Administrator.

15 We may need to make adjustments. You
16 know, we think we know where that will all end up,
17 but we do need to make adjustments as needed to
18 accommodate budgets, to accommodate changing
19 leadership at every level.

20 We do anticipate changing leadership at
21 the Fisheries itself as we work through Secretary
22 to Administrator, Assistant Secretary level. Next

1 in line is for the Administration to nominate the
2 next Assistant Administrator for the National
3 Marine Fisheries Service. Sam is patiently
4 waiting, and has done a wonderful job during a
5 very extended period of time in that capacity.
6 But we expect that to be coming forward some time
7 in future months. So we'll need to be making
8 adjustments. This is kind of the set of documents
9 that we drew from in understanding where NOAA,
10 where the Administration, where the Department,
11 where their priorities are centered so that we can
12 be as responsive as possible as those priorities
13 evolve further.

14 So that's our general sense of our
15 environment, and this is our first effort to sort
16 of draw your attention to how we're communicating
17 internally about our mission functions, what we're
18 trying to achieve in the fiscal year. We do hope
19 to draw more, and it's a personal objective of
20 mine, to draw more extensively from this body for
21 longer- term strategic planning for Fisheries, but
22 we're trying to start with this near-term focus

1 and effort to be adaptive in this very uncertain
2 budget environment. And this is one document that
3 we point to to help explain to people what we're
4 trying to do.

5 So that is how we wanted to at least
6 introduce this document to you and encourage you
7 to weigh in and give us your feedback. As we move
8 forward, we will get, I think, a little bit more
9 sophisticated in our interactions with this body
10 for longer-term strategic planning. The work that
11 you have done with the vision documents has been
12 very, very helpful. We have drawn from them at a
13 variety of steps along the way. And we'll
14 continue to so as we evolve our discussion of
15 strategic management in the context of very, very
16 high levels of fiscal and programmatic
17 uncertainty.

18 Thank you, Mr. Chair.

19 CHAIRMAN RIZZARDI: Thank you, Paul. I
20 guess my first question here is actually for Kate.
21 Is this document available online? Is this a
22 public document?

1 MS. NAUGHTEN: It's on Intranet, on
2 Inside Fisheries internally since it's for
3 (inaudible) use.

4 CHAIRMAN RIZZARDI: So is it available
5 to the MAFAC members?

6 DR. HOLLIDAY: It's been sent yesterday
7 by email.

8 CHAIRMAN RIZZARDI: It went yesterday.

9 DR. HOLLIDAY: You already have it.

10 CHAIRMAN RIZZARDI: Okay. So it's in my
11 email is where it is. Okay, thank you. Randy?

12 MR. FISHER: Yes. I'm curious about
13 whether you've ever gone through an analysis --
14 there's a relationship between the value of a
15 fishery and how much resources you're putting into
16 that area. In other words, I mean, I've been
17 through this budget stuff 10,173 times. And so I
18 was wondering whether an analysis had ever been
19 done that way, because it seems to me one of the
20 obligations of this group or NOAA fisheries is to
21 ensure that there still is an active fishery
22 going. And if so, where should the resources be

1 put to ensure that that continues to happen?

2 DR. DOREMUS: That's one of the areas we
3 would certainly welcome further discussions with
4 the committee on, the methodologies for making
5 these kinds of decisions. They are complicated.
6 The value of a fishery doesn't necessarily lead to
7 a requirement for the budget resources to be
8 particularly high. It depends on what's required
9 to continue managing that fishery effectively.

10 We certainly do look or our ultimate
11 objective is maintaining the capability and
12 sustainability of existing fisheries, expanding
13 that to the extent that we can. There are lots of
14 different investments over different time periods
15 that are required to do that. So the analysis
16 ends up being very complicated and very difficult
17 to reach an unequivocally obvious conclusion.

18 But I do think it would be helpful for
19 us to talk methodology with the committee on what
20 you would advise as appropriate variables and
21 factors to consider in this process so that we can
22 describe to you what we have tried and what we do

1 and don't know about what works. But without a
2 doubt, when we look at that core mission objective
3 of sustainability fisheries and fishing
4 communities, the factors that you are advising us
5 to look to are primary factors for our
6 consideration, no doubt about it.

7 MS. BONNEY: So I was looking at some of
8 the anticipated results in Fiscal Year 2014 and
9 some of the details. And I'm just wondering
10 whether -- I mean, some of these are pretty hefty
11 chunks. For instance, implement electronic
12 monitoring and reporting system in at least one
13 fishery in 2014; implement cost recovery to help
14 pay for sustainable management for the Northwest
15 Trial Rationalization Program. It would seem to
16 me that it kind of intersects with the budget. So
17 in other words, you're asking for funding through
18 Congress for fiscal year 2014, and then you've
19 already laid out a script of what you're hoping to
20 accomplish within that fiscal year. How do you
21 build a reporting document to say this was the
22 budget, this was what we hoped to accomplish, and

1 this is what we actually achieved during that
2 year. And if you didn't meet those goals, what
3 was the reason not.

4 So I'm just wondering how you could make
5 this kind of into a reporting construct for the
6 next fiscal year. And I don't know if you want
7 input on some of these things, but for instance,
8 they're talking about cost recovery to expand that
9 in the North Pacific for AFA and some of the other
10 fisheries. So to me, this seems, if you're going
11 to implement cost recovery, it should be across
12 all the regions and not just one particular
13 region.

14 So I don't know if you want comment on
15 individual items within this, but I guess I was
16 trying to figure out how you'd use this as kind of
17 a cycle back on the budget and your
18 accomplishments over a calendar year.

19 DR. DOREMUS: Thank you for those
20 questions. I'll take them in sequence. You're
21 quite right to point to the need for follow
22 through. Last year in FY '13 was the first time

1 that we did this, and we didn't have quite the
2 same approach to articulating objectives for the
3 year. We did do a little bit. There's some text
4 in here about what we were able to achieve in '13,
5 but it falls far short in our initial year of
6 having the type of plan, outcome, explanation.

7 We do intend to do that. That's why we
8 have these accomplishments lined up with our
9 annual operating plans so we can track progress,
10 we can determine whether it's a budget shortfall
11 or some other challenge. If you take something
12 like cost recovery, there could be a lot of
13 non-budgetary challenges to being able to
14 implement that, and an explanation of where we
15 ended up and why. So our intent is to very much
16 follow up that way and perfect this over time as a
17 management tool.

18 On the issue of specific pieces like you
19 noted -- cost recovery, for instance - we
20 certainly welcome feedback. That is an area where
21 we're consistent with statements that we have been
22 making for some time. We certainly recognize the

1 challenges of implementing cost recovery
2 mechanisms. We are trying to focus, at least in
3 '14, on what we think might be achievable.
4 Extending far beyond one fishery at this time, we
5 think, probably wouldn't, given the environment
6 that we're in.

7 So we're trying to take measured steps
8 in that direction. These are very, very
9 challenging efforts to advance--very
10 controversial, as many of you know. We do think,
11 and have continued to maintain as we get better at
12 our sustainable fisheries objectives and get more
13 profitable fisheries, that the beneficiaries
14 should be able to gradually shoulder increasing
15 portions of the costs. That's a long-term
16 strategy. It is a difficult thing to implement.
17 We have tried to size the objective in '14
18 recognizing those kinds of factors as well as
19 overall budget conditions.

20 DR. CHATWIN: Well, Paul, thanks. And
21 I'd start by commending you on the report. I
22 think it's really well laid out. I particularly

1 like where the trends for the job income sales and
2 value added and total revenue of both commercial
3 and recreational fisheries are laid out, because
4 it really demonstrates the actual and, if improved
5 even further, the potential benefit to the Nation
6 of NOAA achieving its mission, at least in part.

7 I think this issue of cost recovery that
8 Judy brought is really important, and I think
9 that's one that the subcommittee should take a
10 look at because it is tied to budget issues. And
11 so we will do so.

12 DR. DOREMUS: Thank you.

13 CHAIRMAN RIZZARDI: Bob?

14 MR. BEAL: Thank you, Mr. Chairman.

15 Paul, thanks again for the two presentations.
16 Just, you know, pulling the two presentations
17 together a little bit and following up on Tony's
18 question of what could the budget and planning
19 group work on. I think in this presentation you
20 had the partnerships as, I don't know, I think the
21 third bullet up there. And I think cultivating
22 the partnership with a consistent message to the

1 folks on Capitol Hill about budget is probably
2 something to tackle.

3 I think at times these partners, the
4 states over here and NOAA -- you guys can't lobby,
5 but you can answer questions when asked. You
6 know, I think if the budget group is able to work
7 up a consistent message, and I think a lot of it
8 has to do with -- you know, fisheries management
9 is an investment. If you invest the money in
10 fisheries management, you can get the returns and
11 economic benefits to communities, you know, and
12 all the other businesses associated with that.

13 And I think our message at times is
14 disjointed from the commissions in individual
15 states, other stakeholders, NOAA. And I think if
16 we can work through MAFAC, work through the
17 states, and work through NOAA to develop a
18 consistent message to the Hill on the important of
19 the value of fisheries management, I think it's
20 going to probably help everybody out, or should
21 help everybody out.

22 So I don't know if it's a question or

1 just a suggestion, but, you know, it seems to pull
2 all these presentations together. I think we have
3 a messaging/marketing opportunity, we'll call it.

4 DR. DOREMUS: Thank you for the comment,
5 and fully and wholeheartedly agree. We are really
6 pleased to see the three of you working together
7 with that intent in mind, and to provide the sort
8 of the breadth of representation that you do
9 provide. I'll draw a small connection to Tony's
10 question earlier. I think in there, in that
11 consistent messaging, is an opportunity for
12 messaging on current and potential impacts from
13 the path that we're on. I think they're
14 under-appreciated. You look at our budget
15 environment, step back, look at NOAA's budget
16 environment, and to put it in some of the baldest
17 terms that you might see, but are you going to
18 sacrifice the weather forecast to count fish? It
19 gets reduced to those kinds of things.

20 So if we push some of these advanced
21 annual stock assessments to the right, that's the
22 consequence if it gives us the ability to preserve

1 other functions. The impact, it doesn't require
2 much to have to communicate. It's pretty
3 self-evident.

4 So I do think that the communication
5 challenge is large. I think having a consistent
6 message would be enormously helpful. In any way
7 that we can help address your questions and make
8 that a greater likelihood, we'd be most happy to
9 do that.

10 DR. CHATWIN: Actually just building on
11 an earlier point that I raised, you know, this
12 assessment of jobs and revenue and the trends, has
13 that been done at a finer scale? I know that NOAA
14 has a document that characterizes fishing
15 communities around the country, and it would be
16 really helpful to see how these fishing
17 communities are faring along the same metrics. I
18 don't know if that has been done, but if it has it
19 would be useful information for us to consider.

20 DR. DOREMUS: It is, and I'll draw a
21 little bit of a connection to Bob's point. We
22 have and are communicating pretty consistently.

1 This has been one of the things that our
2 communications office -- Kate Naughten is here,
3 who has that enterprise -- has been a consistent
4 part of our messaging is the value of fisheries
5 supply chain basically.

6 We have between that and the
7 extraordinary fishery level detail, I think, an
8 opportunity of providing something in the middle
9 that gives you a sense region by region or, in
10 some relevant and easy to communicate capability,
11 some middle tier characterization between the
12 enormous detail that we have on a
13 fishery-by-fishery basis and these top level
14 statements.

15 So we will have a look at that and see
16 what we can do to work one layer in so people get
17 a sense of how that plays out in different parts
18 of the country.

19 CHAIRMAN RIZZARDI: Okay. Any last
20 comments before we take a break?

21 (No response.)

22 CHAIRMAN RIZZARDI: Paul, thank you so

1 much for your presentations, both on the budget
2 and the strategic priorities. I think this was
3 illuminating.

4 DR. DOREMUS: Thank you very much, Mr.
5 Chairman and committee. Thank you.

6 CHAIRMAN RIZZARDI: We will take a break
7 and reconvene at 10:45.

8 (Recess)

9 MAFAC Consultant Reports & Regional Issues

10 CHAIRMAN RIZZARDI: Okay, gang, getting
11 back to business, the next item on our agenda is
12 the report from the consultants. We've got Bob,
13 Randy, and David from the different regions. What
14 I'm particularly hoping for is that the efforts
15 that are going on on the state levels and the
16 controversies that they're dealing with at a big
17 picture level, how do they relate to Managing Our
18 Nation's Fisheries III? Are there overlapping
19 themes that we can find, and hopefully get some
20 feedback from you guys as to what's going on at
21 the regional level to help inform our
22 subcommittees and help them shape their 2014 work

1 plan, and try to continue to find the major issues
2 that MAFAC needs to spend its energies on.

3 So thanks, gentlemen, for all of you
4 being here. It's nice to have the Commissions all
5 well represented. I guess we've got David as
6 first on the schedule.

7 MR. DONALDSON: Thank you, Mr. Chairman.
8 Probably the biggest issue in the Gulf right now
9 is red snapper. The good news about red snapper
10 is that the stock is rebuilding. The bad news is
11 that that has caused some consternation, mainly
12 among our recreational fishermen, in that the data
13 that's available is not really timely enough. And
14 I believe that was one of the issues that was
15 talked about Managing Our Nation's Fisheries is
16 utilizing technologies to make sure that we get
17 data in a more timely fashion.

18 The season for recreational red snapper
19 has continually been decreased, and because of the
20 recreational data timeline, it's very difficult to
21 monitor those catches and, hence, the recreational
22 fishermen have exceeded their quota, their annual

1 catch limits. So we've been looking at, we
2 recently had a conference in New Orleans the 1st
3 of November looking at ways to get more timely
4 information, looking at various technologies using
5 iPhones and iPads, different methods for improving
6 the timeliness of that information so we can
7 better monitor the recreational catches in the
8 Gulf. Several states are looking to implement
9 various sampling techniques so we can have that
10 information.

11 Another issue deals with our restoration
12 efforts due to the BP oil spill. There have been
13 various organizations that have been involved in
14 providing funding to address restoration
15 activities. Recently Tony's group, NFWF, did
16 their first round of funding to the various states
17 for not only habitat restoration, but doing some
18 fisheries monitoring work. Probably the next
19 group that has a long-term funding source is the
20 National Academy of Sciences, and they're
21 currently gearing up to do an RFP process to begin
22 soliciting proposals so they can release the

1 money.

2 And then there's the Restore Act money.
3 That's been a fairly complex process, and Russ
4 Beard is Acting Director of the program. He's
5 made a presentation and has a chart that has all
6 the different players, and it kind of looks like a
7 spaghetti dinner there. It's very complex, but
8 we're hoping that some of that money will be
9 released soon so we can focus on doing some
10 restoration work, restoring confidence in seafood.
11 This ties in with the certification process that
12 MAFAC is looking at.

13 The Commission actually has gotten some
14 funds, and we're focusing on doing certification
15 with the Audubon Society. We're also doing some
16 marketing work to restore the confidence in the
17 seafood product, because that was probably the
18 biggest impact, was a lack of confidence: not
19 eating fish or seafood products from the Gulf of
20 Mexico because it's tainted with oil. The actual
21 physical impact wasn't all that great, but the
22 perception of damage was significant, and we're

1 making steps to overcome that lack of confidence.

2 And then, I guess, kind of tying all
3 this in the budget issues that Paul touched upon
4 and trying to balance the critical need for more
5 data for red snapper, more stock assessments
6 within this limited budget period. And based on
7 what Paul presented, it's probably going to get
8 worse before it gets better. So it's going to be
9 an interesting few years in how to balance getting
10 the information we need within the limited budget.
11 So I think you all's budget and Budget Committee
12 has its work cut out for them, and trying to
13 maintain these long-term programs so we can
14 effectively manage the resources, not only in the
15 Gulf, but in the Nation, is going to be something
16 that MAFAC, I think, can definitely focus on for
17 not only next year, but well into the future.

18 So that's kind of the big issues in the
19 Gulf that the Commission and the states are
20 dealing with. Do you guys want to do questions or
21 have each of the Commission go? I don't know how
22 you want to handle it.

1 CHAIRMAN RIZZARDI: I think I'd like to
2 let all three of you go to see if we find common
3 themes, and then do the Q&A. So, Randy?

4 MR. FISHER: Thank you. Is this on?
5 Now it is. As you know, in the Pacific, we are
6 pretty involved in a lot of the data programs,
7 both commercially and recreationally. Right now I
8 have a staff of 562 folks spread out between the
9 states. We've added people in Hawaii for the
10 first time ever, and that's because of highly
11 migratory species issues.

12 I think the most exciting thing that
13 we're involved with now, and thanks to Paul and
14 his help with this, has been the electronic
15 monitoring program where we're putting cameras on
16 boats. We have 27 boats lined up this year which
17 will have cameras on them. All of these boats are
18 involved in the Catch Share Program, meaning there
19 are a hundred percent observers on these boats.
20 The Council has been moving forward with trying to
21 approve potentially an EFP, experimental fishing
22 permit, for this activity.

1 If you're interested, I will leave these
2 over on the corner, and it kind of outlines how
3 the program is working now. Michelle's husband is
4 involved in this program and their boat. We've
5 also been talking a lot with the State of Alaska.
6 There's an extreme amount of interest for the
7 longline fleet in Southeast Alaska to get involved
8 in this program.

9 I think it's important for this
10 committee to have some knowledge of this because
11 the future, as far as I'm concerned, is for this
12 to become a reality. As you know, we're
13 monitoring the program, and we're trying to focus
14 it similar to the way the Canadians do. They've
15 been doing this for a number of years. And how
16 that works is that they compare the film -- or it
17 really isn't film. They compare what's on the
18 hard drives to what the fisherman logs in. If
19 there's any difference between what the fisherman
20 has logged in terms of his catch, they review it
21 in great detail, and if there's a problem then
22 they hand it over to enforcement.

1 So that's kind of what we're doing.

2 We'll be keying into electronic log books, all
3 those sorts of things. That's some of the stuff
4 that we've been working on.

5 The other big issues that the Council
6 has been dealing were, as you will be dealing with
7 here, are amendments to the Magnuson Act. The
8 Pacific Council believes that large-scale changes
9 to the Magnuson Act are not really warranted, but
10 if you're going to tinker around with it, they
11 have some recommendations. They think that we
12 should improve rebuilding requirements for over
13 fish stocks. They believe that stocks that were
14 designated as overfished and that were then
15 determined never to be overfished should not be
16 held to rebuilding provisions.

17 I think there should be some carryover
18 exceptions for catch shares. They think that we
19 should provide more flexibility in managing
20 data-poor and data limited species, and they think
21 that the qualifications for observers should be
22 changed a little bit because as you know, to be an

1 observer you basically have to have a degree in
2 biology. And there is some interest in being more
3 flexible with those activities.

4 Another thing we're doing, as Dave
5 mentioned, we're involved in the Recreational Data
6 Program. We are testing iPads with our folks that
7 are on charter boats. They're pretty slick is
8 what they are. They have a case that your iPad
9 can go into, totally waterproof. We're testing
10 that to figure out whether we can pull that data
11 in and how it works with the recreational fleet.

12 We've also handed out 800 cameras to
13 recreational folks in California. When they're
14 catching fish, we want them to take a picture of
15 it, then we're going to analyze that to see what
16 kind of fish they're catching versus what they
17 fill out when we interview them. And the other
18 interesting thing about the iPads is you can
19 instantly take a picture of the fish or you can
20 review what the fish is by using the iPads. So
21 we're testing those activities also.

22 As you know, we lobby. The Commission

1 gave us direction. We have an annual meeting
2 every year, and at that meeting they give me and
3 our lobbying firm direction. And in terms of the
4 issue of certification, they basically said, wait
5 a year, see how it's going to happen. We don't
6 want you lobbying either way in terms of the
7 certification issue. So that's about it for us.

8 CHAIRMAN RIZZARDI: Thanks, Randy. Bob
9 Beal?

10 MR. BEAL: Great. Thank you, Mr.
11 Chairman. You know, I obviously echo the budget
12 concerns and issues that the other two Commissions
13 have brought up.

14 Magnuson-Stevens, you know, the states
15 along the East Coast obviously have a big interest
16 in that. They have some different perspectives on
17 flexibility than the Pacific states, which you
18 might not be surprised about. So, you know,
19 obviously that's important.

20 A couple of other projects specific to
21 the East Coast. One is a climate change workshop.
22 The Atlantic States Commission is working with the

1 Mid-Atlantic Council, South Atlantic Council, New
2 England Council, on climate change governance in
3 fisheries management. Things are changing along
4 the East Coast. Fish are redistributing. Fish
5 range is expanding in a lot of instances. And,
6 you know, the East Coast is unique. We've got 15
7 states. We've got ASMFC with management
8 authority. We've got three separate councils.
9 We've got U.S.-Canada relationships. We've got a
10 lot of things kind of going on, a lot of pieces
11 overlapping.

12 And as fish redistribute or change their
13 range along the East Coast, what should happen or
14 what's a reasonable reaction for the governance
15 structure that's in place along the East Coast?
16 Is it changing the boundaries of the Councils? Is
17 it doing drastic things like that, or is it simply
18 just moving some advisors and some folks, you
19 know, within the structure that we have right now.
20 So that workshop is going to take place March 20
21 and 21, and we're going to get all the states and
22 Councils and everyone together to chat about that.

1 I think that's a bigger issue than just
2 the East Coast. I think the climate change
3 impacts are obviously, you know, affecting all the
4 coasts and the distribution of animals along all
5 of our coasts, and we're going to have to figure
6 out, you know, address allocation issues and
7 rebuilding issues, and questions of productivity
8 changes and other things that are associated with
9 climate change. So that's a big issue for the
10 East Coast right now.

11 Another big issue is the administration
12 of the MRIP site intercept surveys that go on.
13 The other two Commissions conduct those surveys or
14 the FIN Programs are very involved with conducting
15 the site intercept surveys. Along the East Coast,
16 the states are not as involved. It's primarily
17 administered through National Marine Fisheries
18 Service headquarters.

19 There's a conversation that's been
20 initiated to transfer that to the Atlantic States
21 Marine Fisheries Commission and the Atlantic
22 Coastal Cooperative Statistics Program, which

1 would make us similar to the other Commission in
2 collecting that data. I think the states are in
3 favor of that change. The fishermen are a lot
4 more confident if they see an interviewer,
5 whatever, North Carolina Division of Marine
6 Fisheries Service, you know, a polo shirt versus a
7 random contractor that they don't know.

8 So, you know, I think the states like
9 the potential for that change. If everything
10 lines up, that change may take place as early as
11 2015. It's a pretty big shift from the way things
12 are done right now. But we're all working in that
13 direction.

14 The other overlap with the discussions
15 that'll take place here this week are the East
16 Coast states are very interested in the Endangered
17 Species Act activities. There's been a few
18 listings, or non-listings, that have taken place
19 over the last 12 months. Atlantic sturgeon was a
20 big listing. It was listed as endangered along
21 most of the coast and threatened in the Gulf of
22 Maine. And the states felt they were caught off

1 guard, to put it bluntly, with that listing. And,
2 you know, they felt they could be more involved up
3 front with providing data and providing scientific
4 information for those pending listings.

5 River herring was recently declared that
6 it was not needed to be listed at this time, but
7 there's a lot of follow-up activity for river
8 herring with the Councils and Commission on
9 Bycatch Reduction primarily and how that's going
10 to take place. American eel has a pending listing
11 decision that's in place, and that's being handled
12 by the U.S. Fish and Wildlife Service. And the
13 timelines and some of the procedures in the
14 different federal agencies seem to be confusing or
15 confounding to the states. So I think, you know,
16 the bigger picture of ESA discussion is something
17 the states want to engage in along the East Coast.

18 As the other two Commissions have
19 brought up, seafood sustainability certification
20 is important to the East Coast states. East Coast
21 states have a little bit different perspective on
22 that since ASMFC has management authority, that if

1 the federal species are certified under Magnuson,
2 what happens to the state or interstate managed
3 species, such as American lobster and some other,
4 you know, small species like that. And, you know,
5 blue crabs are managed by states, not through
6 ASMFC.

7 So, you know, ASMFC is supportive of a
8 certification program through Magnuson-Stevens,
9 but they don't want the state and the interstate
10 managed species to be disadvantaged, kind of on
11 the outside looking in, and, you know, lose their
12 marketing ability because they don't have the
13 federal seal of approval or whatever it's going to
14 look like. So the states want to enter into that
15 dialogue and make sure that they're, you know,
16 considered as things move forward.

17 So I think those are the big ones. You
18 know, there's obviously species-specific
19 activities with eel, and lobster and, you know,
20 ground fish in New England, and striped bass, and
21 other things, but they're probably not within the
22 scope of this group.

1 One other sort of advertisement is that
2 ASMFC currently has a five-year strategic plan
3 draft that's out on the streets for public comment
4 if anyone wants to look at it. We're going to do
5 a series of meetings up and down the East Coast,
6 and welcome your feedback, and want to make sure
7 the Commission is going in the direction everyone
8 thinks it should be going in, and highlighting the
9 partnerships and other things that are out there,
10 and interactions with the Council.

11 We have joint management on eight of the
12 species we manage with at least one of the
13 Councils. So there's, you know, substantial need
14 to stay involved between the Councils and
15 Commission and make sure that they're all working
16 in the same direction.

17 So I think looking at my list, those are
18 the highlights along the East Coast. Happy to
19 answer any questions you might have.

20 CHAIRMAN RIZZARDI: So I'll just make an
21 observation and then open it up for questions. I
22 heard from all three of you sustainability,

1 seafood certification is an issue. And the
2 adequacy of data, especially in a recreational
3 fishery is an issue for all three of you. So just
4 from a thematic standpoint, that came out loud and
5 clear. And I'll open it up for questions.

6 DR. CHATWIN: I'd like to thank all
7 three of you for sharing with us. It's really
8 helpful to hear your perspective.

9 I had a couple of different questions
10 for different people. So I'd start with the last
11 one, with you, Bob. And this issue of the ESA
12 related species listing sturgeon and the
13 uncertainty about American eel, and the continued
14 concentrated concerns on river herring. Those are
15 all coastal species, all anadromous, diadromous
16 species. And I am particularly interested in the
17 nexus that this may have for the states when it
18 comes to expanding ports given the expansion of
19 the Panama Canal and getting ready for those
20 because there's a strong intersection there
21 between habitat used by these species and the
22 areas needed for port expansion.

1 So is that something that's discussed,
2 you know, the fisheries angle on this? Is that
3 discussed at ASFME?

4 MR. BEAL: Yes, it is. You know, the
5 sturgeon is the biggest interaction with dredging
6 and port expansion, and the threatened and
7 endangered listing there is going to have a big
8 impact on projects up and down the East Coast.
9 And the Commission a lot of times is asked to
10 weigh in on those projects when permitting
11 processes move along. And we're going to continue
12 to do that.

13 The Commission has implemented--ASMFC, I
14 guess we're all commissions--ASMFC has implemented
15 a moratorium on sturgeon harvest for the last 12
16 years, and it's going to be in place for another
17 25 years. So the perspective from ASMFC is, on
18 the fishery management side, direct harvest.
19 We've done everything we can to shut down. But
20 now as the population is rebuilding, which is good
21 news, there's going to be a lot more interactions
22 as bycatch, and dredging projects, and port

1 expansion, and those sorts of things.

2 So we're going to continue to weigh in
3 on those projects and the impacts on sturgeon.
4 It's one of those things if a state governor
5 really want a project and Congress feels the
6 project is important, ASMFC may not be able to win
7 the day and stop the project, but I think, you
8 know, our goal is to control some of the timing of
9 dredging and control how those activities take
10 place, and minimize the impact of some of these
11 diadromous critters that we're trying to manage.

12 DR. CHATWIN: Thank you. If I may, the
13 next question is to Randy. I'm really intrigued
14 by this experimental fishing permit for broader
15 applications of EM, electronic monitoring. Could
16 you share with us where that stands? Is that
17 something that's in place now for these 27
18 vessels?

19 MR. FISHER: No. The experimental
20 fishing permit is not in place right now. The
21 Council is looking at whether or not they want to
22 issue an experimental fishing permit. What we've

1 done is we basically got a grant from NOAA
2 Fisheries that was tied into the VMS grant. We
3 buy all the VMS for the whole U.S. And so, we're
4 using some of that money as a pilot project,
5 hopefully that will end up being an experimental
6 fishing permit for these activities so that they
7 can move forward. So that's kind of where we are.

8 And in Alaska, the same thing is
9 happening. The Council, there's been a draft or a
10 report given to NOAA Fisheries for an experimental
11 fishing permit for the long- length fleet. These
12 are small boats. There's like 700 of them. So if
13 that gets approved, then we would probably get
14 involved in providing cameras and the
15 infrastructure for moving forward with that.

16 DR. CHATWIN: Thank you. I think this
17 issue of experimental fishing permits to foster
18 innovation in U.S. Fisheries is a really
19 interesting one, that I think would be great for
20 the committee to get a briefing from NOAA on how
21 experimental fishing permits work. I'm sure there
22 are people around the table that have been

1 involved in them, but I think it would be good to
2 have some information either at the Agency's
3 earliest convenience on those. But, you know, I
4 think the potential for using that as a structured
5 approach to implement innovation at scale is
6 promising.

7 CHAIRMAN RIZZARDI: I have a follow-up
8 question on that. Is that the context where the
9 iPads are being used well?

10 MR. FISHER: No.

11 CHAIRMAN RIZZARDI: Okay.

12 MR. FISHER: But I think Tony has got a
13 really good point there because what happens with
14 experimental fishing permits, a lot of that is
15 done at the Council level. And I think there's a
16 difference in how it's viewed. And the issue that
17 we're facing up there is the science centers have
18 one opinion and the regional will have another
19 opinion. And there you go. And it may stop the
20 experimental fishing permit from being issued as a
21 result of that.

22 MR. DONALDSON: And the Gulf Council has

1 looked at it in terms of innovative data
2 collection for head boats. And they've got a
3 fishing permit in place that they're looking to
4 improve the timeliness and using electronic
5 monitoring for head boats. So I agree with Randy.
6 I think that would be a useful topic for this
7 group to talk about.

8 DR. CHATWIN: And if I could indulge,
9 this is my last point. You know, all three
10 Commissions mentioned the interest of their
11 constituents on the seafood certification issue.
12 And I just wondered if your respective states have
13 discussed what that could mean if there are
14 subcommittees of the commissions that are
15 interested in engaging in discussion with the
16 Agency about standards and changing practices to
17 meet those standards. Has there been an in- depth
18 discussion, or has it been more we need to keep
19 our eye on it so that we're not left out of this
20 certification issue? Thank you.

21 MR. DONALDSON: Well, in the Gulf, as I
22 mentioned, the Commission got some funding in

1 response to the BP oil spill. And some of that
2 money went to look at certification. And we
3 currently have an agreement with the Audubon
4 Society to develop a certification. They keep
5 changing the names of it. It used to be FIPs, but
6 now it's something else. But it's essentially
7 fishery improvement plans. And the states have
8 been integrally involved in those discussions.
9 And so, we're interested in this national
10 certification, but we're also moving forward in
11 the Gulf looking at certification as a whole for
12 all the Gulf species, both state and federal.

13 MR. FISHER: And in the case of the
14 Pacific, we'd had a number of discussions at our
15 Commission meeting and had some presentations on
16 certification. But it's all over the map. In
17 Alaska it's a big deal. Huge fights going on as a
18 result of that. They basically said we're going
19 to watch this and see what happens, so that's kind
20 of where it is.

21 But I agree that the states want to make
22 sure that if certification does happen, that

1 they're not lost in the shuffle. That's really a
2 big concern.

3 MR. BEAL: Just to chime in and round
4 out the group. You know, I guess the Gulf states
5 have a lot of money from the oil spill. Randy has
6 got 530 employees. We've got, like, 24 employees.
7 So I'm starting to have some adequacy issues here,
8 but that's a whole other thing to deal with, I
9 guess.

10 MR. DONALDSON: We still like you, Bob.

11 MR. BEAL: I'll get some counseling,
12 I'll be all right.

13 (Laughter.)

14 MR. FISHER: You've got the most states.

15 MR. BEAL: Yeah, we've got the most
16 states and the least people. I don't get that.
17 The math is confusing. But I think we're in the
18 last category. We're watching and don't to want
19 to be left out of the certification discussion. A
20 lot of the interstate fishery management plans
21 that the Commission has have rebuilding timelines
22 and some similarities to federal and national

1 standards. But there are some of our plans that I
2 think that I think the states would admit are not
3 as far as along as we should be on rebuilding.

4 So whatever certification looks like,
5 I'm not sure it necessarily would apply to all the
6 species that are managed through ASMFC in the
7 states, but, you know, I think some standards
8 obviously have to be in place for certification
9 and the states want to be involved in that
10 dialogue for sure.

11 MR. FISHER: Could I add one other
12 thing? I think the other concern is that the
13 states would be, we hope this isn't a new program
14 that's going to add more money because it's going
15 to come from somewhere within NOAA probably, and
16 that's another issue that they would be worried
17 about, I'm sure.

18 MR. DONALDSON: That's true for the Gulf
19 as well.

20 CHAIRMAN RIZZARDI: Paul?

21 MR. CLAMPITT: Thank you, Mr. Chairman.

22 I wanted to ask Randy a question about electronic

1 monitoring. I've been to some meetings in Alaska.
2 I'm part of the long line fleet, so we're
3 interested in it. And I noticed a lot of pushback
4 with the National Fisheries Services Alaska
5 region, not the Council, but the scientists and
6 the enforcement particularly. Enforcement seems
7 to have a real heartache about it. And then the
8 other thing which is just coming now is the
9 concern from the observers themselves. There
10 seems to be a cadre of professional observers that
11 are fighting against this. And I'm wondering what
12 is going on at the Pacific Council, if it's
13 different, if it's the same concerns, because it
14 seems like on the Pacific Council, it's moving
15 forward at a more rapid rate.

16 MR. FISHER: Yes. Interestingly enough,
17 we've had zero problems with enforcement folks.
18 In fact, they're behind it, kind of. And when we
19 met with them first, if you don't have enforcement
20 on your side, you might forget about it because
21 it's not going to happen.

22 My understanding is with the EFP in

1 Alaska, that the Science Center has done a review
2 and they have some problems with it. But my
3 experience with the region up there is that
4 they're in favor of it. We don't take a position
5 until the dust has settled and they give us some
6 direction, if the money comes and we can help do
7 it. But on the Pacific side, once again, we don't
8 have any problem with the enforcement folks at
9 all.

10 CHAIRMAN RIZZARDI: Julie?

11 MS. BONNEY: It's an easy question, just
12 to round out the employment question. So we've
13 got 562, 24, and?

14 MR. DONALDSON: We actually have 19
15 employees.

16 MS. BONNEY: It sounds like Randy is a
17 hog.

18 (Laughter.)

19 MR. FISHER: Yes, I've been called
20 worse.

21 CHAIRMAN RIZZARDI: Okay. Anybody else?
22 John?

1 MR. CORBIN: Thank you, Mr. Chairman.
2 To all three of the speakers, you know,
3 recognizing you have a lot of immediate concerns
4 regarding fisheries, NOAA has taken a really
5 strong position on marine aquaculture development,
6 and I was wondering where in your current plans
7 and policies marine aquaculture stands. Is it
8 mentioned and in what context?

9 MR. BEAL: From the ASMFC perspective,
10 it doesn't show up a lot in our FMPs and in our
11 management programs. It's been handled. The
12 states have done a whole lot with oysters and
13 clams and a number of other aquaculture projects,
14 you know, in the near shore environment. But
15 ASMFC really hasn't taken position on it. Five or
16 seven years ago we had some discussions on it, but
17 the states were so, frankly, scattered on where
18 they were, they weren't able to sort of pull
19 together one position on how they wanted to move
20 forward with aquaculture. So it's not something
21 our Commission addresses a lot.

22 MR. FISHER: In our case, the Commission

1 has been very vocal in making sure that the states
2 can opt out of aquaculture if they're given that
3 opportunity or they should be given that
4 opportunity for one. Second of all, I don't think
5 that, at least on the West Coast, they would like
6 more money going into aquaculture. They would
7 rather have that money going into data versus
8 expenditures in aquaculture.

9 MR. DONALDSON: And for the Gulf, we're
10 very similar to the Atlantic in that it's not
11 something that we routinely deal with. It's more
12 a specific state issue. Our habitat coordinator
13 does monitor aquaculture issues and keeps the
14 Commission abreast of those, but we really don't
15 have a stance on aquaculture. It's more
16 state-based.

17 CHAIRMAN RIZZARDI: John?

18 MR. CORBIN: So I take that to mean it's
19 not mentioned in any of your planning documents or
20 policies?

21 MR. DONALDSON: Correct.

22 MR. CORBIN: So it's under discussion,

1 but it's not actually part of any of the
2 documentation.

3 MR. BEAL: That's correct. We recognize
4 the value of it, and I think in the number of
5 fisheries, it's important. The portfolio species
6 that ASMFC manages, those species don't overlap a
7 lot with aquaculture. They're mostly fish for
8 now. So it's recognized through some of our
9 planning documents as really a pretty small part
10 of what we do.

11 MR. CORBIN: Thank you.

12 CHAIRMAN RIZZARDI: No last questions?

13 (No response.)

14 CHAIRMAN RIZZARDI: Okay. Well, I've
15 heard quite a few themes for us to be talking
16 about in our work planning efforts. So I hope the
17 subcommittee chairs have taken some good notes and
18 got some good feedback and ideas for where to go
19 in our breakout sessions that are coming up.

20 All right. Next item on the agenda is
21 Dr. Holliday. You're going to be giving us the
22 update as to what we've accomplished over the last

1 couple of years, or couple of meetings rather.

2 MAFAC Executive Director Report

3 DR. HOLLIDAY: Could you put that up?

4 Thanks. Thank you, Keith. What I tried to
5 summarize is the work that's taken place since the
6 Managing Nations Fisheries III, the obligations
7 that we agreed to there both for the agency and
8 for the committee.

9 I've grouped them into two major
10 categories. The first is the status of the three
11 major work group efforts that were ongoing that
12 had specific products associated with them, the
13 Seafood Certification Working Group, the ESA
14 Section 7 Consultation Working Group, and the Rec
15 Fish Working Group, Rec Subcommittee task on the
16 differences between recreational and commercial
17 fishing, and the implications for Magnuson
18 reauthorization.

19 So these three workgroups were created
20 not at the May meeting, but they had various
21 tenures. But the bottom line is that they all are
22 presenting their reports out, whether they be a

1 white paper or recommendations, for a way forward
2 at the October meeting. They represent, I think,
3 a great case study of how the committee has worked
4 with the Agency, has worked with outside groups.
5 In particular the ESA Working Group was a joint
6 effort between MAFAC and the Regional Fishery
7 Management Councils and NOAA Fisheries. And I
8 think the leadership that the membership brought
9 to the task to produce the collaborative effort
10 were great examples of the partnerships at the
11 policy level that were talked about this morning
12 when looking at ways to do an effective and an
13 efficient job of advising NOAA and the Department.

14 So those will comprise a large part of
15 our agenda for the next couple of days. But I
16 think this is sort of a closing of work that's
17 been ongoing for at least, in some cases, you
18 know, 12 to 14 months of work, and represents a
19 yeoman's effort on the part of the members who
20 participated in the subcommittee itself, as well
21 as the rest of the committee in reviewing and
22 adding to that.

1 With respect to specific action items
2 that were taken at the May meeting, throughout the
3 meeting there were a number of reports and
4 references that were alluded to during the
5 discussions, whether they were on Magnuson
6 reauthorization. For example, there was
7 discussion about the work that George Lapointe had
8 been doing on the allocations topic, and the
9 committee asked for follow up, access to documents
10 and reports, whether they were council policy on
11 allocation from the Western Pacific or George's
12 report.

13 So, you know, shortly after the meeting,
14 we combed through the transcript and we posted on
15 the members' section of the MAFAC website all of
16 those reports and references, and circulated an
17 email to that effect, that they were available.
18 So in my action table, that was checked off as
19 done.

20 We had an open issue, open task, on
21 developing work plans for 2014. We started that
22 process at the May meeting. The notion was we

1 could anticipate that we'd be winding down some of
2 the work load that had been undertaken by the work
3 groups, and that we wanted to segue and transition
4 into what are the themes that are going to replace
5 that for work in 2014.

6 For example, you may recall the
7 Protected Resources Subcommittee at a prior
8 meeting had spent a lot of time developing a list
9 of priorities, potential topics for consideration.
10 When NOAA came and asked the Protected Resources
11 Subcommittee to take on this ESA consultation
12 project, those activities were sort of put on the
13 back burner. Now is a good time to revisit those
14 priorities and see which of those burning issues
15 could again be undertaken by the subcommittee.

16 So our action for May was that we have
17 some conference calls during the summer of 2013 by
18 the subcommittees to try to do some of that
19 planning. For a variety of reasons, we didn't
20 complete that. They're pending. We rolled those
21 over onto this agenda, and so that we have our
22 subcommittee meetings face to face. We'll knock

1 that one off as part of the agenda items for the
2 meeting here in Silver Spring.

3 And the last action that we spent teeing
4 up at the May meeting was our work associated with
5 MSA reauthorization. So part of our motivation
6 and part of our purpose of being at Managing
7 Nations Fisheries III as a committee was to hear
8 what the discussion was, to participate in the
9 discussion about what was working well with the
10 Magnuson Act, comparing what the best practices
11 were, but also to talk about where there are
12 changes necessary or where there are efforts to
13 maintain the status quo in association with the
14 next round of potential Magnuson reauthorization
15 topics.

16 We had a long discussion at the May
17 meeting. We categorized them. We identified some
18 preliminary issues from the findings tables.
19 Again, these were just findings. They weren't
20 conclusions. But they were areas of discussion
21 for the Ecosystem Subcommittee, for the Protected
22 Resources for the Recreational Subcommittee. But

1 we didn't reach closure on which one of those
2 topics may want to be taken up as a particular
3 output or outcome. In other words, did the
4 committee want to offer specific advice on
5 changing statutory language, come up with some
6 draft in the form of a white paper or
7 recommendation of finding to modify existing
8 sections of the Act.

9 There was very much left after the
10 preliminary stage of thought. The one issue where
11 Sam Rauch specifically tasked the Committee, or
12 asked the Committee to work on, was one of
13 subsistence. He wanted, based on his
14 participation in Managing Our Nation's Fisheries
15 III to look at the possibility of including a
16 definition of subsistence in the Act to complement
17 or to differentiate subsistence fishing from other
18 types of activity that are governed by the
19 statute. And he had spoken with Henry Seseparasara,
20 a MAFAC member, about that issue.

21 Over the summer, Henry corresponded with
22 Heidi and staff on some of the thoughts that he's

1 had as well as the Western Pacific Council.
2 Unfortunately Henry wasn't able to make this
3 meeting, but, again, there's a starting point for
4 that particular topic of MSA reauthorization. But
5 the rest of the actions associated with that,
6 again, are part of the agenda because this
7 afternoon we're going to take that up on the
8 agenda. Emily Menashes, the Acting Director of
9 Sustainable Fisheries, will give us the briefing
10 on where the Agency stands on the reauthorization,
11 and we have our Subcommittee plans. Each of the
12 Subcommittees can take this up as they see fit.
13 Keith?

14 CHAIRMAN RIZZARDI: Mark, I have a
15 question on the subsistence issue. I had some
16 confusion as to the extent to which the definition
17 of subsistence and Henry's comments had made their
18 way into the Recreational Fishery white paper that
19 Ken has been working on. So I'm just looking for
20 some clarification as to how much of that effort
21 overlapped.

22 DR. HOLLIDAY: I don't know specifically

1 whether Henry has, but I know that the work that
2 the Rec Fish Working Group and the Subcommittee
3 has was informed by the Western Pacific Council's
4 definition of subsistence, and parallels the
5 advice that Henry was giving in his emails to
6 Heidi. So through Craig Severence and other
7 members of the Rec Fish Working Group who have
8 been working with Henry and the Western Pacific
9 and other indigenous representative and
10 stakeholder representatives, that perspective is
11 reflected in that Committee's report.

12 CHAIRMAN RIZZARDI: Okay. That's
13 helpful. So then I have a follow-up, which is I
14 understood that the objective of the Rec Fish
15 white paper was to capture opinions and viewpoints
16 of the Rec Fishery, not necessarily to try to
17 achieve a consensus recommendation of MAFAC. But
18 with respect to subsistence fishing and the
19 definition, is that something where you are
20 looking for a consensus recommendation from MAFAC?

21 DR. HOLLIDAY: I think the Agency is
22 looking for recommendations from MAFAC, whether

1 they be consensus or non-consensus. But what are
2 the issues associated with all of Magnuson
3 reauthorization that you think are relevant to be
4 discussed and debated as part of moving forward.

5 And so you heard Dr. Schaefer this
6 morning mention that the House bill is making
7 progress. The Senate is a little bit further
8 behind. But you'll hear the full details of where
9 those efforts are from Emily this afternoon. What
10 I think the Agency is looking for is, you as our
11 advisors from a FACA Committee, what are your
12 perspectives on what's important to take up? So
13 that's not just subsistence. That's one of the
14 specific questions that Sam had in mind as a
15 result of his participation at Managing Our
16 Nation's Fisheries III, but that's not the only
17 issue where he is looking for advice and counsel.

18 MS. LONGO EDER: Actually a question.
19 Randy Fisher presented some of the ideas on MSA
20 reauthorization priorities from the Pacific
21 Council, and I'll speak to those as well. But I'm
22 wondering, have each of the Councils submitted,

1 whether it's to the Agency or through the Council
2 Coordinating Committee their priorities for
3 Magnuson reauthorization? And if so, is that
4 information we could have in the context of our
5 discussion and action?

6 DR. HOLLIDAY: Yes. So at the last
7 Council Coordinating Committee meeting -- for
8 those who don't remember, the CCC is comprised of
9 the chairs and executive directors of the eight
10 Regional Fishery Management Councils. They had a
11 teleconference where they went over their
12 viewpoints on the Magnuson reauthorization. All
13 of the documents associated with that are linked
14 off the Pacific Council website. And we have also
15 included as part of our read ahead the listing of
16 all of the findings from the Managing Our Nation's
17 Fisheries III.

18 So those resources are publicly
19 available and accessible to this Committee, both
20 for this meeting and any further Subcommittee
21 deliberations. Each Council has identified their
22 priorities. Rick Robbins from the Mid- Atlantic

1 Fisheries Management Council testified at one of
2 the congressional hearings on Magnuson
3 reauthorization representing all the Councils.
4 And so, all of that material is publicly
5 accessible and linked to at the Pacific Council
6 website, material that was used for the CCC
7 teleconference.

8 MS. LONGO EDER: Thank you.

9 CHAIRMAN RIZZARDI: Ted?

10 MR. AMES: Thank you, Mr. Chair. I'm
11 particularly concerned about the definition of
12 "subsistence fishing," partly because a great many
13 fishermen in Maine are very much part-timers.
14 They fish for a few months out of the year, and
15 then they take a shore side job to cobble out the
16 rest of a year's work. And I would like very much
17 to have that niche as part of the definition as
18 well.

19 True, they are commercial fishermen in
20 the usual sense, but they're small scale.
21 Probably not much more dangerous to the resource
22 in the areas that they fish than traditional

1 Native American use. So anyway, it would be nice
2 to extend that a little farther. Thank you.

3 DR. HOLLIDAY: Just a point of
4 clarification, if I steered people in the wrong
5 direction. When I mentioned the subsistence here
6 that it's under way, there's not a MAFAC position
7 on this. There's not been a discussion of what
8 the definition is in front of the Committee at
9 this point. So this is a work in progress that
10 the perspectives that you just described and
11 others who have a point of view have yet to be
12 undertaken or discussed.

13 I just mentioned it because it was
14 something that has taken place. There was some
15 action on it over the summer that would then be
16 presented back to the Committee and undertaken by
17 one or more of the Subcommittees before coming
18 back to the full Plenary Committee for action. So
19 it's not a done deal or completed action. It was
20 just something I wanted to reference as there has
21 been some work on it.

22 CHAIRMAN RIZZARDI: Julie?

1 MS. MORRIS: Mark, you said that there
2 were materials about the allocation issue
3 somewhere? Can you tell us where those are?

4 DR. HOLLIDAY: Heidi, didn't you post
5 them on the MAFAC --

6 MS. LOVETT: Which issue?

7 MS. MORRIS: Allocations.

8 DR. HOLLIDAY: Yeah. Well, I saw them
9 in the member section side of the website?

10 MS. LOVETT: Oh, I'm sorry.

11 DR. HOLLIDAY: The members' only
12 section.

13 MS. LOVETT: Yeah. On the members' only
14 side, there's a number of documents, and it says
15 follow-up after May 2013.

16 MS. MORRIS: Okay.

17 MS. LOVETT: So it says May 2013 report
18 requests. And there's, like, seven different
19 things there.

20 DR. HOLLIDAY: They're not all about
21 allocation, but a number of them were.

22 MS. LOVETT: I'll have to look.

1 DR. HOLLIDAY: For those who don't
2 remember, there's two sides of the MAFAC website
3 --

4 MS. LOVETT: The first report by --

5 DR. HOLLIDAY: The public access that
6 everybody sees.

7 MS. MORRIS: I see them now. Okay.

8 DR. HOLLIDAY: And then there's members'
9 only where we put documents about reporting and
10 ethics and forms and other things for the
11 Administration that's accessible only to MAFAC
12 members. And if you forget to get there, we'd be
13 happy to show you how.

14 MR. BEAL: Just a quick question. Mark,
15 the first three bullets there -- seafood
16 certification, ESA, and the REC Subcommittee --
17 the first and the last bullet, seafood
18 certification and the Rec Subcommittee, those
19 recommendations to be feeding into a discussion in
20 Magnuson reauthorization. What's the disposition
21 or the sort of audience, if you want to call it
22 that, for the second paper? Maybe it's more

1 appropriate to talk about it when we get to that
2 agenda item. But is that a Magnuson discussion as
3 well, or is that more of just a process discussion
4 for the agency?

5 DR. HOLLIDAY: I'd be happy to have the
6 Chair clarify that, thank you.

7 (Laughter.)

8 DR. HOLLIDAY: But I would note that
9 seafood certification was independent of Magnuson
10 reauthorization. This issue has been one of
11 interest to the Committee since, you know, six
12 years ago. And then the Committee has evolved,
13 and it's thinking about the role and utility of
14 certification and NOAA's participation in that.
15 So it may or may not have implications for
16 reauthorization, but coincidentally there's a
17 reauthorization process in place where that may
18 inform it.

19 The ESA Section 7 consultation is an
20 issue that was a concern raised at a CCC meeting
21 by the councils who were looking for a means and a
22 process improvement over the current status. And

1 Sam offered the services of MAFAC to help evaluate
2 that in cooperation with the councils as a
3 non-binding set of advice and recommendations from
4 a collaborative work group of ESA specialists
5 within the Agency, Council representatives who
6 were familiar with the issues that they had with
7 respect to the nature of science use, and the
8 consultations, and the role that the Councils
9 played as an action agency or not.

10 So that doesn't have any direct
11 implication for reauthorization, although the
12 findings may inform that intersection of other
13 applicable in the Magnuson. And, of course, the
14 Rec Fish Working Group, Rec Subcommittee task, was
15 a direct outgrowth of Managing Our Nation's
16 Fisheries III, but also was part of a larger issue
17 of looking at the differences and similarities in
18 terms of motivations of the recreational sector
19 versus commercial sector. And Sam characterized
20 it at our May meeting as people say that the
21 recreational sector needs to be managed
22 differently and has different motivations. What

1 exactly does that mean? So he sort of put the
2 burden back on the recreational community to help
3 illuminate that and come back to him with
4 information that could explain that both to NOAA
5 staff and to others interested in the challenge
6 potentially for reauthorization implications.

7 MR. BEAL: Okay. Thank you.

8 CHAIRMAN RIZZARDI: If there are no
9 other questions on the prior MAFAC meeting
10 actions, I guess we'll move on.

11 DR. HOLLIDAY: Thanks, Keith. So this
12 October was the anniversary of Keith Rizzardi's
13 election as Chairman of the MAFAC, and the Chair
14 is, under our current charter -- I don't have a
15 slide for this. You'll have to bear with me. But
16 the current charter for MAFAC, which is required
17 under the Federal Advisory Committee Act that each
18 committee have a charter and it's renewed every
19 two years. And as part of that charter, we
20 stipulate how the membership is chosen, what the
21 goals and objectives are, the purposes of the
22 committee, any of the other details with respect

1 to how the organization of the committee is made.

2 And we had in 2010 looked at a way to
3 change how the Chair and the Vice Chair of the
4 committee were selected. Under the current
5 charter, the Chair and the Vice Chair are elected
6 for two-year terms by a majority vote of the
7 voting members of the committee. And at the
8 discretion of the committee, their term may be
9 extended for one year by a majority vote.

10 That process was put in place as a
11 result of discussions by MAFAC, who were concerned
12 about the participation of NOAA and the role of
13 the committee management because prior to this,
14 the Chair of the committee was the NOAA
15 Administrator, believe it or not. The Vice Chair
16 was the head of the Marine Fisheries Services.
17 And there seemed to be some incongruity in having
18 a committee of advisors to the Secretary of
19 Commerce, and to the NOAA Administrator, and to
20 the Fisheries Services, but was at the same time
21 chaired by the head of NOAA and vice chaired by
22 the head of the Fisheries Services. Moreover, it

1 was rare for the head of NOAA to actually come and
2 chair those meetings or be present at those
3 meetings. And so, there seemed to be room for
4 improvement in how the chairmanship of the
5 committee was managed.

6 And this is all history for some of the
7 newer members, and some of you still may recall
8 this as a current member. The means that were
9 used to get around that was we had appointed
10 unofficially a Council liaison position. So when
11 I first became involved as a Designated Federal
12 Official, Tony DiLernia, a MAFAC member from New
13 York, was the Council liaison. When Tony's term
14 rolled off, Tom Billy was identified as the
15 Council liaison, a MAFAC member. But they had no
16 particular, you know, official role in the charter
17 of the organization. That seemed to be a gap. So
18 we made this charter change and said, well, let's
19 allow the chairs to be elected by the members.

20 And so, the first official chair under
21 that charter when Tom rolled off the committee and
22 Heather McCarty was Vice Chair, at our Key West

1 meeting, Heather self-nominated, which was
2 permitted, and it was seconded by a member. But
3 because there was no opposition, there was no
4 vote, and she was just appointed the chair. The
5 first official election was at our October 2011
6 meeting. And again, I'm just trying to make sure
7 everyone has the same foundation. I'm sorry if
8 I'm rambling on here, but I want to give the
9 history.

10 And again, so Keith was elected Chair.
11 Martin Fisher was elected Vice Chair for a term of
12 two years, and that term expired this past
13 October. And, well, what do we do for the future?

14 So over the course of the summer, we had
15 in NOAA discussions about how this process worked
16 and whether the goals and objectives of having
17 chairs elected by the members was working well or
18 not working well or could be improved. And our
19 charter was coming up for renewal. Again, I said
20 they have to be renewed every two years, so
21 January of 2014 is our renewal date for the
22 charter. And we made a recommendation based on

1 changes in our NOAA leadership to recommend that
2 the chairs be appointed from the membership by the
3 NOAA Under Secretary or his or her designee in the
4 future.

5 So the rationale for that was, one, to
6 bring more consistency across the FACA committees
7 so NOAA has more than just MAFAC. There are nine
8 or 10, approximately a dozen FACA committees, and
9 rather than have them all appoint their -- some of
10 them have their members -- excuse me -- chairs
11 appointed. Some of them have self-determination
12 and they vote for their own.

13 There is an intent on NOAA's part to
14 have a more consistent approach across the FACA
15 committees, to have them appointed by the
16 Secretary in consultation with the membership, of
17 course, but to have that consistency take place,
18 and to avoid any of the potential downsides of
19 having elections that could potentially be
20 fractious or result in affecting the harmony and
21 the functioning of the committee in the future.

22 So this is kind of a long-winded

1 explanation of what NOAA is looking to do in its
2 next revision of the charter. But in the interim,
3 we're still operating under the existing charter,
4 which calls for elections, and we have under the
5 current rules a chairperson whose term has
6 expired. So the recommendation from NOAA's
7 perspective, and if Sam were here, you know, he
8 certainly would've briefed you directly. But on
9 his behalf, we were recommending that the
10 committee consider the option available to them of
11 extending the current chairman's term for another
12 year, which is allowed under the current charter.
13 And then a new charter that would be approved in
14 January where future chairs would be appointed by
15 NOAA, and upon completion of Keith's term, that
16 new charter provision would kick in, and the new
17 chair would be appointed and vice chair would be
18 appointed by the Secretary.

19 So that's a little bit of history, a
20 little bit of context. Just one other point. The
21 charter is something that NOAA prepares and then
22 sends forward to the Department of Commerce. It's

1 approved at the Department of Commerce level.
2 It's reviewed first and then approved. But it's
3 reviewed in the context of the fact the Federal
4 Advisory Committee Act rules that are administered
5 by GSA.

6 Did I leave anything out? Heidi, is
7 that how we would proceed?

8 MS. BONNEY: I guess I don't know that
9 I've ever seen the charter, so is that something
10 that the committee would have some review of, is
11 it's just kind of an automatic internal document
12 versus have any input from us is one question.
13 The other is when you appoint the Chair and the
14 Vice Chair, you suggested that the Committee would
15 have some input in that decision making process.
16 How do you envision that that would happen?

17 DR. HOLLIDAY: Right. So as the federal
18 agency responsible for the Committee, the charter
19 is something that is produced by the federal
20 agency and then submitted for approval under the
21 federal regulations issued by GSA. So it's a
22 NOAA-generated document.

1 If you got to the MAFAC webpage on the
2 top left- hand side, right after it says "MAFAC
3 membership is as chartered." So the charter is
4 there. It's publicly accessible for members and
5 any member of the public to see it. The contents
6 of it are generally prescribed by those
7 regulations as to what it needs to include, which
8 is the name, the purpose, the membership, how the
9 members are chosen, the terms of reference for the
10 organization.

11 To your question about how input would
12 be received would be that there'd be a request
13 from the agency to the members, one, are there
14 people who are interested and willing to serve as
15 members, and if there are recommendations from the
16 members to the administrator, they would be
17 solicited directly. And he or she would then use
18 that advice in their deliberation and choice.

19 MR. FRANKE: Based on Dr. Holliday's
20 comments, I'd like to put forward a motion to, if
21 the timing is right, recommend that Chairman
22 Rizzardi continue for another year. I can tell

1 you for the last six months with the mountain of
2 phone calls and work that I've personally seen him
3 engaged in, he has done an outstanding job, and I
4 think everybody here can echo that opinion. But
5 I'd like to put forward that motion as well a
6 thank you for all his hard work.

7 MR. BROWN: I second it.

8 CHAIRMAN RIZZARDI: Second from
9 Columbus. Any discussion?

10 MS. MORRIS: Is the Chairman willing to
11 serve for another year?

12 CHAIRMAN RIZZARDI: I'll happily do so.
13 Seeing no discussion, all in favor?

14 (A chorus of ayes.)

15 CHAIRMAN RIZZARDI: Any opposed?

16 (No response.)

17 CHAIRMAN RIZZARDI: Thank you,
18 everybody. I appreciate it. That was easy.
19 Julie?

20 MS. BONNEY: What about vice chair? Is
21 that something else that needs to be addressed, or
22 do we just need a chairman?

1 DR. HOLLIDAY: So the charter calls for
2 a vice chair as well. The current Vice Chair is
3 Martin Fisher. His two-year appointment also
4 expired in October. I'm not completely sure
5 whether his ability to attend meetings in 2014 is
6 going to improve, and I'm not sure of his interest
7 in continuing his service as the Vice Chair. So
8 those are two questions that I'm unable to advise
9 you on. But with respect to whether you want to
10 fill that position or need to fill it, I think
11 there is some degree of flexibility that you
12 should discuss.

13 The role of the Vice Chair principally
14 is not defined, but it's the traditional in the
15 absence of the Chair to fill in for the Chair in
16 running and organizing the functions. And there's
17 no special other duties for the Vice Chair.

18 CHAIRMAN RIZZARDI: Martin was open to
19 what the Committee wanted to do. And I know he
20 had some discussion with some of you, but I'll let
21 the process take its course. Paul Clampitt?

22 MR. CLAMPITT: I'm not familiar with

1 Martin has been able to do or hasn't been able to
2 do know. I know he's had some personal issues,
3 and I know that Dave Wallace has been filling in
4 for him when needed. And I would nominate Dave
5 Wallace as a Vice Chair.

6 CHAIRMAN RIZZARDI: Ken?

7 MR. FRANKE: Because there may be
8 cross-interests in the group, shouldn't we
9 possibly get together a list of people interested
10 in the position and maybe give that consideration,
11 because I think there's a number of people
12 interested in it in the room. As a matter of
13 process, would that, from a protocol standpoint,
14 be correct, Dr. Holliday?

15 DR. HOLLIDAY: So it's not something
16 that's covered, the exact procedure to substitute.
17 Under the current charter, if you're not going to
18 reappoint the current chair, then I think you
19 revert back to the process for holding an
20 election. And I think we have the procedures for
21 that. If that's how you'd like to proceed as a
22 group, given a few minutes, we can find those

1 procedures on the archive and bring them up, and
2 follow them.

3 CHAIRMAN RIZZARDI: I'm thinking it's
4 11:54, so it's probably a good time for us take a
5 lunch break and see if we can have some sidebars,
6 caucusing, let you get your procedures in order,
7 and maybe just make this the first item when we
8 get back. Does that work, because I think it's
9 also an opportunity for us to gauge other interest
10 if any. Any thoughts or feedback on that?

11 MR. FRANKE: Dr. Holliday answered my
12 question because I recall we had this similar
13 protocol the last time when we dealt with this.
14 So I think going forward, my recommendation would
15 be that we get an interest list, and that way all
16 the membership can give consideration to those
17 members that are interested in it.

18 CHAIRMAN RIZZARDI: Dr. Holliday, just
19 for clarity, would this be --

20 DR. HOLLIDAY: It's only Ken.

21 CHAIRMAN RIZZARDI: Yeah, I know.

22 Sorry, Mark. So for purposes of if we have an

1 election, is this for one year to parallel the
2 chair? So this would be filling in this gap here.
3 Since I'm being reappointed for one year, would we
4 simply make the Chair for one year until the new
5 charter kicks in? Procedurally that would seem to
6 make the most, so that way you can invoke the new
7 procedures a year from now once they're in place.

8 DR. HOLLIDAY: So if I had an attorney,
9 I'd ask him.

10 (Laughter.)

11 DR. HOLLIDAY: The current charter
12 doesn't say you can appoint an office, a chair or
13 vice chair, for less than a two-year term. But if
14 a new charter takes place over the outcome of the
15 prior charter, does that take precedence would be
16 my question to somebody familiar with rules of
17 charters and things. I don't think NOAA would
18 have an objection to the suggestion that you're
19 making with respect to a one-year term.

20 CHAIRMAN RIZZARDI: And I would
21 encourage, as we get into the discussion, that
22 folks who are interested, you know, accept that it

1 would be for a one-year term. That way it would
2 leave NOAA with the flexible options, and a year
3 from now we'd go back and institute whatever new
4 procedures are in place, and everybody would
5 understand that going into whatever election takes
6 place, if any.

7 MS. MORRIS: So is one option that we
8 would not choose a vice chair at this meeting.
9 We'd get the new charter in January. We would
10 send a list of interested people to Mark in
11 January, and they would appoint a vice chair based
12 on the new process that will be in the new
13 charter.

14 CHAIRMAN RIZZARDI: Dave?

15 MR. WALLACE: I was thinking the same
16 thing. And that actually seems to be the way,
17 since it's only a month or so that it's going to
18 be implemented because that's what's been done.
19 And so, maybe that's the logical procedure.

20 CHAIRMAN RIZZARDI: So are you willing
21 to continue to serve as Acting Chair in Martin's
22 absence and then just let us go forward with

1 charter amendments for 2014?

2 MR. WALLACE: I'd be happy to serve in
3 any capacity that everybody wants me to.

4 CHAIRMAN RIZZARDI: Because then we can
5 do away with the need for a further election.
6 Mark, does that work for you? It necessitates
7 obviously us getting a new charter in place pretty
8 promptly in 2014 to allow for Martin's position to
9 be filled. So that's really the issue is can NOAA
10 generate the changes to the charter, and can we
11 get them out and adopted.

12 DR. HOLLIDAY: Right. And I think that
13 has always been our objective to not have a
14 committee without a valid charter in place. And
15 so January of 2014 is our goal.

16 CHAIRMAN RIZZARDI: So it sounds like
17 we're all voting for the do nothing option --

18 (Laughter.)

19 CHAIRMAN RIZZARDI: -- which is always a
20 good one.

21 MR. FISHER: Act like Congress.

22 CHAIRMAN RIZZARDI: Okay. I think

1 that's a good note to end. It's 11:59. We're
2 right on schedule, so we'll take an hour lunch
3 break and come back for Emily Menashes'
4 presentation on the MSA at 1:00. Thanks,
5 everybody.

6 (Recess)

7 CHAIRMAN RIZZARDI: Thank you,
8 everybody, for having an efficient lunch and
9 getting back to keep us on schedule. Of course
10 I'm going to start the afternoon by throwing us
11 right off schedule because Sam Rauch has joined
12 us, and I wanted to give him a chance just to say
13 hello. He had a productive all-hands meeting
14 yesterday that I had a chance to sit in on where
15 he talked about the budget and the priorities
16 document that we went over this morning, but we
17 wanted to give him a chance to say hello and see
18 if anybody had any questions for Sam.

19 MR. RAUCH: Yes, thank you, Keith. I
20 don't have anything really substantive to say. I
21 think that you've seen our priorities. I do want
22 to thank you all for the hard work you've been

1 doing. This is a particularly important meeting,
2 a lot of substantive work that is coming to
3 fruition here. I've seen some of the preliminary
4 stuff and I look forward to seeing what the final
5 product is on that. I think that's really good.

6 As I know you understand, we're all at a
7 difficult time. We've been struggling with the
8 budget. You heard about that. We've been
9 struggling to maintain our core focus in the midst
10 of that in that downturn in the budget. It's
11 helpful to get the advice from external folks as
12 to how we go about operating within that.

13 I don't want to take a lot of time. I'm
14 happy to answer any questions if you want, but I
15 just wanted to say thank you for being here and
16 for your continued hard work on these important
17 issues.

18 CHAIRMAN RIZZARDI: Any questions for
19 Sam?

20 (No response.)

21 CHAIRMAN RIZZARDI: All right. So we
22 didn't fall too far behind schedule because of

1 that, so thank you, Sam.

2 All right. The next item on our agenda
3 is Emily Menashes giving us a presentation on the
4 MSA reauthorization effort.

5 MSA Reauthorization

6 MS. MENASHES: Thank you. I wanted to
7 give folks kind of an update both on what we're
8 doing within the Office of Sustainable Fisheries
9 on National Standard I revisions as well as what
10 we know so far related to Magnuson
11 reauthorization. I think to help all of you maybe
12 think about what areas you may want to focus on as
13 a committee as well in terms of any Magnuson
14 reauthorization recommendations.

15 I do want to say we have our real NS I
16 experts here today as well. Galen Tromble and
17 West Patrick are here, and they're kind of the
18 real experts on that issue, so if there's
19 something really detailed, I may turn to them.

20 So just to remind people about National
21 Standard 1 is, there are 10 national standards in
22 the Magnuson Act that guide the development of

1 fishery management plans. National Standard 1
2 says, "Conservation and management measures shall
3 prevent overfishing while achieving on a
4 continuing basis the optimal yield from each
5 fishery in the United States fishing industry."

6 So that's the limit of NS1, but obviously it's a
7 significant aspect of the work that the Councils
8 do in terms of implementing Magnuson and meetings
9 its requirements.

10 Back in 2009, we did an NS1 guideline
11 revision focusing on the requirements from the
12 last Magnuson reauthorization to deal with annual
13 catch limits to end and prevent over fishing and
14 annual accountability measures. What we're doing
15 right now is actually a much more holistic review
16 of NS1 guidelines. We're not just focusing on
17 ACLs and accountability measures and AMs, but
18 we're looking at all of the guidelines and some of
19 the underlying foundational thinking behind that
20 to see if there are modifications we can make to
21 both address concerns about having more stability
22 in the industry as well as more flexibility in

1 meeting the requirements.

2 And then I've just put up a web link up
3 there, which is where we have posted some
4 information about National Standard 1 process, and
5 we'll continue to keep people updated as we have
6 appropriate materials.

7 So just to give you an idea of kind of
8 where we've been and kind of what we're doing now,
9 we started this process back in May of 2012, and
10 we published an advance notice of proposed
11 rulemaking. We did this in response to some
12 concerns after the implementation of Magnuson and
13 as counsel started working through the 2009
14 guidelines, that they didn't give appropriate
15 stability and flexibility, and that there may be
16 some areas where we can make some improvements.

17 So we wanted to get through the first
18 round of implementing the ACL amendments to all of
19 the plans. We did that, and we started this look
20 at the guidelines as a whole. We had about a
21 six-month comment period on the advance notice of
22 proposed rulemaking. We actually got 73 unique

1 comment letters and about 46,000 campaign letters
2 from NGO groups. So actually on ANPR we got quite
3 a bit of input.

4 In December last year we had an internal
5 workshop within NMFS to bring our region and
6 center folks together and really talk about the
7 regional perspectives and the regional issues that
8 they've dealt with in terms of implementing
9 National Standard 1 to try and get all of that
10 together. National Standard 1 issues were a
11 fairly big part of the discussion last May at the
12 Managing Our Nation's Fisheries conference. And
13 another kind of key milestone is just this last
14 September the National Academy released a report
15 on rebuilding that has also a lot of information
16 related to National Standard I and issues that
17 we're doing there.

18 And then what we're doing right now,
19 we've been having sort of ongoing leadership
20 briefings within NMFS on various NS1 issues. One
21 of the things, and I know we're going to talk
22 about this a little bit more -- this came out of

1 Managing Our Nation's Fisheries III as well -- is
2 that there's a lot of ideas, Magnuson as a whole,
3 that may be ways of improving it. They may all
4 not necessarily be legislative or regulatory.
5 Some of them may be more technical guidance or
6 communication. And so, as we go through all of
7 the NS1 issues, we're looking kind of at that
8 broad suite of things. Obviously as we move
9 forward on the guidelines provision, we would be
10 focusing on regulatory changes that we'd want to
11 make.

12 And so, right now we're working on
13 continuing to analyze the different options that
14 we could use to make some modifications. We have
15 some internal technical working groups that are
16 getting together focusing on some specific topics.

17 When we did the ANPR, we actually
18 listed, I think, or 11 theme areas that we asked
19 people for comment on.

20 And as we've been working through this
21 as well, we've focused it down into six areas.

22 And so, I just wanted to kind of quickly go

1 through these six areas so you knew the suite of
2 things that we're looking at in terms of the
3 Magnuson reauthorization. And obviously what I'm
4 giving you is fairly high level. There's a lot of
5 complex sub-issues as well.

6 So stocks in need of conservation
7 management is the first theme area that we're
8 looking at. Currently, we're looking at whether
9 there are some better criteria that you could use
10 to identify whether stocks are in need of
11 conservation and management and then should be
12 included in a fishery management plan. And so
13 there's a variety of things that we'd be looking
14 at there: The risk of a species experiencing
15 overfishing, adequacy of other management state
16 and international management, importance to the
17 ecosystem, a variety of factors. So this is a
18 pretty foundational aspect of the Magnuson Act
19 which is identifying what needs conservation and
20 management. So as I mentioned before, we're
21 looking kind of holistically at the guidelines, so
22 we're sort of going back to these fundamental

1 areas and thinking through them.

2 One of the other issues that we're
3 dealing with is aligning science and management
4 better. The data and method used to establish to
5 establish ACLs vary significantly around the
6 country, and there may be ways that we can provide
7 some better tools or better information to align
8 science and management to assure that each fishery
9 has the best approach possible that they would be
10 looking to implement.

11 So again, what are the right methods to
12 set ACLs and AMs, how stock assessments might be
13 able to provide overfishing levels that are more
14 risk-neutral. Looking at the data-limited methods
15 and issues there, how you can help people work
16 through those issues. And then also, the
17 socioeconomic tradeoffs kind of fall into this
18 category as well.

19 As I have mentioned before, I mean, one
20 of the things that we heard a lot in the ANPR and
21 as people were implementing this was, you know,
22 the interest in having some stability in fisheries

1 from year to year as they were dealing with either
2 no information or kind of just the inherent
3 uncertainty. And so one of the things we're
4 looking at is whether there's other ways of
5 specifying overfishing and overfished. Can we,
6 for example, look at things on a multi-year level
7 that might provide a little bit more stability as
8 we implement these and monitor these measures in
9 fisheries.

10 Another aspect that we're looking at is
11 the potential for phasing in different approaches
12 to setting catch limits based on new information.
13 So as opposed to just jumping immediately to what
14 the last assessment might tell you, are there
15 other ways of doing that where you can phase in
16 the changes in a more gentle manner so that you
17 smooth out the effects on the fishery.

18 And then also the use of ABC control
19 rules to prevent stocks from becoming overfished.
20 This is used a lot in the North Pacific, and is
21 this a mechanism that could be used in other
22 places that help, again, with this sort of

1 longer-term stability and the ability to know what
2 your catches could be year to year.

3 Improving the performance of ACLs and
4 accountability measures is another area that we're
5 looking at when stock assessment projections are
6 not available, how you might address these issues,
7 how you may be more flexible with the application
8 of accountability measures. And then another
9 issue, which deals both with sort of stability in
10 the industry as well, is how you could use
11 carryover from year to another.

12 And then improving guidance on
13 rebuilding is one of the other topics. As I
14 mentioned, the National Academy came out with a
15 report just this last September that has a lot of
16 information about rebuilding. Some of the issues
17 that we're looking at specifically are whether a
18 term other than "overfished" is appropriate if the
19 situation that we're dealing with isn't
20 necessarily due to fishing or over fishing
21 pressure.

22 Looking at new ways of defining

1 "rebuilding timelines." There is the statutory
2 10-year rebuilding timeline in the Magnuson Act,
3 but there is some flexibility in the Act depending
4 on the characteristics of the fishery. But are
5 there some other options that we could look at
6 that may help mitigate a hard and fast timeline?

7 Providing guidance on evaluation and
8 determining adequate progress. One of the
9 concerns we heard a lot about was, you know, you
10 get to year eight or nine of your rebuilding
11 timeline, and you find out you're not meeting your
12 targets, then what do you have to do. So that's
13 something that we're looking at as well.

14 And then the last kind of thematic area
15 that we've been doing for NS1 is advancing optimum
16 yield and ecosystem based fisheries management.
17 Looking at how you may specify maximum sustainable
18 yield and optimum yield. Is this something that
19 we should be doing on a more regular basis? Some
20 Councils have had more specific factors and
21 they've been more specific with how they've
22 developed their optimum yield definitions than

1 others have. And so, is there something that we
2 can do there. And this also gets into looking at
3 species interactions and some of the ecosystem
4 factors that might play into establishing MSY and
5 OY. And again, the forage fish issue as well is
6 an important factor of this.

7 So that's kind of, in a nutshell, what
8 we've been doing and what we're focusing on in
9 terms of NS1. As I said, there's a lot more
10 specifics in there, and it gives you an overview
11 of the areas that we're focusing on as we're
12 trying to think through what kind of improvements
13 we could make to either the regulations or to
14 accompanying technical guidance or policy that we
15 might be able to put out there for people to use.

16 MS. BONNEY: Keith, is this a good time
17 to make questions or ask questions --

18 MS. MENASHES: Yeah, questions. The
19 next topic -- I mean, I'm sort of skipping to
20 topics now next to Magnuson. So, yeah, if you
21 have --

22 MS. BONNEY: So if had questions about

1 National Standard I, this would be the time to --

2 MS. MENASHES: Yes. Yes.

3 MS. BONNEY: You said that legislative,
4 regulatory, technical guidance, or communication
5 are the four topics that you're talking about in
6 terms of your tasking of your group. I was
7 wondering, you know, there were comments made to
8 the regulatory Federal Registry notice. And so,
9 what is your timeline in terms, would you come out
10 with a proposed rule based on those comments, or
11 would you be coming back out for additional
12 comments on the different provisions? What are
13 you thinking? I guess I'm trying to figure out
14 how legislative, regulatory, technical, and
15 communication in terms of your tasking.

16 MS. MENASHES: Great. Well, in terms of
17 that bigger point, when we opened this up, we
18 didn't necessarily limit people to providing input
19 that was just something that we could do through
20 our regulatory rulemaking authority. But we were
21 trying to be very broad in the types of things
22 that we were pulling together. And as we're doing

1 our analysis and filtering through that, there are
2 some things that we have based on how the Magnuson
3 is structured that give us the authority to make
4 changes to the regulatory. Other things that are
5 really out of the scope of our authority, or they
6 may be something that we can make an argument for,
7 but maybe there's a lot of past precedent. And
8 so, doing it through a regulatory process may be
9 challenging.

10 But some of the other things, like, for
11 example, certain assessment tools or things that
12 you can apply aren't necessarily things you have
13 to do in a regulatory mechanism. You could put
14 technical guidance out and communicate more
15 clearly that here are some tools that are
16 available. So I think the work that we're doing
17 right now we're not necessarily just focusing on
18 the regulatory, but there just were different
19 categories of things that we knew we could do
20 through rulemaking, and either things you don't
21 have to do through a rulemaking or you can. So
22 that's all I meant by those.

1 In terms of the question of timing,
2 we're actually kind of rethinking that a little
3 bit right now, and part of this relates to
4 Magnuson Act. We've talked to the Hill about the
5 work that we're doing on NS1, and they've been
6 very interested in that, informing Magnuson
7 reauthorization. And that if there are things
8 that we can do through guidelines or technical
9 guidance, it would be better, and we don't have to
10 touch that through Magnuson reauthorization, open
11 up a can of worms, that type of thing.

12 And so as we're hearing that the Hill
13 may be moving a little bit faster than we
14 originally thought, we've actually gotten quite a
15 bit of input through the ANPR process for Managing
16 Our Nation's Fisheries III. So we're actually in
17 a little bit of a gray zone right now of figuring
18 out exactly what our timing may be for trying to
19 move forward.

20 We would be doing a proposed rule. If
21 we revise the guidelines, we have to do a proposed
22 rule because that was the process that we went to

1 put them in place. I think we'd be looking to try
2 and do a proposed rule some time in 2014, but we
3 don't yet have a specific commitment as we're
4 still working through a lot of the issues.

5 CHAIRMAN RIZZARDI: Follow-up, Julie?

6 MS. BONNEY: Yes, just one other thing.
7 When you talk about the technical memorandums, I
8 guess, in terms of how you'd apply National
9 Standard 1, do you have anything in process for
10 those?

11 MS. MENASHES: Through some of the
12 internal work that we're doing, we've identified
13 some topics that we could address through that.
14 Those would probably come after a rulemaking. It
15 would be more looking at 2015 probably before we'd
16 actually some of that accompanying technical
17 guidance. But, you know, the technical guideline
18 doesn't have to necessarily go through the
19 rulemaking and comment period. It doesn't tell
20 someone this is how you have to do it. It more
21 lays out here are some technical options, here are
22 some ways to think about different issues. Yes,

1 Tony?

2 DR. CHATWIN: Thank you, Emily. It's
3 really interesting to see all the different topics
4 that are being considered. And this may be too
5 early in the presentation, but when you talked
6 about EBM approaches, I thought it was great to
7 look at the special role of forage fish. But in
8 the same vein, I think I noted the absence of a
9 connection to habitat and productivity of habitat,
10 and maybe that's coming later. But I think that's
11 such an important issue for which currently
12 management is unable to adequately account for
13 interventions on habitat for enhancing
14 productivity and its role in rebuilding. It just
15 seems like it would be fitting to include in this
16 topic.

17 Now, this is what you've heard from
18 others, is that right?

19 MS. MENASHES: So and actually to your
20 point, I mean, we are looking at habitat and
21 ecosystem issues more broadly. I just
22 specifically had mentioned forage fish up there as

1 an example, and everything I'm listing there is
2 not all-inclusive of everything that we're looking
3 at. So, yes, habitat is certainly something that
4 we're thinking about in terms of National Standard
5 I and Magnuson reauthorization as a whole. So,
6 yeah, that's just not captured up there. And what
7 was your second --

8 DR. CHATWIN: That was it.

9 MS. MENASHES: Okay. Well, I can switch
10 gears and just give you an overview of what we
11 know about activities going on with Magnuson
12 reauthorization so far. The Magnuson Act is
13 authorized to 2013, but nothing specific happens
14 if it's not reauthorized before the end of 2013.
15 It's just where the current authorization ends.

16 There have been a number of
17 congressional hearings both on the House side and
18 the Senate side related to Magnuson
19 reauthorization. On the House side -- and these
20 all started last spring -- the House did a
21 reauthorization overview hearing. They had one on
22 data collection and another one on rebuilding.

1 And then Senate Commerce had a hearing on
2 inter-jurisdictional fisheries that also touched
3 on some Magnuson topics last spring. And they've
4 been doing a series of region specific hearings,
5 not necessarily field hearings. This is the first
6 two they've actually done in D.C. But the first
7 one was focused on New England and Mid-Atlantic,
8 the second on Southeast. We're expecting the
9 Pacific to be scheduled probably in January. They
10 were hoping to get it in in December, but I don't
11 think that's going to happen. And then North
12 Pacific would come soon after that.

13 The regional administrators have been
14 testifying at those hearings, and they're looking
15 primarily at sort of regional specific issues
16 related to Magnuson implementation, and also it's
17 an opportunity to bring in some of the regional
18 stakeholders and constituents that are involved in
19 the issues.

20 As you all know because MAFAC was quite
21 involved in Nation's Fisheries III, one of the
22 philosophies behind it was getting different

1 stakeholders and different groups together to talk
2 about the Magnuson Act. And again, it wasn't
3 necessarily specifically focused on legislative
4 changes, but looking at statutory, regulatory, or
5 different policy approached to addressing these
6 different issues just put up here, the nine topics
7 that were addressed under three themes at that
8 conference to remind you about those discussion
9 areas. Again, those aren't all inclusive of
10 everything that is deserving of discussion, but it
11 was what we were able to focus on at this specific
12 conference.

13 I believe you all have a matrix of
14 findings that Heidi sent around last week coming
15 out of this. And we are expecting a conference
16 report fairly soon. It's coming fairly soon, I
17 think this year.

18 And then just to talk about, you know,
19 Managing Our Nation's Fisheries III was one
20 important area of getting input into
21 reauthorization. But there's also a number of
22 different other inputs that we're either getting

1 or are expecting to get that would both inform the
2 Hill as well as the Agency on Magnuson
3 reauthorization issues. The CCC, the Council
4 Coordination Committee, had a webinar in October
5 to focus on Managing Our Nation's Fisheries III
6 findings and Magnuson reauthorization. They
7 developed a fairly general letter coming out of
8 that meeting, and I don't think it's clear yet
9 whether the CCC as a whole will necessarily come
10 up with any Magnuson recommendations or if things
11 coming out of the Councils will be more regionally
12 focused. So I think that's something that the
13 Councils are still working on.

14 The Councils did both at the conference
15 and then, I believe--it's on the Pacific Council
16 webpage--do have some presentations that they've
17 individually pulled together looking issues that
18 they think would be worthwhile to address. So
19 there's a resource of information about the issues
20 that the different Councils think are important.
21 This group obviously is considering putting
22 together some recommendations, so that would be

1 another source of input.

2 A couple of other opportunities for
3 recreational specific input into that. TRCP is
4 doing a Marine Recreational Fishing Envisioning
5 Project. I think they're looking at wrapping up
6 this fall or this December, January timeframe.
7 The MAFAC Recreational Work Group white paper is
8 another area, and then for this next spring we're
9 looking at another recreational summit, which
10 potentially could be an opportunity as well.

11 The NS1 Guidelines Project is another
12 area that we've been getting a lot of input on
13 Magnuson reauthorization, and then a variety of
14 external reports as well, the NAS Rebuilding
15 Report, and then there have been some NGO reports
16 that have come out as well.

17 In terms of the timing, we're not
18 entirely sure how all of this will move forward.
19 The House since last spring has indicated an
20 interest to move fairly quickly, but we haven't
21 seen a House bill on that. In the last Congress,
22 the House was pretty active, and there were a

1 number of issue-specific bills that had been
2 introduced, but nothing has been out there yet
3 that really is a comprehensive look at Magnuson.

4 The Senate had been indicating that they
5 were interested in a slower, more deliberative
6 pace, but more recently it seems to be that
7 they're interested in speeding up. And we may
8 actually see something coming out of the Senate as
9 well maybe this winter. But we haven't gotten a
10 lot of clarity yet on specifically what issues
11 they would focus on, how comprehensive a bill may
12 be, or whether it would be focused on some more
13 specific issues or not.

14 So, you know, it's hard to necessarily
15 say at this point how quickly something may move
16 or how the Administration would respond or be
17 involved in that. But, you know, one of the big
18 things that we've been interested in all along is
19 making sure we get all of this input that people
20 are working on. And we can incorporate that into
21 any thinking that we're doing.

22 So that is everything I had. Happy to

1 take more questions or turn it back over to you
2 all for your work.

3 CHAIRMAN RIZZARDI: Thank you, Emily.
4 That was really helpful and a lot of big picture
5 stuff for us to chew on. And I want to point out
6 for everybody, please, that there is a substantial
7 overlap between the items that were identified in
8 Managing Fisheries III and what we need to do for
9 looking down the road at MSA authority and
10 implementation. National Standard 1 rulemaking is
11 expected sometime next year, MSA reauthorization
12 next year.

13 So what we should be doing, I think, as
14 a body as we think about work plan for 2014 is try
15 to identify for the Managing Fisheries III topics
16 that we put on our work plan timeframes that will
17 also be helpful for the rulemaking and any
18 guidance that we might want to give NOAA and any
19 recommendations we might to give NOAA with regard
20 to legislative authority. So it all goes
21 together. It's all a package, and ideally over
22 the course of the next six months, we should be

1 striving to get some work done. When you go into
2 your Subcommittees later this afternoon, I'd
3 encourage you to look at the document that Heidi
4 distributed that's entitled "Potential
5 Implementation Routes for Conference Findings."
6 And it actually goes through on Managing Fisheries
7 III's topics where the conference attendees were
8 envisioning items would be implemented either
9 through changes to NS I guidelines, changes to NS
10 8 guidelines, Magnuson reauthorization.

11 So a lot of foundation has already been
12 laid for your Committee meetings that are coming
13 up this afternoon to just pick your topics, figure
14 out what we're going to do. Are we going to focus
15 on the statute? Are we going to focus on the
16 rules? What are our timeframes going to be, and
17 see if we can come up with a good plan for the
18 next six to 12 months.

19 So with that, questions for Emily?

20 MS. MORRIS: Emily, there was a
21 recreational report you referred to that I hadn't
22 heard of before. It's the TRCP. Could you tell

1 us a little more about that?

2 MS. MENASHES: Well, I may turn that
3 over to Russ. The Teddy Roosevelt Conservation
4 Partnership is bringing some folks together to
5 consider recreational issues as it relates to the
6 Magnuson Act. Russ Dunn probably knows a little
7 bit more about where they are in that process and
8 what they're expecting than I do on that.

9 MR. DUNN: Yeah. That's basically
10 right. It started out more broadly than that. It
11 really started out to be sort of an
12 all-encompassing vision for recreational fisheries
13 and what a well-managed recreational fishery
14 should be. And TRCP is sort of the umbrella
15 organization that has brought together folks from
16 all over the country from various portions of the
17 recreational community from the private boat
18 anglers to the charter head boat to the tackle,
19 manufacturing folks, as well as they've also
20 brought in NGOs. They brought some commercial
21 folks in to really look at what do we want to see
22 in the future in terms of management. It has

1 morphed recently into a more refined focus on
2 changes that may be appropriate for Magnuson.

3 In terms of where is it in the process,
4 they have come together. They're at the point
5 where they're trying to draft their final product,
6 and their scheduled release is for the Miami Boat
7 Show, so it's the middle of February or somewhere
8 around there.

9 MS. MORRIS: Then I had one more
10 question. It seemed like issues that you were
11 listing were coming from lots of different sources
12 and also from internal discussions at NOAA
13 Fisheries. But are there issues that are coming
14 to you from Congress people themselves and their
15 staff that weren't on those lists that you were
16 presenting?

17 MS. MENASHES: I think the list at a
18 high level is inclusive of everything we've been
19 hearing as well as what we've learned internally.
20 And so, no, there's no sort of specific things
21 that we're hearing that Congress is looking for.
22 I mean, in terms of, I think, we've heard a lot

1 from them about the flexibility based on data and
2 science availability. So it includes the input
3 that we've had from the Hill on those lists and in
4 this set of topics that we're looking at, things
5 that they know either their constituents have been
6 concerned about or things that we're incorporating
7 into that thinking.

8 DR. CHATWIN: Who is it? Thanks. Just
9 in regards in regards to the timing and the
10 opportunity for input, I mean, Keith's comments
11 said the next six months. I think the soonest
12 that this body as a whole could come up with those
13 -- well, if we were to do this within meetings
14 would be by the end of the next meeting, I
15 believe, which would be in the spring some time,
16 right, if we do have a meeting in the spring. And
17 do you think based just on what you know currently
18 that that would still be timely?

19 MS. MENASHES: I think that would be
20 fine. I mean, I think we also as we move forward,
21 you know, one of the big things we're trying to
22 think about as kind of what's our next step in

1 this, what's the right product, a lot of what's
2 been driving us is making sure there's the right
3 opportunity for input for constituent groups and
4 different committees, the Councils as well as
5 MAFAC.

6 So, you know, if we do a proposed rule,
7 for example, we'd have a pretty extensive public
8 comment period and an opportunity to talk on that.
9 So it's kind of hard to predict exactly where we
10 might be in the process and where input could fold
11 in. I mean, like I said, we got a significant
12 amount of input on National Standard I through the
13 ANPR, through Managing Our Nation's Fisheries III,
14 through other areas. And so, I think when we get
15 to the point of a proposed rule, that's where we
16 would have more specific options that we'd be
17 looking at implementing.

18 And so, I think it's certainly worth
19 MAFAC focusing on some of those issues that
20 interest you. It's hard to say exactly right now
21 how all of that stuff will line up. You know,
22 developing a proposed rule takes quite a bit of

1 time. There's quite a bit of a review process
2 that's incorporated. And like I said, just with
3 some relatively new information coming in from the
4 Hill about how quickly they may be moving on
5 Magnuson, it's making us just in the last week
6 sort of rethink our timing and what we can do in a
7 rulemaking.

8 And one of the other things that I'll
9 just put out there is that, you know, we're trying
10 to look at, you know, where can we have the
11 biggest impact. And there may be some things that
12 we address in one proposed rule and then maybe we
13 request some additional input on some more topics
14 that we think of doing in a subsequent rule. So
15 everything doesn't necessarily have to be
16 addressed all at once, so as we're working through
17 this, we may come up with some things that we
18 think are very timely, focus on those, and then
19 look to some future actions.

20 And the other thing is that, and this
21 happened in the past with an NS I revision, is
22 that we may have something out there, and then if

1 Congress acts, that may affect also what is in the
2 guidelines. And so, that may give us some
3 information and we have to go back and re- propose
4 or re-look at some things based on congressional
5 direction as well. So the timing of all of these
6 is kind of messy. It's not a normal rulemaking
7 process where everything that you might want to be
8 doing is entirely within our control.

9 MR. RAUCH: Yes. If I could just add a
10 little bit to that. The obvious wildcard is
11 Congress, right? And we had until recently not
12 thought the Senate was going to act. It's still
13 unclear whether they're going to act, but Chairman
14 Begich has some things that indicate he might be
15 willing to act sooner. Even if they got two bills
16 out in both houses, they'd have to go through
17 passage in an election and conference. And it's
18 not clear that they can do any of that, nor is it
19 clear just how much the two bills would agree.

20 So assuming that they don't act,
21 sometime next year would be fine for MAFAC input
22 into an Administration process whether we do a

1 bill or not or what positions we might take in
2 response. Obviously if they act, we'll have to
3 deal with that.

4 Our working assumption has been that
5 they're not going to act until after 2015, that
6 they're going to allow some of these processes to
7 come to fruition, provide input. That's how we
8 are operating. That's why the schedule we've laid
9 out assumes Congress is going to stay its hand.
10 But, of course, they can do what they want to do,
11 and they may not. But we've been operating on the
12 assumption we will have the time to allow all
13 these processes to culminate before we have to
14 take firm positions.

15 CHAIRMAN RIZZARDI: Just to follow up on
16 that, Sam, I realize Congress can do what it
17 wants. But if you also have additional
18 information that MAFAC is actually considering
19 this and unreeling it, is that something that will
20 help in subsequent negotiations where you'd be
21 able to defer action needlessly, if you were able
22 to say stakeholders are talking about this?

1 MR. RAUCH: I'm not sure Congress would
2 listen to us one way or the other if they decided
3 to want. We have let Congress know on a number of
4 occasions that there are these processes that are
5 going on, and that we think it would be good to
6 receive the input from these processes, that
7 Managing Our Nation's Fisheries was just the start
8 and not the end. But it's up to them to decide
9 how they're going to take that.

10 CHAIRMAN RIZZARDI: I'll also point out
11 that at Managing Our Nation's Fisheries, a number
12 of the items explicitly suggest that MAFAC should
13 look at them. So when we go and break out, take
14 note of those items because there are a few of
15 them where the conference attendees were trying to
16 kick the items towards us, and I think that's
17 important.

18 DR. CHATWIN: Were they MAFAC members?

19 (Laughter.)

20 CHAIRMAN RIZZARDI: All I know is it
21 made it into the report. I don't know how that
22 happened.

1 MR. BEAL: Thank you, Mr. Chairman. I
2 don't know if this is a question for Emily or Russ
3 since it's a recreational question. But, Emily,
4 you mentioned that the 2014 recreational summit
5 that's coming up in April is another opportunity
6 for the recreational community to get together and
7 comment on Magnuson, potentially. Is there going
8 to be a specific question asked at that workshop
9 to focus on input to Magnuson-Stevens, or is it
10 sort of a, you know, through the discussion
11 throughout the two-day period or whatever it is,
12 is there going to be outcomes that feed into it?
13 Do you understand what I'm asking? Is there a
14 specific focus to feed into Magnuson, or is that
15 just -- organic outcome.

16 MS. MENASHES: I'll let Russ take that.

17 MR. DUNN: I see a bus coming.

18 (Laughter.)

19 MR. DUNN: We're still working that out.
20 Certainly the finding of the summit will weigh
21 heavily into our thinking as we develop our
22 approaches for Magnuson. Are we going to have a

1 specific session that focuses on what changes
2 would you like to see Magnuson? I don't know how
3 we're going to approach it yet. That's still
4 open, so if you all have suggestions on how the
5 summit might to want to approach Magnuson, I'd be
6 happy to hear.

7 MS. BONNEY: Just to clarify what Sam
8 said, you said that reauthorization after 2015 or
9 during 2015 with the election in November? I was
10 just curious what you were thinking when you said
11 that.

12 MR. RAUCH: So the Magnuson Act has been
13 reauthorized about every 10 years, which would put
14 it on track to be reauthorized in 2016, right? So
15 it's been basically the '06, '07 overlap. So the
16 last one, Congress signed it December of 2006 and
17 the President signed in 2007. That's the
18 schedule.

19 Now, having been through this in 2006,
20 it takes a while for this to go out. So I would
21 envision if they were really on that target, you'd
22 see some bills introduced, maybe now, and you'd

1 see them really introduce and start working on
2 bills towards the end of 2015, and I think we'd
3 get past the end of 2016. If it was like the last
4 time, sort of right after the 2016 election year,
5 too, right after the election and the lame duck
6 session. They don't have to do it that way. They
7 can do it however they want to do it.

8 But we originally sort of planned this
9 out with Managing Our Nation's Fisheries going in,
10 it was the thought they would really start working
11 towards the end of 2015 towards the 2016 bill that
12 the President would sign at some point there.
13 That's my thinking. I don't sit on the Hill. You
14 know, they will do what they want, but that's the
15 way we've structured our input into the process
16 with that thinking.

17 CHAIRMAN RIZZARDI: I keep hitting the
18 wrong button, sorry. Okay. It looks like we've
19 exhausted the discussion on that one. Emily,
20 thank you very much for a helpful presentation.
21 Sam, thank you for your contribution.

22 Heidi, you're next on the schedule to go

1 over the MSA reauthorization priorities, and
2 hopefully you'll point out the document that I was
3 already making some reference to.

4 MAFAC Review of May 2013 MSA
5 Reauthorization Priorities

6 MS. LOVETT: Yes. So I sent you a
7 message late last week that was to refresh you all
8 about the work that you did last May. So I'm just
9 going to walk through that. As you recall, we
10 looked at all of the findings as a group. You all
11 looked at all the findings that came out of the
12 Managing Our Nation's Fisheries III conference,
13 and we started with the sessions to which the
14 majority of you attended, assuming that that was
15 what your interest was and where your expertise
16 was.

17 And in discussing all those projects, I
18 mean, all those individual findings, there were 33
19 that came out as something of interest to you as a
20 group, 33 individual findings. And through that
21 discussion, there were some general themes that
22 you created, and we binned those individual

1 findings by theme. And then they were binned by
2 Subcommittee.

3 And I do have some paper copies if
4 people want to look at that, if you don't have it
5 on your computer. Jenny can pass it around for
6 you if you want. But it's about two and a half
7 pages. It was MAFAC priorities for further
8 consideration. And what I wanted to do is I
9 wanted you all to look at them and consider are
10 these all 33 items of priority, or is there an
11 interest to refine your priority list a little bit
12 when thinking about what you can accomplish, and
13 if the existing Subcommittees are the appropriate
14 means by which to accomplish that work.

15 Obviously this past year we've had
16 several pretty successful working group efforts,
17 and in some cases those working groups haven't
18 been people from just one existing Subcommittee.
19 So I just wanted to have you all consider the
20 issues that you did put forward as where you
21 wanted to put your efforts.

22 And in particular, there was one or two

1 Committees that, by the way, that these things
2 were binned that came out having a lot of items
3 potentially on their plate. And that would be the
4 Ecosystems Subcommittee, and I think Dave has
5 already, because we had a few emails, he's
6 familiar with all of the items that came up there.
7 The Strategic Planning Subcommittee got a fair
8 number, and the Commerce Committee.

9 So starting at the top, the themes that
10 you created were revising NS 1 to allow multiyear
11 minimum stock size thresholds. That was how you
12 -- the theme was worded. A lot of these
13 particular items related to Recreational Fisheries
14 and may be somewhat taken up already by the effort
15 of the Rec Fish Working Group. But there might be
16 a few things that weren't really delved into -- I
17 think Ken is shaking his head -- quite exactly by
18 that group.

19 Under ecosystem themes,
20 inter-jurisdictional coordination and effects on
21 climate change on species shifts were some of the
22 issues. And that, of course, is a topic that Bob

1 brought up earlier today as a major interest and
2 concern to the Atlantic states, things that are
3 happening right now and impacting their
4 consideration of how to manage species,
5 particularly across Councils and across regions,
6 across states.

7 Forage fish management, there were one
8 or two items that -- findings, I should say, that
9 you all identified as of interest to this group.

10 And then EFH implementation, priorities for EFH
11 implementation, had five or six individual
12 findings. Should EFH be defined more broadly?

13 How do you minimize adverse impacts on EFH?

14 Should there be a national standard for EFH?

15 What we binned under Strategic Planning
16 because that was our existing Subcommittee, was
17 consideration of allocation processes,
18 consistency, and related factors. And then the
19 issue of confidentiality, which had just one
20 particular finding. And definition of

21 "over-fished," should it be changed, modified?

22 How do you expand it to include and maybe expand

1 it related to social, economic, and non-economic
2 values as well.

3 National Standard 8 was of interest to
4 you all, and sustainable communities, and working
5 waterfronts, which is a theme that has been
6 touched upon in the past from other efforts by
7 MAFAC. And there were a number of different
8 findings related to that particular topic.

9 Aquaculture permitting and funding, and how to
10 encourage streamlining regulatory processes to
11 allow aquaculture in federal waters I think is of
12 interest to a number of members of the Committee.
13 And then there was one item listed related to ESA,
14 and it's really an ESA issue, not necessarily an
15 MSA issue. But base listings on actual trends
16 rather than protected trends and climate change.

17 So these were your thoughts at the end
18 of that process. And the other document that
19 Keith was referring to that I did share with you
20 all last week was that document was titled the
21 "Potential Implementation Routes for Conference
22 Findings." These are the actual findings by

1 session, just not reorganized, just the findings
2 that came out of each individual session, and
3 staff at the Pacific Council looked at those
4 particular findings, and they have drafted an
5 initial implementation route for those particular
6 findings. So it was staff that put this together.
7 I don't think it was necessarily developed by the
8 conferees, the people that were at the conference,
9 but it was afterwards, thinking about is there a
10 way to address this particular finding via a
11 legislative avenue, a regulatory avenue, or is it
12 a policy issue and can it be handled by a change
13 in some best practice?

14 So the document I sent you, which I
15 tried to line up your individual findings that you
16 thought were of particular interest to this
17 committee that you wanted to try to work on with
18 that document so that you could see where those
19 particular topics came out. So obviously it's a
20 lot of individual findings. You had a lot on your
21 plate. And what's probably most helpful now is to
22 think about is this where you all feel like MAFAC

1 can contribute, or is there a smaller list that
2 might be a more doable focused effort on your
3 part, something that meets the capacity of the
4 work that you all can do? And where can MAFAC
5 have the biggest impact? Where can your expertise
6 be brought to the issue such that it's providing
7 some useful, helpful input similarly to the work
8 that's been going on this past year by existing
9 working groups. Looking at these various topics
10 and issues, what's the most helpful for what the
11 agency might be able to consider through either
12 the reauthorization or some regulatory process?
13 So it's obviously a lot to look at.

14 We have obviously set aside a lot of
15 time for you to break up into Subcommittees.
16 Depending on where people's interests lie, we
17 might split the next few hours up so that if your
18 interests lie in more than one Subcommittee, which
19 many of yours do, that we will maybe split up the
20 time so that two Subcommittees meet at once and
21 then shift to the other two. And you also have
22 another hour tomorrow afternoon set aside for

1 additional work as a Subcommittee.

2 And the other thing to consider is that
3 are these issues the only issues that you want to
4 be working on as a Subcommittee over the coming
5 year, or is there some other issue that has been
6 out there on the back burner that you might want
7 to be working on or some other topic.

8 CHAIRMAN RIZZARDI: Mark and Randy.
9 Randy?

10 MR. FISHER: I don't know how to ask
11 this question, but I'm curious maybe to Sam, or
12 Emily, or Heidi or somebody. Some of these are
13 going to cost money, you know. I mean, everything
14 that came out of basically the Fisheries kind of
15 things, it seemed there were good ideas, but they
16 were all going to cost money, most of all of them
17 were.

18 So is it worthwhile for MAFAC to look at
19 this with some idea as to whether or not it's
20 going to cost money, or have you guys already done
21 that kind of thing? And if MAFAC does look at
22 that with what Paul presented this morning, it

1 doesn't look like there's going to be a lot more
2 money. So how should MAFAC think about that in
3 the context of these suggestions here?

4 MR. RAUCH: So I think that's a very
5 good observation. One of the things that we tried
6 to get out of the Managing Our Nation's Fisheries
7 III is that exact recognition, that if you want us
8 to do more, you have to recognize that the federal
9 budget probably will not allow for more. So you
10 have to figure out a different funding mechanism
11 or different regulatory mechanism to handle that.

12 So I do think it's appropriate for MAFAC
13 to look at this, and it might be perfectly fine to
14 say, this is nice, but it's an unfunded mandate.
15 And you could balance that out, which MAFAC has
16 done in the past, look at our existing budget and
17 say it's not worth it to do this new thing, and to
18 forego some of the old stuff, because that's the
19 only way we'd be able to do it is we would stop
20 doing some other Magnuson Act related activity.
21 Or you could say this is so important, you should
22 stop doing that other thing and do this. So

1 that's the kind of information that I think would
2 be very helpful to us and to the people on the
3 Hill, should they get this report.

4 DR. HOLLIDAY: So my intervention was
5 really more about process about how best to use
6 perhaps the time. And so I was listening to
7 Heidi's description. There are really three
8 trigger questions that I was kind of hearing about
9 being posed. And so at the broadest, highest
10 level, the highlighted list from the first
11 document that she put down, she was asking sort of
12 validation of the universe of things that have
13 been discussed, is this still the right universe?
14 Are there other things that have come onto that
15 list since May that's not covered there, are there
16 things that have decreased in May that they should
17 be taken off your list. Because I think what
18 you're going to wind up doing this afternoon and
19 over the next Subcommittees is this triage of, you
20 know, there's 30-something things here. I think
21 the opening assumption is that's way too many
22 opportunities for the Committee to engage in. And

1 you're going to have to pick and choose.

2 So the first trigger question might be
3 is your universe too big or is your universe
4 appropriate? The assumption is it's too big. Are
5 the ones that you talked about still valid?
6 Should things be added? Should things just come
7 off the list because circumstances have changed?

8 The second was, you know, well, what's
9 the process you're going to use to make those
10 decisions about moving from 30 down to a more
11 reasonable size? And I think Randy's point was
12 spot on in that what criteria are you going to
13 use? And it may not be just simply if you can't
14 afford to. We're not going to take it because you
15 may have some policy advice about something that
16 could be substituted. So I think you're going to
17 have to come to agreement then on what criteria
18 you'd like to use to apply, and then you have to
19 go through, before you go into Subcommittees, are
20 the assignments right? Are they in the right
21 Subcommittees, or does there need to be any
22 leveling or changing that?

1 So just in terms of processing and
2 ordering, I mean, I think we will be able to fill
3 up an hour's worth of time, but in terms of a
4 process of how to constructively get to, you know,
5 when we get to the next point on the agenda and
6 the Subcommittees go off, they have something
7 tangible to work on, right? So you've done your
8 triage. You've done your triage. You've done
9 your sort of filtering, and you make sure that
10 that Committee is the right one to go and do the
11 work. It's a suggestion, nothing more, nothing
12 less.

13 CHAIRMAN RIZZARDI: Dave?

14 MR. WALLACE: Well, I'm delighted that
15 Randy brought that up because as the Chair of the
16 Subcommittee on Ecosystems, I remember at our last
17 meeting being sort of overwhelmed by how complex
18 and large it could be. And I think it's
19 appropriate to say to the whole of MAFAC instead
20 of just the Subcommittee. And that is what
21 ecosystems-based management in its fully developed
22 form is extremely complex, and everybody

1 understands that. And the Assistant Administrator
2 for Fisheries in 2005 was asked how much is it
3 going to cost to implement that, and the
4 Administration would not answer the question
5 because it was in the hundreds of millions of
6 dollars to do the science to justify the position.

7 So my statement to whoever wants to be
8 on this Committee, and I invite everybody to be on
9 the Committee because it will take all of our
10 knowledge and intellect to come up with a
11 reasonable document that addresses the issues.
12 But we do have to keep in mind that financial
13 constraints are going to be the driver of this.

14 You know, how many ecosystems do we
15 have? Just in the Mid-Atlantic and New England we
16 have five, and you have to study each one of them
17 and all of the interrelationships of each one of
18 those. And it's a very large process, and so
19 everybody needs to think about that. Thank you.

20 DR. CHATWIN: Well, thank you, Mr.
21 Chairman. And thank you, Heidi, for taking a stab
22 at this task. It's obviously a very challenging

1 task and have everybody be happy. A lot of
2 thoughts in my mind, a couple of which I'll share,
3 which is, you know, rather than trying to in
4 plenary decide which line items fit under which
5 groups, maybe we should do that discussion within
6 the Subcommittees and have the Subcommittees come
7 back to the full Committee to sort of say of the
8 ones that Heidi put under our responsibility, we
9 feel particularly strongly about X, Y, Z, these
10 not so much. And the ones that were allocated to
11 others that we think would be a better fit, and
12 then have that discussion. I think the one about
13 criteria is a good one, but it will take a lot of
14 time for us to get to criteria that everybody buys
15 into and then apply it. So that might be an
16 alternative approach.

17 The other thought is when I first looked
18 at this, I thought, yeah, let's decide what the
19 items are and then decide what the best vehicle
20 for our recommendations are. And now I'm thinking
21 that we might want to think about what are the
22 best opportunities for inserting our

1 recommendations. Those issues for which
2 rulemaking is going to be required will have
3 plenty of opportunity and sort of a schedule in
4 which MAFAC can plan to provide input. And the
5 one that's, as Sam pointed out and Emily, that's
6 less uncertain is the reauthorization. And so
7 maybe we should be prepared to whatever happens
8 there and focus on what we would want to cover in
9 that case.

10 Just a thought. You know, rather than
11 think, what are the issues, and then what the
12 opportunities are, think what are the
13 opportunities and then focus on the issues.

14 CHAIRMAN RIZZARDI: So if I could
15 re-characterize your suggestion, when you're in
16 your Subcommittees and you're looking at your
17 topics, if you think it's one that lends itself to
18 MAFAC making a recommendation regarding Magnuson
19 reauthorization, you should probably strive to get
20 that one done sooner. And if it's one that
21 involves a NOAA regulation where we might have a
22 little bit more of an opportunity to provide

1 feedback, that one might be able to take a little
2 bit longer.

3 So when you're coming up with your
4 timeframes for when you're going to get done, push
5 the ones that involve legislative authority to be
6 done sooner. Is that accurate, Tony?

7 DR. CHATWIN: Thank you.

8 MS. BONNEY: Just to clarify that in my
9 mind. So, I mean, basically you have the list of
10 the MAFAC priorities for future consideration, and
11 then you have the potential implementation routes
12 from the Pacific Council. So you're basically
13 saying to overlay what's on our list compared to
14 the different vehicles, whether it be legislative,
15 regulatory, or policy. And so for the regulatory
16 national standard guidelines or the
17 confidentiality where you have a rulemaking
18 process, those have kind of been a future comment
19 timeline. Then you have those that would be part
20 of the Magnuson reauthorization and picking topics
21 that we feel we have an opportunity to weigh in
22 on.

1 Then the other category on here is best
2 practices and policy. Where does that fit in in
3 terms of our tasking?

4 CHAIRMAN RIZZARDI: I think each
5 Subcommittee is going to have to tackle the series
6 of questions for each topic. Also I would just
7 point out, you know, it's possible we're only
8 going to have one meeting next year, and we're
9 going to have funding issues that are going to
10 drive things, so you'll need to think about how
11 can you get things done by telephone conference
12 call. We might only get the chance for one
13 physical meeting. If there are items where you
14 need to be pre-briefed, think about can those
15 briefings be done by telephone conference call,
16 and when you come up with your schedules, you
17 know, build that in.

18 So I don't think there's one answer for
19 a one- size-fits-all for each committee and each
20 item.

21 MR. FISHER: Well, I was sort of curious
22 as to what Sam would feel would be the best

1 approach in terms of what would be the most
2 feasible for them.

3 MR. RAUCH: There are so many items on
4 the list. So I do think it's a good observation
5 that legislation may go quicker than regulations,
6 and so focusing on legislative first, being
7 mindful of what you're thinking. Things that you
8 think the Administration should take a position on
9 in the legislative context, that might be helpful
10 in the shorter term.

11 As Emily said, we think that our
12 rulemaking on National Standard One would be later
13 in the fall of next year, and that's just a
14 proposed rule, so there are opportunities even
15 after that to deal with that more immediate topic.
16 But I would focus initially on the legislative
17 issue because we don't know how fast Congress is
18 really going to go.

19 DR. HOLLIDAY: The process guy here
20 again. So looking through the list, I understand
21 the legislative timeliness issue, but I'd say
22 roughly half of these things have an X in both the

1 legislative and regulatory, so that confounds the
2 problem.

3 The second thought is I wouldn't
4 necessarily take as gospel where the X lies. This
5 was done by some other group that said this is
6 what they think, and you may disagree with it or
7 you may agree with it. So before you go too far
8 down a path of agreeing with something that was
9 done by somebody's else's staff, I'd make sure
10 you're confident that's the right thing to focus
11 on. And it may be for you a legislative solution
12 is more likely or effective than what somebody has
13 recommended. So just keep that with the context
14 of your choice.

15 CHAIRMAN RIZZARDI: So we're at 2:00
16 now, so we're actually a half hour ahead of
17 schedule on this discussion. But what we could
18 do, I assume, is just break and let the
19 Subcommittees start meeting sooner, unless there's
20 further discussion. Julie?

21 MS. MORRIS: Since there was only, like,
22 one item on the list for protected resources, I

1 like the idea of having two sessions, breaking the
2 afternoon into two sessions so that those of us on
3 Protected Resources would have a chance to
4 contribute to maybe some of the really long list
5 of Ecosystem Committee topics.

6 CHAIRMAN RIZZARDI: So go to 2:00 to
7 3:30, and then 3:30 to 5:00? Okay. How many
8 breakout rooms do we have?

9 MS. LOVETT: So space is at a premium
10 this month. We have this room, and we can sort of
11 divide ourselves into two. We're free to undo the
12 busy work here and separate. We possibly can go
13 share that room over there since nobody is in it,
14 if we're quiet about it. Obviously there's some
15 nice sitting areas around the building. I was
16 previously told it was going to be a busy, full
17 building with lots of meetings going on. But it
18 seems pretty quiet, and we're the only ones up
19 here that I can see on this end. So there are
20 some seating areas right out there, too, if more
21 than two groups want to break out. But I think we
22 could just go sit in across the way.

1 Whoever is in this room, the Committee
2 that has either the most people interested in a
3 particular topic, we can figure out which
4 Committee goes where. But the court reporter is
5 here and can facilitate helping take notes, and
6 staff will go with whichever other Subcommittee is
7 going to go across the way.

8 CHAIRMAN RIZZARDI: And we have a dearth
9 of recreational oriented people here. We have
10 three now?

11 MR. FRANKE: No, we have Danielle and
12 Russ and I.

13 CHAIRMAN RIZZARDI: Okay, we've got
14 staff, right. Right. Okay. I meant of the MAFAC
15 membership, sorry. No offense to staff intended.
16 So do you need to have a breakout?

17 MR. FRANKE: No, sir, we can do it in
18 one of the side locations.

19 CHAIRMAN RIZZARDI: All right. So that
20 means for the meetings, we'll just do the other
21 four Committees, and we'll break them in twos.
22 I'll suggest that Commerce and Ecosystems be the

1 first session, and then Strategic Planning and
2 Protected Resources be the second, because usually
3 there's overlap between Ecosystems and Protected
4 Resources. That seems to be pretty common, so I
5 wanted to separate those two.

6 MS. LOVETT: I also have some portable
7 white board materials, and we have, I think, a
8 couple of markers, but we have sheets that you can
9 just put up on the wall. It doesn't affect the
10 wall. And we can divvy up some of that material
11 so you have some additional tools if you want to
12 do priority setting and, you know, voting on
13 things, or something like that. So if that's
14 helpful.

15 Subcommittee Meetings

16 CHAIRMAN RIZZARDI: Okay. So we'll do
17 Commerce here and Ecosystems across the hall until
18 3:30, and then we'll switch to Strategic Planning
19 here and Protected Resources across the hall at
20 3:30. All right, thanks, everybody. Yes, Tony?

21 DR. CHATWIN: And then while you're
22 doing two and then two, is that an opportunity for

1 folks in different --

2 CHAIRMAN RIZZARDI: Right. So Commerce
3 and Ecosystems will be separate at the same time,
4 and Strategic Planning and Protected Resources
5 will be in the separate rooms, but at the same
6 time.

7 DR. CHATWIN: And so, when it's not our
8 time, we can --

9 CHAIRMAN RIZZARDI: You can go to the
10 other ones, exactly. Good luck, Subcommittee
11 Chairs. Let's have some fun.

12 (Commerce Subcommittee Meeting)

13 DR. RHEAULT: It seems like we've got a
14 really small Committee, so we should be able to
15 bang this out pretty quickly. Consensus forming
16 should be relatively simple, but seeing as I have
17 so little expertise on recommendations we're
18 looking at, it's interesting.

19 Okay. So Keith suggested here in this
20 email that our Committee should also be looking at
21 recommendations for enhanced economic analysis of
22 rebuilding requirements and the effects on fishing

1 communities and waterfront.

2 CHAIRMAN RIZZARDI: I just listed those
3 topics out of the comments that came from Dr.
4 Schaefer and that were on the list of stuff from
5 Managing Fisheries III as stuff that's worthwhile.
6 But I certainly don't mean to limit the
7 Committee's agenda.

8 DR. RHEAULT: So that came out of the
9 Pacific Group?

10 CHAIRMAN RIZZARDI: Well, we had
11 comments from Dr. Schaefer at the beginning in
12 the meeting talking about sustainable communities
13 and impacts on communities. We certainly have
14 heard those themes over the last couple of
15 meetings, and it was clearly in the reading
16 materials. And then from the states, especially
17 Randy had some comments about what are the
18 rebuilding criteria. How do we come up with it,
19 how do we take into account the impacts on the
20 communities, and those kinds of things. So it
21 seems like if we're going to have some impact,
22 we've been discussing that for quite some time.

1 We've had working waterfronts dialogue here.
2 We've been weighing in on National Standard quite
3 a bit. It just seemed like a good topic for the
4 Commerce Subcommittee to consider.

5 I by no means want to limit you to that.
6 It's just one of the big ones I wanted to throw
7 out there that's probably worth chewing on.

8 DR. RHEAULT: The other ones that are
9 falling under the Commerce bin that Heidi
10 established for us, 3.2.2, Resolve Institutional
11 Impediments to Fisheries Commerce, Establish a
12 Central Registry to Facilitate Lending and
13 Improved Aquaculture Permitting; 3.3.5, To Find
14 and Identify Sideboard Metrics, Elements of
15 Optimum Yield; and 3.2.2, which looks like it's
16 been repeated from above.

17 So at the pleasure of the Committee,
18 where would anyone like to start to chime in or
19 start the discussion? Anybody have any pet
20 projects they want to get involved in? By all
21 means, John.

22 MR. CORBIN: I'm not quite sure how we'd

1 start, but the permitting for aquaculture is an
2 important topic considering the discussions. My
3 understanding is regarding MSA, there are efforts
4 under way to permit commercial aquaculture in
5 federal waters through MSA. The Gulf Coast has
6 extensive work in that area in terms of a
7 fisheries management plan to regulate aquaculture
8 in the Gulf.

9 The Western Pacific Council has amended
10 or is in the process of amending its ecosystem
11 management plan to allow permitting of
12 aquaculture. My understanding is there's a
13 discussion going on as to whether that needs a
14 programmatic EIS or some kind of environmental
15 assessment prior to approval, but that's sort of
16 out there and under way.

17 And it might be timely to look at
18 aquaculture permitting of federal waters. Maybe
19 reframing the question -- is permitting commercial
20 aquaculture development in federal waters through
21 Magnuson-Stevens going to do the job? If so, what
22 are the details of approaching that, or looking at

1 other options? Previous legislation in Congress
2 that wanted to give, I think, the Office of
3 Aquaculture some responsibility in this area was
4 far more comprehensive than what I understand
5 seems to being suggested through Magnuson-Stevens.

6 So to take a look at that area to sort
7 out what's going on and maybe make some judgments
8 as to what's going on might be a suitable topic
9 for MAFAC.

10 DR. RHEAULT: One of the thoughts that
11 came up, I think, in our last meeting or right
12 after Managing Our Nation's Fisheries III was the
13 question posed, whether MSA is the proper tool to
14 manage aquaculture. And I think that's a very
15 fair discussion. Just because we can't get an
16 aquaculture act to pass doesn't necessarily meant
17 that Magnuson-Steven is the best vehicle.

18 But I don't think we're supposed to
19 answer that question here. I think we're supposed
20 to consider discussing it on a larger scale. So I
21 would support, you know, discussing aquaculture
22 permitting. I think it's a high priority to the

1 nation and for this group.

2 MS. BONNEY: You said that.

3 DR. RHEAULT: I'm pretty biased on that,
4 but I think it's pretty much common knowledge.
5 Well, before we leave that topic, does anybody
6 believe that we shouldn't be discussing it? How's
7 that?

8 MR. FISHER: So is the question whether
9 MSA is the place to deal with it, or what's the
10 question, or is it something else? Is that what
11 we're going to talk about?

12 MR. CORBIN: What came out of the
13 conference was streamlining the permit process for
14 aquaculture. And right now there is no permit
15 process in place for aquaculture in federal
16 waters, although the Corps of Engineers seems to
17 think that they can permit aquaculture in federal
18 waters. And there are some issues related to
19 that.

20 And I think what Bob is suggesting, and
21 I tend to agree with him, is that taking a look at
22 MSA as an appropriate vehicle to develop a path to

1 commercialization of federal waters through
2 aquaculture is probably worth doing.

3 DR. YOCHER: And I was just going to
4 comment that, I mean, I think that's right, and it
5 fits within the context of, you know, improving
6 the permitting process. One aspect of improving
7 it is trying to figure out under what category
8 that permitting process falls. So I don't think
9 we need to add a separate line item consideration,
10 is MSA the appropriate vehicle, but just know that
11 that's part of what would be involved in
12 discussing that tissue.

13 DR. RHEAULT: Yes. I don't think that
14 we are going to resolve it today, but I think it's
15 a topic worthy of MAFAC consideration. And I'm
16 just welcoming other input on that question.

17 CHAIRMAN RIZZARDI: So I'll weigh in on
18 the aquaculture culture. I also have suggested
19 that Strategic Planning should be looking at it.

20 What really struck me today in Dr.
21 Schaefer's comments was the recognition that the
22 United States imports 90 percent of our seafood,

1 and the statement comes out that, you know, if we
2 want to enhance our presence in aquaculture, we
3 need to make the shift to aquaculture. But the
4 reality is when you look at the budget, we're
5 squabbling over \$1 million between the House and
6 the Senate, and the aquaculture budget, and the
7 numbers are really de minimus in the grand scheme
8 of the overall NOAA list of priorities.

9 Then I heard Paul Doremus get up there
10 and talk about the core mission of NOAA and NOAA
11 fisheries, and we are about sound science for
12 sustainable fisheries, sustainable communities,
13 and sustainable protected resources. Well, I
14 think the fourth item on that list should be
15 sustainable aquaculture because if we're really
16 serious as a strategic matter about creating
17 sustainable oceans, then maybe we need to be more
18 conscientious about how much the United States is
19 harvesting from our oceans. And aquaculture done
20 sustainably, done right, is a really good
21 alternative and then can relieve some of the
22 pressure in theory on our oceans.

1 So I believe aquaculture is a strategic
2 issue in addition to one that has fallen within
3 the scope of Commerce. And traditionally we're
4 always talking about aquaculture in this Committee
5 and talking about commercial interest in
6 aquaculture. But if you step back, it should be a
7 strategic priority. And I would like to see MAFAC
8 point in that direction. I know historically
9 we've spoken up a number of times. We were a big
10 push on the importance of aquaculture, and helped
11 provide the genesis for the aquaculture policy,
12 national aquaculture policy. I want to keep going
13 in that direction. And I think there should be
14 some effort by the Strategic Planning Committee on
15 that one.

16 So if you are willing, if they go that
17 route, I'd like to see it come from them instead
18 of coming from this Committee or maybe from both.
19 Maybe there's an opportunity for you all to work
20 together on that one.

21 MR. CORBIN: Shared responsibility?

22 CHAIRMAN RIZZARDI: Committee members

1 from Strategic Planning and Committee members from
2 here working together on coming up with MAFAC
3 recommendations on enhancing the strategic
4 priority of aquaculture within NOAA Fisheries. I
5 mean, if you think about it, tripling the
6 aquaculture budget in the grand scheme of NOAA's
7 money is pretty small. What is it, \$6 million
8 line item?

9 DR. RHEAULT: Six million.

10 CHAIRMAN RIZZARDI: And you can triple
11 it, and it's minor in comparison with the rest of
12 the budget. And the effect that it could have
13 would be really significant. But if you're going
14 to make that kind of statement, you have to be
15 ready to say, well, what's not going to get done,
16 and that's, of course, the hard part of the
17 dialogue. But I think we need to be thinking in
18 the big picture that way.

19 But I'd also encourage you to look at
20 the list of items that we've identified, and you
21 look at what's on the Commerce list. And it's
22 National Standard 8, and working waterfronts, and

1 optimum yield, and socioeconomic analysis, which
2 comes up a lot, and that came up in month three.
3 I'm hoping that by the end of this meeting you're
4 able to tell me MAFAC or the Subcommittee thinks
5 that MAFAC should tackle topic A, topic B, and
6 topic C or even just A and B -- two is probably
7 more than enough to tackle -- in the next six to
8 12 months. And we'd like to have a conference
9 call here where we get briefed on these subjects
10 and then we hope to deliver a white paper on this
11 other thing by our next meeting.

12 All right. So that's where I was hoping
13 we could steer the dialogue. And I think you've
14 got a short list already of what's in front of
15 you. It's sort of ready-made with the items that
16 have been suggested for Commerce. If you want to
17 throw other ones on the table, if you think that
18 the list that we already generated is wrong, if
19 you think it's missing something, that's okay.
20 But I just see the same themes coming up over and
21 over, and it's always aquaculture, and
22 socioeconomic analysis, and working waterfronts,

1 and sustainability of communities. And those
2 issues keep coming. And I see that as two easy
3 ones for us to grab. But I also respect the
4 opinions of all you folks who work in this arena
5 and might disagree.

6 DR. RHEAULT: Well, you know, I'm not
7 going to disagree with you on the aquaculture
8 issue. The most compelling thing I saw at
9 Managing Our Nation's Fisheries was Roger Bing,
10 the guy from Darden, the Vice President of Protein
11 Purchasing, saying in 16 years he's projecting a
12 \$53 million metric ton shortfall in global seafood
13 production. I think that's a pretty compelling
14 case to start growing fish.

15 But, you know, I agree with everything
16 you've said. And it sounds like we're largely in
17 agreement that this should be at least considered
18 as one of our priorities. So I'm going to move on
19 down the list and see if we can reach agreement on
20 anything else.

21 MS. BONNEY: Can I ask a question?

22 DR. RHEAULT: Please.

1 COURT REPORTER: Turn your mic on,
2 please.

3 MS. BONNEY: You had suggested that it
4 would be placed under the Strategic Planning
5 Committee, Keith? So in other words --

6 CHAIRMAN RIZZARDI: I think it could be
7 a joint initiative. The aquaculture issue could a
8 joint initiative with Commerce and Strategic
9 Planning.

10 MS. BONNEY: Okay. I mean, I'm fine
11 with putting it as a priority. I'm just trying to
12 figure out the function of getting something done.
13 That's all.

14 DR. RHEAULT: I'm new enough to this
15 group that I don't know the difference between the
16 various Subcommittees and what they're supposed to
17 do, so I'm going to let others decide. But it
18 sounds like it's a priority, and we can decide who
19 actually works on it and how.

20 How about the next one down the list,
21 resolving institutional impediments to fisheries
22 commerce? This is 3.2.2, central registry for

1 lending?

2 MS. BONNEY: Under that, though, it says
3 improve aquaculture permitting process in that
4 bullet. I guess the question is, are we just
5 taking -- yeah.

6 DR. RHEAULT: Well, so is the first half
7 of that critical? I'm blissfully ignorant of what
8 the needs are there.

9 MS. BONNEY: I personally don't think
10 it's critical.

11 DR. RHEAULT: Anyone?

12 MR. CORBIN: Can someone explain what a
13 centralized registry is to facilitate lending? Do
14 we know what that is?

15 MS. BONNEY: It would be like a quota
16 bank or a permit bank where you could go to one
17 location to see what is available in terms of
18 buying into a fishery access.

19 MR. CORBIN: I see. So the suggestion
20 you think here is that might be applicable to
21 aquaculture permitting, that concept?

22 MS. BONNEY: No, it's two different

1 concepts; one is for commercial fishing
2 opportunities. The other is permitting for
3 aquaculture in terms of land use or water usage.

4 DR. RHEAULT: So my question, do we
5 retain the first half, which is the commercial
6 fisheries part, or do we just concentrate on the
7 second half?

8 MS. BONNEY: I would just, being from
9 the commercial fishing industry side, I would just
10 focus on the aquaculture because, A, this central
11 registry would be expensive to get all the eight
12 Councils under one envelope, I would think. And I
13 honestly don't think it's that much of an issue,
14 at least in North Pacific.

15 DR. RHEAULT: So moving down -- I'm
16 sorry?

17 CHAIRMAN RIZZARDI: Mark is trying to
18 weigh in.

19 DR. RHEAULT: Mark, please.

20 DR. HOLLIDAY: I don't have a dog in the
21 fight. I'd just point out that the Central Lean
22 Registry is a requirement of the current Magnuson

1 Act that's not been implemented by NOAA. It's
2 been there since 1996. And at Managing Our
3 Nation's Fisheries III, it was pointed out by
4 participants in my session that this was an
5 impediment to the development of sustainable
6 fisheries because people could not seek financing
7 without proper titling of these IFQs were being
8 held by and how the transfers were being used as
9 collateral for financial investments. But that's
10 the nature of the comment that was put forward
11 here.

12 DR. RHEAULT: So let me just welcome
13 everyone else to our Subcommittee.

14 (Laughter.)

15 DR. RHEAULT: And we have a shortage of
16 commercial fishing people here, so now that we
17 have some commercial fishing people, maybe you can
18 help us answer this question. We are looking at
19 Item 3.2.2, "Resolve institutional impediments to
20 fisheries commerce." And it's got two
21 recommendations under it. One is to establish a
22 central registry to facilitate lending and the

1 other is quite different, improve the aquaculture
2 permitting process.

3 Now, we as a committee have agreed that
4 the second one should be a priority, and we're
5 asking for commercial fishing expertise to
6 evaluate the first one. Is the central
7 registration to facilitate lending something that
8 we should be addressing on the MAFAC.

9 MR. WALLACE: I'm all for that, and we
10 tried to do that years and years ago. And
11 actually --

12 DR. YOCHER: Your mic.

13 MR. WALLACE: -- as part of the
14 Magnuson-Stevens Act, but it's unenforceable, and
15 so all we have to do is clean up the language and
16 that'll be a really good thing.

17 DR. RHEAULT: So Mark pointed out that
18 it is part of the Magnuson-Stevens that has not
19 been implemented. But there was concern that it
20 might cost quite a bit to do, getting the eight
21 Councils together.

22 MR. WALLACE: I don't think so. The

1 only people that would have any fees involved
2 would be what banks would require for the
3 registry. And sooner or later the National Marine
4 Fisheries Service is going to want to keep track
5 of who actually owns all of this quota in the
6 first place.

7 In the clam industry under the ITQ
8 system, we figured out how to get around that by
9 transferring the quota that is being held in
10 escrow to the bank, and then once it's paid off,
11 then it's transferred back. But the banks don't
12 like that and then it creates all kinds of other
13 legal issues, including IRS issues.

14 DR. RHEAULT: So Julie had said she
15 didn't think it was a priority. Now we've got
16 Dave saying it is.

17 MS. LONGO EDER: Well, I don't know if
18 it's a priority or not. I'm kind of assuming. Is
19 there some background here understanding what
20 we're talking about in terms of quota, and
21 funding, and financing, and what the issues are,
22 and why it's important? I'm sorry, I don't know

1 how much discussion has gone on beforehand.

2 One of the reasons why this is important
3 is a couple of reasons. One is the potential of
4 new entrants into the fishery. Much quota is
5 possibly initially allocated or held by people who
6 have history. Sometimes allocation is based on
7 history, and so some sometimes you have an aging
8 fleet, and you may be looking at how new people
9 are going to enter the fisheries. So there's the
10 A to Z issue, and that can be from the new
11 entrants to Z being banks who want to be able to
12 make sure that somebody hasn't promised their
13 quota as security for some other loan, and they
14 want to secure it.

15 And I know in front of the Pacific
16 Council we've had testimony from a lending
17 institution that does want to see something along
18 this line so that their interests can be secure
19 now. Specifically what they want I don't know.
20 Do I identify it as a priority? No, but in the
21 context of long- term looking at how do you
22 potentially provide for more entrants into any IQ

1 managed fishery, then that might be something to
2 take into consideration. Thanks.

3 DR. RHEAULT: Michelle, given that we
4 might only have one or two things that we're able
5 to look at as a Committee, would this rise to the
6 top?

7 MS. LONGO EDER: No.

8 DR. RHEAULT: Okay. Then I'm going to
9 suggest we move down the list to 3.3.5, The Need
10 to Identify and Define Sideboards, Metrics of
11 Optimum Yield, et cetera. And I am uniquely
12 un-qualified to answer this. What happened to
13 Michelle? Our commercial fisherman left.

14 MS. BONNEY: They found another spot.
15 They weren't done. They were just without a home.
16 They just lost their spot. I mean, the words on
17 paper are intriguing. I don't really understand
18 the issue well enough to know what it means.

19 DR. YOCHAM: Mark, can you illuminate us
20 on what the big issues were for 3.3.5?

21 DR. HOLLIDAY: So my first general
22 comment is these are all just anchor points or

1 weigh points for them that's described above. The
2 overall focus here is looking at sustainable
3 communities and whether they're commercial,
4 fishing, or aquaculture communities. But these
5 are all under this general idea of promoting more
6 sustainable opportunities for commerce and social
7 and economic well-being of communities.

8 So whether it's a lean registry that's
9 an impediment to commerce because people can't get
10 financing or whether it's changing how we
11 interpret or why from a strictly biological
12 component, which is not what the Act calls for it.
13 It OY as maximum sustainable yield as modified by
14 economic, and social, and recreational
15 opportunities, you know, food supply. That's what
16 this is really looking at, this 3.3.5.

17 So how do we better incorporate it?
18 Would the Act benefit from somehow clarifying or
19 refining the definition of what optimum yield is
20 in the Act to allow for greater incorporation of
21 these other factors contributing to OY? There's
22 some stakeholders and communities who feel that

1 because the annual catch limits is a biological
2 metric, is held paramount above all the other nine
3 national standards, that there's no room to
4 consider the economic consequences of management
5 on a community, that employment and jobs and other
6 job-related benefits of stewardship are secondary
7 of importance. And this is all underneath this
8 overall title of community sustainability.

9 So is there something that the Committee
10 would want to develop in terms of a position or a
11 statement to advise NOAA on the relative
12 importance of social and economic considerations
13 and stewardship decisions that go beyond the
14 strictly biological attainment of an ABC, an
15 annual biological catch, or an OY. I think that's
16 the gist of it.

17 So you have to determine, you know, what
18 is that? You know, is it a policy change? Is it
19 a definitional refinement? Is it another
20 standard? Is it strengthening National Standard
21 8? Is it doing a better job at implementing
22 National Standard I as it's currently defined, but

1 not actually carried out in practice? These are
2 all things the Committee could offer an opinion on
3 and a solution to if you felt it was important
4 enough as a problem to tackle and provide advice
5 under the next reauthorization.

6 DR. RHEAULT: You guys have got nothing?

7 MR. FISHER: Mark did a good job of
8 explaining what -- but I'm not sure we could do a
9 better job than what's there now necessarily. I
10 don't know. I mean, it is in the eyes of the
11 beholder.

12 DR. RHEAULT: Well, I've read convincing
13 papers on the model of maximum economic yield, but
14 I don't think that too many fishermen would want
15 to go that way because it usually means small
16 catch limits. Anyone want to weigh in on this?

17 DR. HOLLIDAY: Just, and again, this is
18 a point of information. You thanked Heidi for
19 putting this thing together. These things that
20 are highlighted are not Heidi's highlights. These
21 are your highlights from May. So just to clarify,
22 at some, the entire Committee reached the

1 consensus that this row was of importance to the
2 Committee. Now, I think the job in front of the
3 people in this room is we're trying to narrow down
4 to which of these high important things the
5 Committee said are the ones that you feel are
6 substantive enough to undertake to produce an
7 outcome, to produce a recommendation, a specific
8 finding, or a way forward on it.

9 So you're not saying it's unimportant or
10 you're not discounting it, but you're trying to do
11 this triage, is what I'm thinking of. Of all
12 these things you previously said were important as
13 coming out of this workshop, what are the two or
14 three things where you feel you can have the
15 greatest impact on influencing future policy or
16 future implementation of existing policy?

17 So that's the lens that it tries to look
18 at whether or not to continue to focus on this as
19 something in the future work plan for 2014 would
20 be something the members of the Subcommittee would
21 be willing to drill deeper and dive into?

22 DR. RHEAULT: Julie?

1 MS. BONNEY: Just to clarify, the way
2 this is laid out is, if it's highlighted, it means
3 it's assigned to more than one committee.

4 DR. RHEAULT: Oh, thank you.

5 MS. BONNEY: So all the points, whether
6 they're highlighted or not, are things that have
7 been assigned to our Committee and was a priority
8 for MAFAC before, as identified by the Committee.
9 So I don't know if we need to go back and revisit
10 some of the other ones under Commerce versus just
11 the highlighted ones.

12 DR. RHEAULT: So with that in mind, I
13 see that this particular item was also looked at
14 by Strategic Planning and there were a lot more
15 fishermen in the Strategic Planning Subcommittee.
16 So if they found it be of high importance, maybe
17 they will pick it up.

18 So let's go back and look at 3.2.1,
19 Create, Modify, and Promote Financial Tools and
20 Training to Support Small Community-Based
21 Borrowers. Anyone have an opinion on this?

22 MS. BONNEY: I think it's a reasonable

1 goal. It's just whether it's on the priority
2 list. I mean, I think you could take 3.2.1 and
3 couple that with what's in -- what was it, 3.2.2,
4 which was a Central Registry. So basically you're
5 looking at building a package of tools to bring
6 new participants into the commercial fisheries.
7 And it's just whether that's your priority or not.
8 Me personally, it's not, but some other people may
9 jump all over that.

10 In terms of more of a Commerce approach
11 for fisheries in general, I'm much more supportive
12 of aquaculture permitting and moving that agenda
13 forward into the future than trying to get down in
14 the weeds, trying to tweak commercial fisheries.
15 But that's just me.

16 DR. YOCHAM: I echo what Julie says, and
17 I do remember it being discussed in the context of
18 aquaculture, though. Given some of the uncertain
19 permitting environment difficulty, it's like a
20 chicken and egg situation, difficult to get
21 funding to even try to move a project or a program
22 forward because of the uncertain permitting

1 climate. And if there were funding for some of
2 the projects that were described, as I remember,
3 were related to helping develop fisheries. And
4 helping new entrants and helping to develop in
5 that way. So that's the only aquaculture context
6 I remember.

7 But I agree with Julie. It maybe fits
8 the suite of things that could be done to address
9 new entrants to commercial fisheries, which maybe
10 is not something that we want to necessarily put
11 as a priority for next year.

12 DR. RHEAULT: Anyone else on this
13 subject?

14 (No response.)

15 DR. RHEAULT: Then I'll move on down to
16 3.2.8, Anchor Quota in Communities: Use Ecosystem
17 Based Management and Community Fishing
18 Associations. Wow. If that gets picked up, I'm
19 going to a different committee.

20 MS. BONNEY: Well, and honestly, that
21 kind of ties in with the entrants, small-based
22 community. I don't see it as a Commerce issue

1 honestly.

2 DR. RHEAULT: Well, no one is jumping up
3 and down, so I'll move down the list. So 3.2.15.
4 "Wild harvest in aquaculture are more similar than
5 different." And this was something that Roger
6 Bing said in his talk after he pointed out that
7 something like \$900 million has been spent around
8 the planet on salmon hatcheries. And I thought
9 that was a pretty interesting note. Whether we
10 want to be suggesting more fisheries enhancement
11 projects for the wild harvest fisheries is a
12 question. But I happen to agree that there's a
13 lot of gray areas between absolute fishing and
14 absolute farming.

15 But I'm not sure that that is something
16 that needs a committee to stand up and say, look,
17 our differences are less than our similarities
18 because I think it's absolutely true, but what do
19 we get by saying it? Anyone got feelings on this?

20 MS. BONNEY: I guess the only thing is
21 when you define aquaculture, you probably should
22 define aquaculture to include hatcheries. So as

1 long as we're thinking that involves all those
2 parts and pieces, then I'm fine with what you're
3 suggesting.

4 MR. CORBIN: Regarding hatcheries and
5 aquaculture, I think one area is using aquaculture
6 as a tool for stock enhancement and restoration
7 and the role of NOAA and the Federal government in
8 facilitating that. If you look at the federal
9 hatchery situation or you look at stock
10 enhancement nationally, the states are carrying
11 the heavy timber -- Texas, Florida, California.
12 There's no federal finfish hatchery for non-cell
13 monids I think.

14 And going down the road to have tools in
15 your toolbox of aquaculture and hatcheries for
16 fisheries management, we need to start developing
17 those kinds of tools. Moreover, if you close the
18 life cycle on a marine fish, you have the dual
19 potential of going into commercialization as well
20 as stock enhancement. So if that's what's they're
21 getting at, then there's a relationship there.

22 DR. RHEAULT: So I think Julie's comment

1 is right on, and it's very similar to what I hear
2 from you, John. And unless I'm missing something,
3 we've been through our list and have achieved our
4 appointed task, Mr. Chairman.

5 CHAIRMAN RIZZARDI: I'd say --

6 DR. RHEAULT: Declare victory and
7 retreat.

8 CHAIRMAN RIZZARDI: Dive into details.

9 DR. RHEAULT: Dive into the details?

10 CHAIRMAN RIZZARDI: You've got an hour,
11 and (inaudible).

12 DR. RHEAULT: I don't want to duplicate
13 work if the Strategic Planning Group is going to
14 pick up the aquaculture issue.

15 CHAIRMAN RIZZARDI: Well, I'd encourage
16 you to go to the Strategic Planning Committee
17 meeting when they meet in the afternoon.

18 DR. RHEAULT: Well, that's right. It's
19 not happening --

20 CHAIRMAN RIZZARDI: So you guys can --

21 MR. FISHER: So could I ask a question?

22 DR. RHEAULT: Please.

1 MR. FISHER: On the aquaculture, I was
2 on the ORAP Committee for a number of years, and
3 that's the Ocean Research Advisory Committee
4 basically. And we looked at permitting. We
5 looked at permitting for windmills. We looked at
6 permitting for all sort of things, including
7 aquaculture. And that group has been very
8 involved in trying to figure out whether we could
9 streamline permitting.

10 So I was just kind of wondering what the
11 relationship between MAFAC and ORAP is and whether
12 or not there is a relationship because that group
13 has more horsepower than this group, if you really
14 want the honest to god truth about it because they
15 report directly to the Ocean Policy folks now.

16 DR. RHEAULT: Could you restate who ORAP
17 is?

18 MR. FISHER: Yes. It's the Ocean
19 Resources Planning people.

20 (Laughter.)

21 MR. CORBIN: Are you talking about the
22 National Ocean Council?

1 MR. FISHER: Yes. They report right to
2 the National Ocean Council, ORAP does now. But
3 they've been very involved in permitting, just
4 trying to figure out how to streamline all sort of
5 permitting, because you get into the permitting
6 game, and you're talking about every sort of
7 federal agency that's involved. And it sure as
8 hell isn't just NOAA Fisheries, I can tell you
9 that. It goes to the main people, the mining
10 people, and all those folks.

11 DR. RHEAULT: No, we end up having more
12 discussions with Protected Resources and groups
13 like that. How about the question that was
14 brought up, is MSA the proper tool to manage
15 aquaculture? For that matter, are fisheries
16 management plans and the Councils? I mean, I've
17 lamented for many years, if you're going to do
18 that, why don't we at least have a seat at the
19 Council, or a seat at the table, because right now
20 we don't get a vote. We don't have
21 representation. We can't even bring our view
22 except to the public comment period. But it

1 doesn't seem like the right tool in my mind, but
2 we can't seem to get federal legislation passed
3 either.

4 MR. FISHER: Well, maybe that tells you
5 something right there. I mean, the real issue, at
6 least on the Pacific Coast is there's the fear by
7 the states and by the fishermen, many of them,
8 that don't want aquaculture outside of the
9 hatcheries, and clams, and oysters, and those
10 things that have been around forever, aquaculture,
11 at least where we're from. But there's a lot of
12 resistance to the idea of having some sort of
13 major aquaculture where there may be competition
14 with the people that are actually fishing. And
15 that's short-sighted on their part, believe me, at
16 least I believe it is. But that's what's there.

17 So I guess the question is, what could
18 ORAP or what could MAFAC do in terms of
19 aquaculture that would be any different than we've
20 done for the last 10 years in this group, and that
21 is stand up and say we all believe it's good, but
22 then what happens? Nothing.

1 DR. RHEAULT: So if the primary
2 impediment is the fishermen, how did the fishermen
3 get to be the primary determinants of who gets to
4 use the comments where and when?

5 MR. FISHER: I'm not necessarily saying
6 it's just the fishermen. I think you got to deal
7 with the governors in each of the states. You got
8 to deal with the legislatures in those states, and
9 that has not been done. And that's one of the
10 things that when the first legislation came out
11 for aquaculture, my personal feeling is that they
12 made a huge mistake by not going to the governors
13 first. And the governors then dug in and said you
14 can't tell us what to do on our land and our
15 property, because basically your aquaculture
16 facilities are going to be within three miles in
17 most cases. And even if they're outside of three
18 miles, guess what? You got to land that product
19 in this state, and you'd better tell me how you're
20 going to pay landing fees, et cetera, et cetera,
21 et cetera. And none of that was figured out.

22 And as a result of that, everybody got

1 in a really bad mood up front, and they've dug
2 their heels in now, and they're saying things like
3 aquaculture is fine, but if the state wants to opt
4 out of it, we can opt out if we want, and those
5 sorts of issues. And that's kind of what's
6 happened, at least from my experience.

7 So I guess what I'm getting around to
8 saying is what can MAFAC do that makes some real
9 sense in terms of helping with this whole
10 discussion of aquaculture?

11 MR. CORBIN: I guess, first of all, I
12 don't think regional resistance should prevent
13 MAFAC from looking into this national issue in
14 terms of all the regions. The other thing to keep
15 in mind is that there is an effort to permit
16 aquaculture through MSA. It's been decided by an
17 attorney that aquaculture is fishing. And so, the
18 Gulf Coast has spent a lot of time and money
19 developing fisheries plans, going through a
20 process that people are looking at a template for
21 other regions. Other Councils have taken another
22 approach.

1 I think it's very appropriate at this
2 time, because that's a moving train. That's
3 going. Right now, there are rules pending for
4 MAFAC to look at this before it goes further to
5 see if it makes sense in terms of the ultimate
6 goal, which is commercialization. It's not
7 research projects. It's not small scale. It's
8 looking at the EEZ as a place to farm. And, you
9 know, I think it's very appropriate for this body
10 that NOAA listens to to take up this issue and
11 then look at it in the larger context of
12 permitting aquaculture as a whole, which, you
13 know, clearly needs clarification, in my mind.

14 DR. RHEAULT: Yes?

15 MR. BEAL: So I guess I'm kind of where
16 Randy is, which is if we're talking the primary
17 activities for aquaculture happening in state
18 waters, you know, within three miles, then
19 Magnuson-Stevens may not be the right vehicle to
20 do that. It's a, you know, individual states'
21 issue. But if it's, you know, EEZ farming type
22 projects, then it is a federal issue and it is,

1 you know, bigger than a state issue.

2 So I guess, you know, it kind of ends up
3 as a piecemeal approach where you've got some
4 activities in state waters and some in federal
5 waters. But the Magnuson portion of it, in my
6 mind anyway, should focus on federal water issues.

7 DR. RHEAULT: So with the Gulf FMP, is
8 it addressing state waters issues as well?

9 MR. DONALDSON: No. That's strictly
10 just EEZ. That FMP has been passed, but as far as
11 I know, they've got a permitting system in place,
12 but I don't know that there's been any activity.
13 Yeah, the Gulf Council. But it's strictly federal
14 waters. The state waters, as I mentioned earlier,
15 is a state issue.

16 DR. YOCHAM: I would just say that I
17 think I wouldn't let the regional issues or state
18 versus federal necessarily derail us from looking
19 into this. You know, the same question came up
20 with seafood certification, that if we come up
21 with something that's appropriate under MSA for,
22 you know, federal fisheries, what's going to be

1 the issue with state fisheries. But that didn't
2 stop us from considering the mechanism in looking
3 at what might work and what might not work. So I
4 still think there's a very high priority for this
5 federal advisory body to look at, you know,
6 farming in federal waters and figure out ways to
7 take that to the next level.

8 DR. RHEAULT: Yes. I'm not supposed to
9 have an opinion as the Chair, but I clearly do.
10 If we're going to have an FMP, we should probably
11 try and make sure it's as perfect as it can be and
12 make recommendations to the other Councils who are
13 going to be following on in some fashion.

14 CHAIRMAN RIZZARDI: Sorry. I want to
15 comment on Bob's point about Magnuson and why are
16 we using Magnuson, and then, John, your point
17 about, you know, the train has left the station,
18 we're doing it. You know, remember that what's
19 ahead of Magnuson reauthorization, and there is at
20 least an opportunity to suggest amendments to
21 Magnuson that might be appropriate. And that's
22 probably the best path for you to go down is are

1 there recommendations that we could make to tweak
2 Magnuson, to add some additional language to
3 Magnuson that would specifically address the
4 nuances of aquaculture and how the Magnuson
5 framework could be better tailored to fit the
6 needs of aquaculture to reduce regulatory barriers
7 and hurdles and those kinds of things.

8 So if you can think, you know, that way,
9 we can probably get to a work product summertime
10 of next year where we'd be able to make some
11 meaningful recommendations to NOAA that they would
12 then be able to take to the Hill.

13 MR. CORBIN: Let me just say I agree
14 with Keith. He really went to the heart of the
15 matter, which aquaculture isn't mentioned at all
16 in Magnuson-Stevens, and people have interpreted
17 fisheries as aquaculture based on an attorney's
18 opinion, and we really need to bolster that and
19 clarify that within the Act if we're going to
20 proceed at any scale. So I really agree with your
21 point.

22 DR. RHEAULT: Go ahead, Julie.

1 MS. BONNEY: So based on that, then
2 picking up this as a priority for the Magnuson
3 reauthorization because I don't know a lot about
4 aquaculture, but your legislation never passed,
5 and so you really don't have any authorities. And
6 so this would be a vehicle to give you authorities
7 and also allow you to make things more efficient
8 in terms of getting to an end product.

9 MR. DONALDSON: You'd better believe it.

10 DR. YOCHER: So that seems like a good,
11 you know, kind of laser to get something moving
12 based on timelines right now. It's going to open
13 up a lot of cans of worms I would think in terms
14 of turf battles within the Regional Councils and
15 all sorts of stuff.

16 DR. RHEAULT: I'd like to ask Susan
17 Bunsick, put her on the spot and see if she's got
18 any thoughts about how we could tweak Magnuson to
19 facilitate aquaculture development.

20 CHAIRMAN RIZZARDI: And, Susan, if we
21 could go one step further, picking up on the fact
22 that there will be regional nuances to this and

1 thinking about what MAFAC would need to do and who
2 they would need to hear from before reaching a
3 conclusion on that.

4 I'm thinking from a pragmatic standpoint
5 what meetings needs to get set, what
6 teleconferences need to get set, who needs to give
7 input to the Committee before it weighs in and
8 makes any kind of meaningful recommendation. And
9 just the way that we've had these other task
10 forces that have gotten together, and gotten
11 stakeholder feedback, and gotten meaningful
12 feedback from the right people before reaching a
13 conclusion on sustainable certification or ESA
14 implementation, what are the comparable things
15 that we should do before weighing in with a
16 recommendation on Magnuson amendments to
17 facilitate aquaculture?

18 MS. BUNSICK: Yes. I just want to back
19 up a little bit for those of you who admittedly
20 are saying you don't know as much about where we
21 are with aquaculture. As John pointed out, NOAA
22 Fisheries has been doing a limited number of

1 permits under Magnuson authority based on a legal
2 opinion that was done some years back that looked
3 at the definition of fishing in Magnuson, and said
4 it does include aquaculture because you're
5 harvesting the fish of a managed species. So
6 there's been a limited application of that.

7 Update on the Gulf Fishery Management
8 Plan: it is in place, but no permits are offered
9 yet, because the rulemaking has not been completed
10 yet. The package is down in our Southeast
11 Regional Office, which is responsible for
12 implementing like any other fishery management
13 plan for the Gulf. And those rules have to go
14 through an interagency review, hopefully over the
15 next coming months, before that could happen.

16 So the question then for Magnuson
17 is--and that's why I'm interested in hearing the
18 MAFAC view on this--it's a double-edged sword. Do
19 you want to open up that can of worms where NOAA
20 has asserted its authority under Magnuson? We've
21 survived some court cases, but we know there's
22 going to be more court cases coming. As soon as

1 that regulation gets in place, the same
2 organizations that sue partly on the grounds that
3 they didn't believe we had authority under
4 Magnuson are going to come back.

5 So do we act proactively, and if we do,
6 how do we want to do it? Do we want to tweak
7 Magnuson to just add another national standard for
8 aquaculture, or clarify definitions, or have a
9 whole new section that's just aquaculture, or go
10 back and revisit that old legislation and pick and
11 choose the best of it, and tweak that and insert a
12 whole new section. Because the danger is, you
13 might lose authority all together if you start
14 tweaking it. And then if you clarify that NOAA
15 fishing does not do aquaculture, then what
16 authority does NOAA have to manage aquaculture if
17 those other proposed sections don't get accepted.

18 So that's the kind of strategic thing,
19 and that's why -- Keith left. I think, you know,
20 the issue, I think it was Randy brought up, about,
21 you know, in the last round we didn't do enough
22 outreach to the governors and all about what this

1 all means. And so, I think there's a whole long
2 list. I think, you know, probably starting with
3 the people who really know Magnuson might be one
4 way to do it. And I don't know if that would mean
5 changing the Council structure. I mean, the
6 Councils are going to want to have a role
7 regardless because they wanted to have a role the
8 last time around when we had in the previous
9 Administration some proposed legislation.

10 So it's a very interesting and
11 challenging question, so I think that is something
12 I personally would like to hear MAFAC's input on.

13 DR. RHEAULT: And clearly we're going to
14 need to hear some advice from people who know more
15 about it than just the people in this room. Who
16 should some of those people be?

17 MS. BUNSICK: Probably the entire list
18 of stakeholders who came out when we did the
19 policy, you know, because if you're for or against
20 aquaculture, you're not going to care that much
21 what's law it's in, but you're going to hold onto
22 it. I mean, we care as an agency. There are some

1 interagency groups under the National Ocean Policy
2 Implementation Plan. NOAA is chairing a working
3 group under what used to be called the Joint
4 Subcommittee on Aquaculture, which is now an
5 interagency working group on aquaculture, looking
6 at regulatory issues. We haven't taken it that
7 next step. It's more focused on interagency
8 coordination, but we're looking here as what is
9 NOAA's authority.

10 MR. FISHER: You have a couple others
11 there. Mark and Julie?

12 DR. RHEAULT: Mark?

13 DR. HOLLIDAY: Thanks, Bob. Just again,
14 a point of clarification. This is a discussion
15 that I've had with Keith a number of times about
16 the role of a FACA Committee versus the role of
17 NOAA. It's the responsibility of NOAA to get
18 public input and public stakeholder engagement in
19 developing positions and policies, whereas with a
20 FACA group, you've been appointed to be a FACA
21 member, not to assume that responsibility of
22 pulling all stakeholders for all purposes, but to

1 get your specific advice based on your
2 qualifications for which you are nominated and
3 approved and appointed to the committee.

4 So when Keith asked the question of, you
5 know, who do we need to go talk to, I don't think
6 you have to conduct public hearings. I don't
7 think you have to go seek public advice. You need
8 to get informed in whatever way you desire to be
9 informed because there's no requirement for you to
10 go conduct extensive consultations. The Secretary
11 is asking for your advice as a body representing
12 the different constituencies and the different
13 perspectives, and experiences, and training that
14 you've had.

15 So I'd just be wary of, you know, not
16 trying to emulate or take on the responsibility
17 that Emily or Susan or myself would have as a NOAA
18 person that we have a public process, a public
19 participatory process to engage in.

20 So I think that limits somewhat, you
21 know, the challenge that you have, because we're
22 looking for your advice. We'll accept that advice

1 and consider that advice when do go to promulgate
2 regulations and we do develop an Administration
3 build on Magnuson. There is a long and lengthy
4 public process for that to be vetted and gotten
5 through the different stages of approval.

6 So the reason I'm saying this is, I
7 don't want you to see this as such a daunting
8 challenge that you're not going to undertake
9 anything because there's all these different steps
10 and all these different consultations that you
11 think you'd have to achieve before you have an
12 ability to make some advice.

13 To summarize, I think you should be
14 looking again through the lens of what's the
15 competency of your Committee to provide some
16 value-added to the discussion on these policy
17 choices that NOAA and the Department are facing,
18 and choose those things as part of your work plan
19 for 2014.

20 DR. RHEAULT: Pam?

21 DR. YOCHER: I agree about opening up
22 the can of worms. If there's already been a court

1 decision that aquaculture is fishing and there's a
2 fisheries management plan that's proceeding on
3 that path, then I think one of the things that we
4 could ask to be briefed on is what is the status
5 of that FMP and what sorts of impediments are
6 there to its moving forward. And is that
7 something where we can provide some expertise?

8 I'm thinking back to what we did for the
9 ESA consultation. You know, at the beginning we
10 heard that it was going to be impossible to
11 improve the process in some areas, but then we
12 heard what the different regions were doing and
13 found out that actually there are a lot of solutions
14 that have been developed to streamline this
15 process. And that allowed us to then with our
16 expertise come up with some recommendations.

17 The same might be true. We've got the
18 Gulf Plan. I think there are some other examples
19 perhaps of people who have tried and failed to
20 develop projects in federal waters, and we might
21 be able to hear from one or two of those groups or
22 folks and then see what does it mean to streamline

1 the regulatory process, and how can we put
2 together some specific things like the matrix that
3 we've come up with sort of for the ESA
4 discussions.

5 DR. RHEAULT: Yes, half a lifetime ago,
6 I was the Chair of the New England Council's
7 Aquaculture Subcommittee, and we formed an FMP.
8 But the applicant pulled his application, thank
9 god, because it would've been a disaster if it had
10 actually gotten permitted. And so, the FMP never
11 passed.

12 But, no, a lot of groundwork has been
13 laid, and then John and I and Susan were on a
14 group that looked at federal permitting. And we
15 looked at all the various agencies and determined
16 that NOAA was the least objectionable of all the
17 groups to be the lead on aquaculture. Very high
18 marks.

19 And so, seeing as we're headed down the
20 road of FMPs, which everyone in the aquaculture
21 community thought was a terrible idea, but it
22 seems to be going faster than all the other

1 options. I think we should try and make sure that
2 we do that as well as possible. And so, I like
3 the idea of hearing about what's going on, what
4 the impediments are, and how we might have input
5 on perfecting it better.

6 And I think that there's an opportunity
7 to make other recommendations about, you know,
8 some sort of a standard for sustainable
9 aquaculture in MSA. If we can just really solidify
10 the role of NOAA there, we can stop questioning.
11 I mean, I never liked the decision that just
12 because we use boats and harvest fish and have
13 nets, we're fishermen. But it's just so much
14 better than all of the other alternatives that no
15 one has challenged it. I don't know that it would
16 stand up in court, but I guess it has because the
17 NGO community has challenged it.

18 MS. BUNSICK: Yes. It's withstood some
19 tests over time, but it will continue to be
20 tested. The Gulf Plan is the first time it's a
21 whole regional wide coordinated approach. In the
22 past it's been a permit by permit basis. I'm not

1 a lawyer. Keith, he's a lawyer, right? I mean,
2 there are plenty of things where over time, you
3 know, having the court reaffirm something is a
4 good thing, but you're always going to be living
5 under that threat of a challenge. And I guess it
6 kind of ties into the other issue you were talking
7 about is, you know, companies able to be started.
8 I mean, if you can't get a loan, if you don't have
9 your certainty of getting a permit or keeping that
10 permit once you're issued. I think that's going
11 down a little further with the related issues
12 there.

13 DR. RHEULT: Go ahead, John.

14 MR. CORBIN: Just to add two things to
15 Pam's list. It seems like we're developing a task
16 list or at least someone to visit the -- I lost my
17 train of thought. Oh, I thought it would be
18 relevant to get a briefing on the past legislation
19 that hasn't passed, and particularly the
20 components. I know that Senator Inouye was
21 preparing to submit another bill to look at ocean
22 leasing, and I think you folks reviewed it, Susan,

1 if I'm not mistaken, too. And then there's the
2 other bills as well. I think that that would be
3 of value to the discussion.

4 The other thing that I think might be of
5 value in terms of MAFAC is there's really at least
6 two activities that we're talking about. We're
7 talking about research and large-scale
8 demonstration projects which are basically short
9 term, and then we're talking about commercial
10 projects which are long term. I don't know that
11 the path for research and demonstration projects
12 in federal waters of any scale is really clear--
13 at least it's not clear in my mind. And that
14 would be a useful thing to develop and work out if
15 we're going to actually put some emphasis behind
16 aquaculture and innovation in federal waters. So
17 it might be another aspect of this that might be
18 worthwhile.

19 DR. RHEAULT: You know, we have the
20 Akaka bill. We have the CAPPS anti-aquaculture
21 bill, and then we have the Inouye bill, which
22 never really came out. I think those are good.

1 So then the question becomes, I don't
2 believe we want to have an overarching aquaculture
3 bill here that would get down into the weeds on
4 lease tenure and things like that, but rather a
5 broader enabling bill. And I'm just throwing it
6 out there. These are your two choices really to
7 get way down in the weeds like the initial Akaka
8 bill did on lease tenure and things like that, or
9 to try and just say do we want a new national
10 standard on aquaculture and some broader
11 authorities.

12 MR. CORBIN: My purpose of saying that
13 is really to inform the purpose that was defined,
14 which is what can we do with MSA if we're going to
15 recommend any amendments that will improve or at
16 least define the situation in terms of permitting
17 aquaculture in federal waters.

18 And it gets at the issue of is
19 permitting commercial aquaculture in federal
20 waters, is the job going to be done by MSA and by
21 the Councils. So not necessarily come up with
22 another bill and look at leasing and go down the

1 path that previously has been suggested.

2 DR. RHEAULT: So it's 3:20, and we're
3 supposed to meet with the other committee
4 strategic planning, and we'll get a broader input,
5 and we discuss this briefly at that point. So why
6 don't we have a 10-minute and then -- yes, please.
7 Tony?

8 DR. CHATWIN: Thanks for allowing me to
9 participate. On the list that Heidi put together,
10 there was one other topic here that was under
11 Commerce, which I think is an important one to
12 consider, which has to do with -- I'm trying to
13 find it now. But it had to do with financing
14 mechanisms.

15 DR. RHEAULT: The Central Registry?

16 DR. CHATWIN: No. It's at the bottom of
17 page 2 of her list. It says, "Create, modify, and
18 promote financial tools and train and support
19 small and community-based borrowers, the NOAA
20 Fisheries Finance Program and the California
21 Fisheries Fund." Is that something that your
22 committee is interested in exploring or not?

1 MR. DONALDSON: Not.

2 DR. RHEAULT: We discussed it.

3 DR. CHATWIN: Did I miss that
4 discussion? Oh, sorry.

5 DR. RHEAULT: We discussed it and it
6 didn't really raise any interest.

7 DR. CHATWIN: Interest. Okay.

8 DR. RHEAULT: But if this aquaculture
9 piece goes to strategic planning, maybe there will
10 be renewed interest. We don't think so.

11 CHAIRMAN RIZZARDI: It will be an effort
12 much like we've had the other task forces where
13 you can have multiple members that participate.
14 And we'll schedule conference calls and meetings,
15 and we can include MAFAC members.

16 I just want to let you know that
17 Ecosystems needed an extra 15 minutes, so we're
18 just going to pirate it from the other meetings,
19 so you can until 45.

20 DR. RHEAULT: We just decided to wrap it
21 up and discuss with the broader group.

22 CHAIRMAN RIZZARDI: Okay.

1 DR. RHEAULT: Tony, if you want to
2 elaborate to try to convince the Subcommittee...

3 DR. CHATWIN: No, that's okay. I can
4 take it up with my Subcommittee. You know, I just
5 think it's very much related to this idea of the
6 cost recovery and industry funding more of the
7 share of management. It's related to this. It's
8 a topic that was raised earlier today by Dr.
9 Schaefer. I think it was Dr. Schaefer. Yes.

10 CHAIRMAN RIZZARDI: What's the issue?

11 DR. CHATWIN: The financial tools and
12 training support based borrowers, like the NOAA
13 Fisheries Finance Program and the California
14 Fisheries Fund. That's okay.

15 DR. RHEAULT: We didn't have a lot of
16 people here in the room.

17 DR. CHATWIN: Yeah.

18 DR. RHEAULT: And none of them jumped
19 forward as a champion.

20 DR. CHATWIN: Which is fine.

21 MS. BONNEY: And I think the other one
22 is cost recovery, which was the one that was

1 tagged under the priorities for 2014, which was
2 the lab fee for the West Coast Trial
3 Rationalization, which was on their priority list
4 for 2014. So I think this is more about, what,
5 developing financial tools for people to, you
6 know, buy up queues or permits or whatever. The
7 other is more about taxing fisheries that have,
8 what, developed efficiencies in terms of catch
9 shares and other mechanisms. So kind of the two
10 extremes of the card, I think.

11 DR. CHATWIN: Again, that's fine. I
12 don't see that at all. I see as they go hand in
13 hand. I think that there are segments of the
14 industry that needs to learn how to access capital
15 more effectively and that that then enables them
16 to feel less of a burden when contributing to the
17 cost of management. So I see them as related.

18 But, you know, that's fine if you guys
19 have discussed it. I came in late to this
20 meeting, so that's fine.

21 MS. BONNEY: And I guess for the, what,
22 the strategic planning, that cost recovery is on

1 the list so with the wider group we can talk about
2 that.

3 DR. CHATWIN: If I may, given that we
4 have a few minutes--it's related. But, you know,
5 this idea of having aquaculture as part of the
6 strategic planning as opposed to in commerce. I
7 wonder have you had a discussion about that as
8 well?

9 DR. YOICHEM: We didn't say "instead of."

10 DR. CHATWIN: Oh, okay.

11 DR. YOICHEM: You know, given that we've
12 been saying over and over again that aquaculture
13 is a national priority, but it doesn't seem to be
14 rising to the surface in terms of funding
15 priorities and things like that, that perhaps it
16 was time for Commerce and Strategic Planning to
17 partner on that topic.

18 DR. CHATWIN: Yeah, I think that's a
19 good idea. I just feel that when you guys discuss
20 aquaculture, you have such depth of knowledge that
21 you want to get into it deeply. And when we're
22 talking about the priorities, we might not be able

1 to do that. So it's important to safeguard the
2 opportunity for you guys to get into more detailed
3 discussion within your Subcommittee, and then
4 bring your suggestions into the priority setting.
5 I don't want you to feel that that's going to be
6 the only forum and then be frustrated because we
7 have to move on and cover lots of different areas.

8 MR. FISHER: We just finished our annual
9 meeting this year. I may have mentioned this
10 before, but since I'm a hired gun and we have our
11 hired lobbyist, we've been given direction to
12 basically lobby against increased funding for
13 aquaculture versus increased funding for the base
14 programs that we're all concerned about, which
15 would be the data programs and all those sorts of
16 things. So just when you're thinking about
17 priorities, that's something that you should know,
18 not that that's a big deal or anything. But, I
19 mean, that's the core of the feeling from West
20 Coast and left.

21 DR. RHEAULT: So they're cutting funding
22 for their hatcheries?

1 MR. FISHER: Well, sure, because they're
2 cutting money for everything. It's called the
3 sequester, but --

4 DR. RHEAULT: Are those federal
5 hatcheries?

6 MR. FISHER: Yeah. I mean, we're huge
7 aquaculture people with all the hatcheries, of
8 course we are. But it's a little bit of a
9 different creature I think. Some people look at
10 it that way at least.

11 DR. RHEAULT: The biggest buyers of fish
12 meal in the U.S. So anyway, we're going to take a
13 break and reconvene in 10, five, seven?

14 CHAIRMAN RIZZARDI: 3:50.

15 DR. RHEAULT: 3:50.

16 (Recess)

17 DR. CHATWIN: Well, I apologize for my
18 tardiness for this meeting. Yes. So here's what
19 I suggest we do. I suggest we take the document
20 that Heidi put together, and as a first step that
21 we look at the items that have been identified as
22 suitable for our Subcommittee and go item by item,

1 and at a very high level decide whether or not
2 that's a topic that's of interest to us. And, you
3 know, my objective for this first meeting is that
4 we at least identify a universe of topics that we
5 want to cover. If we find that we get through
6 that exercise quickly, we could circle back and
7 start to delve in a bit deeper.

8 The ultimate goal for this Committee
9 meeting is to have a work plan on how to tackle
10 all those different priorities that we identify.
11 So the next, I guess, level of detail would be to
12 start to think about how are we going to get the
13 work done, how many meetings we would need, if we
14 need to get external input, how we would do that
15 and so forth. But does that sound like a
16 reasonable approach to the Subcommittee?

17 MR. WALLACE: Yes.

18 MS. LONGO EDER: Yes.

19 DR. CHATWIN: Okay. Now, I just need to
20 get that list up. And does everybody have
21 everybody have that list in front of you?

22 MS. LONGO EDER: Yes.

1 DR. CHATWIN: Okay. So, and again, once
2 we go through what's on the list, we can ask the
3 question, what are we missing? But as I see it,
4 we start on page 2, strategic planning,
5 consideration of allocation processes,
6 consistency, and related factors. And so I would
7 just ask broadly, do you think the Subcommittee
8 would like to have a discussion about allocation
9 issues?

10 SPEAKER: I don't think we have a
11 choice.

12 DR. CHATWIN: Yes?

13 MS. LONGO EDER: May I make a
14 suggestion?

15 DR. CHATWIN: Sure.

16 MS. LONGO EDER: In terms of
17 prioritizing, what we did in another Committee was
18 to identify those issues that may be addressed by
19 changes in Magnuson-Stevens, and then address
20 those that might need change via the regulatory
21 process, given the timeframe for the Committee's
22 work. And just a suggestion as to how to proceed.

1 DR. CHATWIN: I'm sorry. So could you
2 elaborate on that, because I'm not sure what to do
3 with that.

4 MS. LONGO EDER: Okay. For example, in
5 regard to -- Tony, was I clear for you about why
6 we would proceed in that order, identify those
7 issues?

8 DR. CHATWIN: Yeah, that's fine. I'm
9 not questioning it. It's just I'm not sure how we
10 would do differently what we were about to start
11 doing.

12 MS. LONGO EDER: Okay. I guess we would
13 look at the items that are identified under
14 strategic planning and deal first with the ones
15 that would need Magnuson-Steven changes is my
16 suggestion.

17 And with that prefatory comment then, I
18 would look at replacing "overfished" with
19 "depleted." And that's a Magnuson-Stevens Act
20 change that we'd need in terms of the language
21 referring to stocks that throughout the Act where
22 it refers to a stock as being overfished. In

1 fact, a species may be depleted for reasons other
2 than overfishing, whether it's environmental
3 conditions or something else. And so because the
4 status of the stock may not be due to excessive
5 fishing, make a change to MSA to redefine or
6 change it from "overfishing" to "depleted stock."
7 And that would be, as I mentioned, a
8 Magnuson-Stevens Act change.

9 DR. CHATWIN: So that sounds fine to me.
10 I don't find that as an issue for us to discuss
11 further. That is further down the document than
12 the other ones. Am I to assume then that you're
13 not interested in having any discussion about
14 these other ones? Is that your recommendation?

15 MS. LONGO EDER: I identified one that
16 will need a Magnuson-Stevens Act change. And, no,
17 it's not indicative of lack of interest in any of
18 the others. I just picked one out so we could get
19 it on the table for discussion.

20 DR. CHATWIN: Okay. Well, in that case,
21 I would ask that we go back to what I proposed and
22 go through the list so that we're not jumping back

1 and forth in the document. And, I mean, it's
2 noted. And right now I only want to identify the
3 topics that we want to discuss. So you've done
4 that, but if we can just follow the order, that
5 would be great.

6 So I would start with the allocation
7 issue. I had posed the question to the
8 Subcommittee do you think we want to discuss that
9 as a pressing issue for strategic planning. Mark,
10 and then David.

11 DR. HOLLIDAY: Just a point of
12 information. If you've done a little bit of
13 read-ahead from the Rec Committee white paper from
14 the Rec Fish Working Group, they talked quite a
15 bit about allocation and reallocation and proposed
16 recommendations for Magnuson Act changes. So
17 another Subcommittee may be interested in pursuing
18 that as well, just as a point of information.

19 DR. CHATWIN: Thank you. David?

20 MR. WALLACE: Unfortunately, I would
21 prefer not talk about allocation. We all knew
22 that it was going to be an issue with the

1 recreational versus the commercial. And so, we
2 need to address it, because it can't be a
3 one-sided conversation.

4 DR. CHATWIN: Okay. Bob?

5 MR. BEAL: I would agree to sort of keep
6 it on the list. I think, you know, with climate
7 change along the East Coast anyway, I know there's
8 going to be a lot of -- or the populations are
9 showing some redistribution or expansion of range.
10 And I think that's going to trigger this
11 allocation discussion once again, as painful as it
12 may be and as reluctant as we may be to jump into
13 it.

14 MS. BONNEY: I'm just looking at the
15 Pacific Council. It's little bit unclear to me
16 whether there needs to be national standard
17 guidelines or regulatory, or whether this could be
18 dealt with in some kind of a policy framework for
19 the Councils. So it seemed to me while I would
20 agree that the suite of allocation topics really
21 make sense, and it's just figuring out the right
22 vehicle, whether it's a regulatory change or just

1 a policy document.

2 DR. CHATWIN: Yeah. And so, again, if
3 you could just bear with me, if we could, because
4 to me that means we're taking a deeper dive into
5 these issues, and we might get into a discussion.
6 And I really want to go through this document,
7 identify the ones that the Subcommittee is
8 interested in. That makes it our items of
9 interest, and takes the burden off Heidi for
10 having chosen these for us. And once we have that
11 list, we can go through it again and say, look,
12 this is for a later date because it's a regulatory
13 process as opposed to a legislative one, there's
14 more urgency on the legislative ones. And we can
15 then prioritize our work that way if that's okay.

16 MS. BONNEY: That's fine.

17 DR. CHATWIN: Any other comments? So, I
18 mean, what I'm hearing is that we're finding
19 allocation as a topic that we would like to
20 discuss further. Michelle?

21 MS. LONGO EDER: Actually, Mr. Chair, I
22 was going to speak against addressing allocation

1 in the Strategic Planning Committee, as I do think
2 I agree with Julie. It is a policy issue, and I
3 think that given the Recreational white paper and
4 the Committee report, that's going to be a
5 recommendation from the whole Committee that's
6 going to get some real vetting. So I would say
7 that I don't think we need to address allocation
8 in this Committee.

9 DR. CHATWIN: Okay. Well, that's a good
10 point. Any reactions to that? David?

11 MR. WALLACE: I guess we can either
12 discuss it here or we'll discuss it in the halls
13 of Congress.

14 DR. CHATWIN: Well, I think Michelle's
15 point is that it is being discussed in another
16 Subcommittee, and we will have a chance to discuss
17 it as a full Committee. And so --

18 MR. WALLACE: But it's not going to go
19 away either way.

20 DR. CHATWIN: No, it just opens up some
21 more space for us to talk about other things in
22 this Committee. Those that expressed interest in

1 discussing allocation here, do you want to -- I
2 mean, Bob, you were interested. Do you think that
3 discussing as a full body in response to the white
4 paper would be enough?

5 MR. BEAL: Yeah, absolutely, just so it
6 gets discussed somewhere, I think it's fine.

7 DR. CHATWIN: Okay. So is the consensus
8 on the Committee that we will not seek to
9 prioritize discussions on allocation in this
10 Subcommittee?

11 MS. BONNEY: I guess I would rather wait
12 and let's go through the rest of the tasking
13 before we decide that. Through the Commerce
14 Committee, we kind of decided that it made sense
15 to do kind of a joint tasking. So I don't know if
16 that would make sense for this issue with the Rec
17 guys or not. So let's go through the list and
18 then make a final determination.

19 DR. CHATWIN: Okay. Sounds fair. Let's
20 move onto the next big bullet there, strategic
21 planning and confidentiality. "Reform MSA
22 confidentiality provisions, access to data from

1 public trust resources, users, while protecting"

2 --

3 MS. BONNEY: So are we just going to
4 assume that when we talk allocation that all these
5 things are encapsulated in that?

6 DR. CHATWIN: So do you want to repeat
7 your question?

8 MS. BONNEY: I thought we were going
9 point by point, so the first one talks about
10 allocations are not permanent, then others are
11 giving priorities for subsistence in Rec, defining
12 subsistence so when we talk about dropping
13 allocation, are we dropping all six of those, or
14 potentially dropping them, or taking them on, are
15 we doing it all as a suite, or are we deciding on
16 each bullet in that suite, I guess is my question.
17 I guess I would think we should talk about each
18 one.

19 DR. CHATWIN: Okay. So I haven't done
20 the read-ahead on the Rec work paper, so I don't
21 know which points of these it covers and which it
22 doesn't. I assume that it would cover the Rec

1 one. I have heard discussions about the
2 subsistence issue being tossed around in the Rec
3 Committee, so it might cover that one as well. I
4 heard the suggestion we go point by point, so
5 let's do it point by point. I misunderstood the
6 intention of the Committee when it said allocation
7 issues in general were to be deferred.

8 So 3.1.5, "Need to be more proactive in
9 routine review and modification of allocations as
10 needed." That is not necessarily an issue just
11 between commercial and rec allocations. That
12 could be allocations within the Commercial
13 Fisheries, for example. So is that a pressing
14 issue for this Subcommittee to discuss?

15 MS. BONNEY: Basically it says right in
16 the second line, "Decision should be left to
17 regions, and creative solutions may result from
18 constructive dialogue between sectors." So it
19 seems like that's Regional Council Authority, and
20 so something that we don't really need to get in
21 the weeds to.

22 DR. CHATWIN: Okay. Bob?

1 MR. BEAL: Tony, reading through all the
2 bullets under the allocation heading, it seems
3 like all of them except for 3.1.7, you know, those
4 are all the allocation ones. 3.1.7 is defining
5 subsistence fishing, which is a different can of
6 worms, I think.

7 You know, I don't know if this speeds up
8 the group or slows it down. But I'd be
9 comfortable, based on our previous discussion,
10 deferring all of those except 3.1.7 to the larger
11 discussion by the group on allocations. And then,
12 you know, we can decide on 3.1.7 separately.

13 DR. CHATWIN: Bob?

14 DR. RHEAULT: So my only hesitation on
15 that is we aren't going to be seeing, well,
16 formally considering, the Rec Fisheries
17 Subcommittee report until Thursday morning. So we
18 aren't going to have a chance to prioritize this
19 if we feel that it still needs to be addressed
20 after hearing that report.

21 So maybe we should take a minute and
22 read that report now before we make that decision,

1 or we'll have a chance to read it tonight before
2 we have the next Subcommittee meeting to discuss
3 priorities tomorrow. Just a thought.

4 DR. CHATWIN: So I don't think we can
5 take a moment now to read the report. Bob Beal,
6 just so I understand, you're suggesting 3.1.7
7 remain a priority for this Subcommittee.

8 MR. BEAL: Well, I think it's a separate
9 discussion. I think, you know, earlier when we
10 talked about allocation processes and postponing
11 that or not discussing that in this Subcommittee,
12 I would say that that decision would capture
13 everything except 3.1.7. And then 3.1.7, we need
14 to have a separate discussion here on whether it
15 should or should not remain a discussion priority
16 for this group. Does that make sense, Tony?

17 DR. CHATWIN: Okay. So we'll flag that
18 as a possible, and folks can look at the report
19 and see if it's covered or not in the report
20 tonight. And we can circle back to that once
21 we've gone through the remainder of the list.
22 Everybody okay with that? Great.

1 So 3.1.7 is tagged as one to revisit.
2 Anybody have any other allocation bullets that
3 here in front of us that they would want to talk
4 about right now?

5 (No response.)

6 DR. CHATWIN: So it doesn't seem like
7 it. We can always revisit that decision, but
8 let's keep going then. The next one is this
9 confidentiality one. Is that an issue that is
10 important to the Subcommittee and should be part
11 of our work plan for the next year? I think
12 that's how we should be thinking about it.

13 MR. WALLACE: I don't think so. You
14 know, the confidentiality requirements now, I
15 think, serve the public well on both sides of the
16 issue.

17 MS. BONNEY: There's also a proposed
18 rule out that deals with this issue, and there's
19 been quite a bit of traction up on Hill about the
20 issue in terms of what the two different sides.
21 So I think it is on its way and we're too late to
22 really weigh in. It's going to be decided

1 politically I think.

2 DR. CHATWIN: So is that a fact? I
3 mean, the public comment periods and all that are
4 closed?

5 MS. BONNEY: Yes.

6 DR. CHATWIN: Anybody else have anything
7 to say about this one?

8 (No response.)

9 DR. CHATWIN: Okay. So we will move on.
10 So then we get to the definition of overfished,
11 which is what Michelle had identified as something
12 that she does want us to include our work plan. I
13 think that's specifically 1.2.4, is that correct,
14 Michelle?

15 MS. LONGO EDER: Yes.

16 DR. CHATWIN: Yes. Anybody have any
17 other comments about that one? And when I say
18 that, I mean including it in our work plan.

19 (No response.)

20 DR. CHATWIN: Okay. Well, hearing none,
21 we shall include this one for further discussion.

22 How about 3.3.5, need to define and

1 identify sideboards and metrics of elements of OY.
2 Redefine OY versus MSY relationship. That is a
3 huge and very important topic, and I'm not sure
4 what the -- Emily mentioned is there a regulatory
5 process that's active on this? Mark?

6 DR. HOLLIDAY: Not for redefining OY as
7 described here, no.

8 DR. CHATWIN: Okay. Do the Subcommittee
9 members have any opinions on this one? Bob?

10 DR. RHEAULT: Just to say that we
11 decided that it should not be held through the
12 Commerce Committee.

13 DR. CHATWIN: I think there was a
14 tactical advantage to meeting first.

15 (Laughter.)

16 DR. CHATWIN: Okay. I haven't heard
17 support or opposition. Michelle?

18 MS. LONGO EDER: I think one of the
19 difficulties in our Committee tasking is that some
20 of these issues are very small to some extent, and
21 some of them have such major policy implications
22 that it's hard to resolve them in terms of making

1 them both a priority. And the other thing is some
2 of these issues relative to other Committees'
3 charges, there's also some out of balance.

4 I wonder, though, if somebody can tell
5 us why this one, I think on mine, is highlighted
6 in kind of a purple or a lavender color, if that
7 meant that there was disagreement?

8 DR. RHEAULT: It just meant that it was
9 potentially assigned to two different
10 Subcommittees. We considered it in Commerce as
11 well.

12 MS. LONGO EDER: I think relative to
13 Fisheries Management, I think there are issues of
14 other concerns for me relative to annual catch
15 limits and the overfishing timeline, rebuilding,
16 that we've taken up in other Committees that are
17 have more importance and perhaps are more likely
18 to have some change affected. So I don't support
19 taking this one up as a priority.

20 DR. CHATWIN: Okay. Any opposition to
21 not taking it up?

22 (No response.)

1 DR. CHATWIN: All right. Let's move on
2 then.

3 MR. WALLACE: So we're done.

4 DR. CHATWIN: Is that the end? No,
5 that's just -- is that the end?

6 MR. WALLACE: Yes.

7 DR. CHATWIN: No. See, that's efficient
8 work.

9 MS. BONNEY: Can I raise a couple of
10 issues, though?

11 DR. CHATWIN: Yes, you may. So before
12 you raise some issues, let me just say that, okay,
13 we're done with that. But the question is, what
14 wasn't on there that should be, and now we can
15 feel independent of this work product here and
16 sort of discuss what we think our priorities that
17 this Subcommittee should take on for the next
18 year.

19 MS. BONNEY: Well, I guess, and I'm not
20 sure if it fits in this process, but two of the
21 things we talked about earlier that we kind of
22 flagged for the Committee was that budget and the

1 idea of sequester versus giving the agency the
2 discretion of being able to move money around, the
3 different line items. That was one. And then the
4 other was the priority list that came and how to
5 do the benchmarks, and whether or not cost
6 recovery for some of the fisheries should be wider
7 targeted.

8 So I'm thinking we're the budget of
9 MAFAC, and so those two issues seem to me to be --
10 and I don't know how it fits into this, because
11 that's more of an advisory role than the Magnuson
12 reauthorization.

13 DR. CHATWIN: So I agree that those are,
14 as I see it, two issues that we should be looking
15 at. Anybody want to make any additional comments
16 to that? Mark?

17 DR. HOLLIDAY: I just had a question on
18 the first point about what would you see as an
19 outcome or potential outcome from undertaking the
20 first topic that you mentioned about discretion
21 and sequester versus flexibility and strategic
22 decision making? What would the potential outcome

1 of that be?

2 DR. CHATWIN: That's too -- Julie?

3 MS. BONNEY: Well, I mean, obviously it
4 basically suggests that, you know, of all the
5 different funding alternatives, that's the least
6 desirable because it removes flexibility in terms
7 of balancing budget and spending funds for
8 priorities. And so even when you look at the
9 Senate and the House markup, they had priorities
10 in terms of where your funding is going. Yet if
11 they go down the sequester route, then they
12 removed that flexibility that they're trying to
13 exert.

14 So I just don't know what the right
15 vehicle would be to express concern about the
16 sequester route. Obviously we're going to be
17 arguing for the Senate markup for funding, I
18 guess. I don't know if we can make a
19 recommendation for that, but then also kind of put
20 a lower bound on it that we do not support
21 sequester reduced funding because of the inability
22 of the mandates and the mission for the Agency.

1 So I guess I'm looking to you, Mark, for
2 some advice on how MAFAC could play a role in the
3 budget process.

4 DR. HOLLIDAY: So classic answering a
5 question with a question. But all I was getting
6 at with my question, and I'll think of a response
7 to your question. But I don't think NOAA agrees
8 with the idea of a sequester as an appropriate
9 means to manage our budget. And so it's not a
10 NOAA policy. It's not a Department of Commerce --
11 I mean, it is our policy because we work for the
12 President, and so we carry out the will of
13 Congress. But it was Congress' idea to impose the
14 sequester.

15 As a FACA Committee advising the
16 executive branch, the reach of that recommendation
17 really doesn't go that far because it's not
18 something we agree with or even have control over.
19 If we had our druthers, we would be more
20 strategic. You know, if you gave us \$100 million
21 cut and told us to go figure out the most
22 strategic way to do it, I think NOAA and the

1 Department of Commerce would prefer that. But
2 that's not the rules that are in front of
3 everybody.

4 So I'm looking for -- you know, we could
5 spend a lot of time, and maybe it's just a simple
6 statement of the obvious that we think strategic
7 planning and strategic budgeting is a preferred
8 way versus sequester is okay. But I wouldn't see
9 it getting a lot of disagreement on the part of
10 NOAA or the Department. And then what do we do
11 with it? We're not going to be able to tell the
12 Congress that.

13 I guess I'm being too practical, you
14 know. What the Committee and the Subcommittee
15 could spend their energy would be where I'm
16 looking for that traction.

17 DR. CHATWIN: All right. So Jenny has a
18 comment. I want to make a comment. And then I'll
19 get Bob.

20 MS. THOMPSON: So I don't know that it
21 necessarily is a part of this discussion, but one
22 of the things that came up earlier with relation

1 to the budget was for this group to come out with
2 implications of what the budget impact has been
3 and the piece that was discussed about coming
4 forward with a consistent message.

5 So it's a budget discussion. I don't
6 know that it's part of these priorities, but it's
7 something to keep in mind.

8 DR. CHATWIN: I mean, so this issue is
9 one that I think is important. I think as NOAA's
10 advisory committee, it is good to get on record
11 with our concerns about not only sequestration,
12 but the direction which the budget is going or is
13 likely to be going, has been going, and the
14 implications, as you mentioned, to the priorities
15 that we have previously identified and that we all
16 hold as a group. So that, I think, it is useful.
17 And just making that as part of the record is --
18 I'm not what all the applications of that
19 information would be, but I think we don't want to
20 be remiss and that NOAA be in a position where it
21 can't point to its constituents' position on that
22 if we don't do it, all right? So I think that's a

1 good topic for us to take on.

2 You know, we've attempted to go through
3 a budget exercise a year ago, and that wasn't
4 wildly successful. So, you know, I think if we do
5 make recommendations on the budget, in practical
6 terms, they will be general and should be focused
7 more on the implications as opposed to making
8 recommendations about what funding levels we
9 should strive for.

10 MS. BONNEY: I'm just wondering if
11 there's a nexus between, you know, kind of a
12 baseline policy and then our recommendation to
13 NOAA and NMFS suggesting how they're going to
14 track impact based on the budget. So you've got
15 two things. One is your preference in terms of
16 baseline funding, how your allocations are in
17 terms of the ability to have flexibility, and then
18 a tracking mechanism based on whatever the budget
19 cycle reveals for us in terms of impact to the
20 missions overall.

21 So I don't know if that would be
22 functional, but it seems that there needs to be a

1 better tool to document impacts of reduced funding
2 over time in terms of the missions overall.

3 DR. CHATWIN: Okay. So does that mean
4 you want us to work on a recommendation along
5 those lines?

6 MS. BONNEY: I think-- it would seem to
7 me that in terms of a strategy, what I refer to
8 the committee, would be to develop kind of an
9 overall budget policy structure, and then some
10 kind of a mechanism to track failures because of
11 loss of funding over time. I don't know quite how
12 you get there, but it seems to me you're going to
13 need documentation for the Hill for why things
14 aren't functioning right if we continue on this
15 downward path.

16 DR. CHATWIN: Okay. I think, you know,
17 as a topic it's clear that there's interest here
18 to talk about that further.

19 The cost recovery issue, is that one
20 that there is interest to discuss further? There
21 are a number of fisheries around the country where
22 commitments have been made through new Fishery

1 Management Plan amendments in the recent plan that
2 over time transitioned more of the responsibility
3 of funding management through this cost recovery
4 mechanism on the shoulders of industry. And so,
5 it's a big deal.

6 And I know that as the clock is ticking,
7 the pressure is building, and it probably warrants
8 a discussion in MAFAC about this. I could see how
9 we could ask for more information on what those
10 arrangements look and try to understand what the
11 key challenges are with implementing that
12 timeline, because I know in at least one case, the
13 original timeline was modified to accommodate
14 realities, challenges within the industry. So I
15 think it is an important issue, but I wanted to
16 hear from the Subcommittee members what they think
17 about that. Anybody? Bob?

18 DR. RHEAULT: The sea scallop fishery in
19 New England is doing quite well, and they
20 allocated \$10 million for stock assessments which
21 has helped them maintain high quotas and keep up
22 with the management of their rotational closures.

1 I know not all fisheries are as perhaps in good
2 shape to support something like that, but I think
3 it's a coming reality for a lot of us that, like
4 it or not, are being subsidized by certain
5 government programs.

6 DR. CHATWIN: Michelle?

7 MS. LONGO EDER: I'd like to see it put
8 on the list as a priority for discussion.

9 DR. CHATWIN: Okay.

10 MR. FISHER: Just out of curiosity, what
11 do are you visualizing, Tony? I mean, there is
12 some cost recovery programs going that I know of.
13 So are you thinking about having some sort of
14 recommendation on how it should be done in the
15 future or whether or not the ones that are now
16 sort of operating should be done differently, or
17 what are you thinking?

18 DR. CHATWIN: Oh, I'm thinking a bit
19 high level in that. As budgets shrink and the
20 ability of programs to move forward are becoming
21 more and more limited, whether this is an option
22 for programs that are important to the industry.

1 But in order to understand that, we need to
2 understand how are they are operating now, and
3 there are limitations as to what scale of cost
4 recovery can happen.

5 So that's kind of where I was thinking.
6 As the pot is shrinking, I think we all recognize
7 that to thrive, the fishing industry needs to be
8 managed, not the industry, but the activity
9 itself. It's one that needs to be managed. And
10 this may become an important component of it as we
11 look to the future.

12 MR. FISHER: One of the things I was
13 thinking about that may be worthwhile looking at
14 were, I guess it was Paul who presented the
15 principles that they're basing their 2014 and
16 beyond, their budget development. And it may be
17 worthwhile for this Committee to look at those
18 principles and see whether or not you agree with
19 what those principles are.

20 And the reason I bring that up is
21 because it's nice to have principles, but do you
22 follow your principles? And I think the problem

1 that we have had as a group and why we go up on
2 the Hill is because sometimes those principles
3 aren't being followed. And if you get into a cost
4 recovery program, I think it becomes important to
5 understand if that money comes back in, what's it
6 being used for? And is it a benefit to the
7 industry or is it a benefit to who knows what?

8 So maybe cost recovery could be one of
9 the principles that we think are important to look
10 at in terms of future budget issues.

11 DR. CHATWIN: Okay. So having it as
12 part of our discussion items, we can dive into
13 that, what we mean by it and what some of the
14 challenges are.

15 Okay. So I have that we have
16 potentially an allocation item to discuss over
17 this coming year, potentially a recommendation on
18 budgets and sequestration. And under the budget
19 and sequestration issue, examine or try to
20 articulate more clearly the implications of the
21 budget reductions and sequestration on the issues
22 that we are particularly interested in. And then

1 this issue of cost recovery.

2 Are there any other items that we should
3 be looking at either in relation to MSA
4 reauthorization or simply in terms of strategic
5 planning and the Agency's work over the next year?

6 MR. DONALDSON: Were we going to look at
7 subsistence?

8 DR. CHATWIN: Yes, I think that's the
9 allocation issue that's still on the table, if I'm
10 not mistaken.

11 MR. FISHER: That's actually a different
12 issue.

13 MR. DONALDSON: Yes, I thought Bob
14 separated that one and we would talk about that
15 later at the full group, the 3.1.7?

16 DR. CHATWIN: Yes. That is subsistence,
17 right?

18 SPEAKER: Yes.

19 DR. CHATWIN: Yes, so that's the only
20 allocation issue I have as one. So my
21 understanding is that that's the one that we might
22 want to revisit within the Subcommittee if it's

1 not well addressed in the report that the other
2 Subcommittee is doing. Is that your
3 understanding?

4 MR. DONALDSON: Yes.

5 DR. CHATWIN: Other than that, I don't
6 have any allocation issues that are going to be
7 exploring further in this Committee.

8 MS. BONNEY: Unless we need stuff --

9 DR. CHATWIN: Yes, unless we find some
10 glaring need. You know, I'd put you guys on the
11 hot seat here. You mentioned partnerships and how
12 important partnerships are. Do you feel that your
13 interests are being elaborated upon in any of the
14 Subcommittees? Is this one way you want to do
15 that? Does that fit into the budget implications,
16 for example, and maybe the budget principles that
17 you just raised? Yes. So we can dive into that
18 deeper as part of that discussion. Okay.

19 And then there is the issue of
20 aquaculture, right? Bob, do you want to talk
21 about that, what you guys discussed and the
22 relationship with this Committee?

1 DR. RHEAULT: So whether it's a
2 Strategic Planning topic or a Commerce topic I
3 guess is the key question. And since, like, the
4 four people on the MAFAC who have got aquaculture
5 expertise are all on the Commerce Committee,
6 perhaps it makes the most sense to leave it with
7 Commerce, even though it may be a Strategic
8 Planning issue.

9 However, if you want, I can brief you on
10 what we discussed, and you make that decision, if
11 I can find my notes.

12 DR. CHATWIN: Yes. While you do, I
13 neglected to mention in my summary list the
14 definition of "overfished" is another thing that
15 we had said that we would be discussing.

16 DR. RHEAULT: So what we're looking at
17 is whether we would be tweaking MSA to potentially
18 add a new national standard for sustainable
19 aquaculture and get them to formalize the
20 definition of aquaculture as fishing, to revisit
21 the old legislative attempts, the Akaka bill, the
22 CAPPS bill, and the most recent Inouye bill

1 looking at the federal legislation that has been
2 proposed and seeing if we can pick out the best
3 parts and see if any of that might belong in MSA.

4 To incorporate the concept of
5 enhancement with aquaculture and to revisit the
6 Gulf FMP and look at, you know, how that's
7 working, and how it's not working, and what needs
8 to be done to bring it into reality. It's in
9 rulemaking currently. And to consider aquaculture
10 representation on the Councils if the Councils are
11 going to be making aquaculture decisions.

12 So those were some of the things that we
13 just were brainstorming off the top of our head in
14 terms of trying to find a path forward for
15 aquaculture and continue to show this Committee
16 the MAFAC's support for the concept of
17 aquaculture.

18 DR. CHATWIN: Yes. So my question to
19 the Subcommittee is, should we have those
20 discussions in this Subcommittee, or should it be
21 in the Commerce Subcommittee, and then we can
22 participate in that discussion in the plenary. So

1 are there any thoughts about that?

2 MS. BONNEY: Thanks. That was Keith's
3 recommendation, and it really wasn't clear to me
4 why he was recommending that it move from Commerce
5 to Strategic Planning versus just, I guess, the
6 only reason would be the title "Strategic
7 Planning" in terms of figuring out how to get from
8 here to there. But in terms of the expertise on
9 the Commerce Committee and maybe formulating
10 things, and this Committee sounds like it's
11 already pretty well tasked, that maybe it should
12 stay in the Commerce Committee with the idea that
13 when it's brought to the full Committee, then you
14 have the strategic planning discussion about how
15 to get from here to there. So that's just a
16 different approach.

17 DR. CHATWIN: Thank you. So another
18 approach is that we look at all these issues
19 related to aquaculture and decide which ones would
20 be best suited to be discussed in Commerce and
21 which ones in Strategic Planning. If we as a
22 Subcommittee are taking on some of these MSA

1 reauthorization issues, I think those piece of
2 aquaculture, I mean, that might be the ones to
3 discuss as part of a suite of recommendations on
4 MSA reauthorization so that when we put
5 recommendations forward as a body, there have been
6 some internal vetting about how they all fit
7 together. They don't have to fit together, but
8 it's a package that we put together.

9 When it comes to -- yeah. I mean, so if
10 it's under MSA reauthorization, maybe that's the
11 reason to have it here. Haven't we incorporated
12 some of this in our Vision 2020? It was the issue
13 of Council representation. I thought we had a
14 discussion about that. Do you remember that?
15 Okay?

16 MR. FISHER: 2020?

17 DR. CHATWIN: Anyway, we can revisit
18 that document. But maybe, you know, there's 2014
19 strategic planning issues and there is Magnuson
20 reauthorization. And if we are going to make
21 recommendations on Magnuson reauthorization, one
22 of them that we could explore would be

1 aquaculture. Maybe that's how Keith was thinking,
2 that we're going to look at MSA issues and that
3 would be part of it. John?

4 MR. CORBIN: Yes. I guess what I got
5 out of Keith's recommendation was it was more a
6 joint kind of approach, and the expertise was in
7 Commerce. And I think you offered earlier that
8 since the expertise is in Commerce, we dig deep,
9 come up with something on those issues described
10 by Bob, and bring it to Strategic Planning to get
11 your input and whatever oversight, you know,
12 whatever big picture overarching issues you want
13 to put into it, and then sort of look at it as a
14 team joint effort. And given your workload, that
15 might be a more acceptable way to go about it. I
16 don't know. I can't speak for the Chairman.

17 DR. CHATWIN: He's not here, so we can
18 say whatever we want. Does that sound like a good
19 approach? All right. That's what we'll do.

20 Any other topics that we would want to
21 cover this year or in relation to Magnuson that we
22 haven't identified?

1 (No response.)

2 DR. CHATWIN: Okay. And, you know, this
3 isn't the end-all. From the topics that we have
4 identified, which ones do we feel that we should
5 try to tackle first? Let's just try to answer
6 that question. If we're trying to set up a work
7 plan for the upcoming year, right? We'll have
8 some meetings at this meeting. We'll have to do a
9 number of conference calls and sort of remote
10 meetings possibly. And if all works out, we will
11 have another meeting in person next year at some
12 point. And I'm looking at you, Mark, because I
13 don't really know. It all depends on what
14 happens, right, with the budget.

15 DR. HOLLIDAY: Yes, correct.

16 DR. CHATWIN: So in terms of putting
17 together a work plan, I think we should think of
18 what would be ideal for us as a body and then have
19 some contingencies, depending on how the budget
20 goes. So we have--and I'm going to try to repeat
21 these--we have the one allocation issue, which
22 that's pending a final decision after we review

1 the report from the other Subcommittee. We have
2 MSA issues, so the definition of overfished.
3 We're talking about aquaculture.

4 Cost recovery, would that be an MSA
5 issue or just a -- yes?

6 MS. LONGO EDER: Yes.

7 DR. CHATWIN: Okay. And then we have
8 the budget discussions and implications of budget.
9 Let's call it the implications of budget. Of
10 those, which ones seem to be more urgent to the
11 Subcommittee? Dave?

12 MR. WALLACE: Yes. I think that if I
13 were going to prioritize, I might put the
14 overfishing definition as number one, you know
15 because at some point something really needs to be
16 done about that. So I think that that would be a
17 good place to start.

18 DR. CHATWIN: Any other comments from
19 the Subcommittee?

20 MS. LONGO EDER: Just that I agree with
21 Dave.

22 DR. CHATWIN: Mark, do you have any

1 suggestions or opinions that you would like to
2 express at this time seeing the range of things
3 that we are coming together around? Do you see
4 any glaring gaps on things that NOAA might want to
5 hear from us on in the coming year?

6 DR. HOLLIDAY: No. I've not received
7 any guidance from Sam or Paul with respect to
8 topics that you not identify, you or other
9 committees. So I don't have any other items.

10 DR. CHATWIN: Okay. So I would say with
11 the input from Dave and Michelle that this
12 definition of overfished, and I think it's not a
13 definition of overfishing, right? It's sort of a
14 definition of overfished -- yeah -- is the topic
15 of discussion, which I would package as MSA issues
16 come to the fore. And as we develop our work
17 plan, we might want to think about it in those
18 terms, you know. So what's the suite of MSA
19 issues that we want to deal with? That would
20 include the aquaculture and cost recovery as a
21 suite of topics for us to dive deeper into.

22 And on the budget, I think that warrants

1 a discussion, and it may be dispensed with their
2 recommendation, a simple recommendation at a very
3 high level, or we might choose to dive deeper and
4 have a bit more time to work on that. How does
5 that sound to the Subcommittee as the beginnings
6 of a work plan?

7 MR. WALLACE: I don't have any problems
8 with it. While I am sympathetic to the budget
9 issue, anybody who really pays attention to how
10 Congress behaves and what they do, I think
11 sequester is a classic example of coming up with a
12 crazy idea because no one would ever allow it to
13 happen, but no one was willing to stop it from
14 happening.

15 And so, you know, I don't know how we
16 could write anything that would have any effect on
17 Congress because they don't write the
18 Administration. They're just the recipients of
19 the bad news. They don't control it. And so what
20 we do, if we write something, send it to Capitol
21 Hill, they all nod their head and keep right on
22 doing what they're doing. And so, is that just a

1 waste of our time, you know? We can call up and
2 say we think this is just a simply stupid idea,
3 but they're going to agree with us, you know.
4 That's the real problem. So are we wasting our
5 time? I don't know.

6 DR. RHEAULT: We're not going to be able
7 to change the sequester law. That's there. And
8 nobody is going to listen to us, so I don't see us
9 making any recommendations regarding the sequester
10 as having any impact.

11 I mean, what we might do is consider,
12 you know, what we believe should be done should
13 NOAA be given the discretion to choose how to cut,
14 which they may actually be given. I mean, there's
15 discussion of that in Congress now, that the
16 sequester would go through, but agencies would be
17 given the discretion to cut as they see best to
18 cut in a strategic fashion, and we could make
19 recommendations as to how we believe that cut
20 should be handled. But we can't change whether or
21 not that discretion is going to be handed down.

22 DR. CHATWIN: Yes, but a lot of our

1 recommendations are not readily implementable with
2 the authorities vested in us. So I would say that
3 what you mentioned in the second part of your
4 comments, that, you know, based on a hypothetical,
5 if they are given discretion, I could see value
6 in, and we heard from Paul that it would be
7 valuable to them to hear from us on what we would
8 like them to prioritize as they make those
9 discretionary cuts.

10 COURT REPORTER: What was that, sir?

11 DR. RHEAULT: No, no.

12 DR. CHATWIN: Okay. Well, I think we've
13 gotten to a point where we could close out this
14 meeting. And, Keith, do you want a little brief
15 update on what we've discussed? Okay.

16 So we went down the list and we found
17 two points on that list that we want to
18 potentially dive deeper into. One of them was one
19 of the allocation bullets, number 3.1.7. So that
20 decision to dive deep into that or not is
21 conditional on a review of the document that was
22 produced by, I think it's the Recreational Fishing

1 Subcommittee that took on allocation issues.

2 There's an issue of subsistence fishing and
3 whether or not that adequately addresses it or not
4 is something that we want to look into. And if it
5 doesn't, maybe we would want to take that up.

6 CHAIRMAN RIZZARDI: And your definition
7 of subsistence, so would that be part of what we
8 tackle?

9 DR. CHATWIN: Yes, I think so. Isn't
10 that part of that bullet? Yes, definition of MSA.

11 CHAIRMAN RIZZARDI: So I had mentioned
12 the same topic to the Recreational Fishery Group
13 when Ken was talking about it with some of the
14 staff. That issue is also discussed in the Rec
15 Fishing white paper that we'll be talking about in
16 the next couple of days.

17 As a practical matter, in the grand
18 scheme of things, subsistence fishing is not an
19 enormous issue, but with respect to the
20 communities that are desiring it, it's really
21 important. So what we already realize is it kind
22 of varies. The definition of subsistence fishing

1 varies from locale to locale. What Alaska
2 considers subsistence fishing is different from
3 what Guam considers subsistence fishing. It's
4 going to be a very tough issue to drill deep on.

5 DR. CHATWIN: Yes. And if another
6 Subcommittee has already gone into that and then
7 tried to drill deep, that's what we want to
8 determine, and we don't want to replicate that.
9 If it is something that is tied to a package of
10 MSA recommendations, that's when this Committee
11 would like to have a chance to look at it and work
12 on it in that light.

13 So also building on this MSA theme, the
14 definition of overfished was the other bullet from
15 the list that Heidi put together that emerged as a
16 topic of interest for this Subcommittee, so we
17 will be looking into further.

18 With regard to aquaculture, it's sort of
19 in the same spirit as I just said for the
20 subsistence issue. As it pertains to MSA, that
21 would be a good way to engage this Subcommittee on
22 that topic. And, please, if I'm not portraying

1 this correctly, you guys jump in. Another issue
2 is cost recovery and looking more into cost
3 recovery industry contribution to funding and
4 supporting management as an issue. And so that
5 was sort of essentially the MSA package that we
6 were looking at.

7 In addition, we had a discussion about
8 the budget and what we could do about budget, and
9 that was the discussion you came into. So
10 basically looking at the principles that Paul
11 described earlier today that they're using for
12 setting budgets and making a recommendation that
13 basically would say if -- this is not exactly what
14 the recommendation would say, but something along
15 the lines of, or assuming that the agency is
16 granted discretion on sequestration, what
17 recommendation we would make in terms of priority
18 to be funded. And that's the extent of it.

19 So did we miss any topics? Did I
20 capture all the topics that we discussed? So
21 that's where we are.

22 CHAIRMAN RIZZARDI: Do you have any

1 timeframe for doing any of this?

2 DR. CHATWIN: No, not in terms of --
3 what we did do is identify the MSA package as sort
4 of the most urgent for us to work on. So I think
5 we'll take the next step when we meet again, which
6 is tomorrow afternoon, is that right?

7 DR. HOLLIDAY: We have Subcommittee time
8 set aside for tomorrow afternoon.

9 DR. CHATWIN: Okay. So please take a
10 look at the Rec white paper to see whether it
11 satisfies our need to talk about the allocation
12 issue and subsistence. Yes, and subsistence.

13 All right. So any other comments from
14 Subcommittee members?

15 (No response.)

16 DR. CHATWIN: In that case, our
17 Subcommittee -- thank you very much, and we're
18 adjourned.

19 DR. HOLLIDAY: So we are going to break
20 down the room. There's another function going on
21 here tonight, so please take all the materials
22 that you want with you rather than leave them

1 here. We'll reconvene again at 8:30 tomorrow
2 morning, and this evening if you're so inclined,
3 there'll be a no-host happy hour, McGinty's Pub,
4 which is up Ellsworth Avenue on the right-hand
5 side starting any time after 5:30. We've invited
6 headquarters, NMFS' leadership, to come and share
7 a pint with us. And thanks for your hard work
8 today.

9 CHAIRMAN RIZZARDI: Thanks, Mark. Thank
10 you, everybody.

11 (Whereupon, at 4:59 p.m., the
12 PROCEEDINGS were adjourned.)

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STATE OF MARYLAND

I, Mark Mahoney, notary public in and for the State of Maryland, do hereby certify that the forgoing PROCEEDING was duly recorded and thereafter reduced to print under my direction; that the witnesses were sworn to tell the truth under penalty of perjury; that said transcript is a true record of the testimony given by witnesses; that I am neither counsel for, related to, nor employed by any of the parties to the action in which this proceeding was called; and, furthermore, that I am not a relative or employee of any attorney or counsel employed by the parties hereto, nor financially or otherwise interested in the outcome of this action.

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Notary Public, in and for the State of Maryland

My Commission Expires: November 1, 2014