

U.S. DEPARTMENT OF COMMERCE

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NATIONAL OCEANIC AND ATMOSPHERIC  
ADMINISTRATION

+ + + + +

HIGHLY MIGRATORY SPECIES ADVISORY PANEL  
MEETING

+ + + + +

THURSDAY, APRIL 17, 2008

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The meeting convened at 8:30 a.m.  
in the Hilton Hotel, 8727 Colesville Road,  
Silver Spring, Maryland.

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

2 MARK MURRAY-BROWN: Statistics that  
3 the Division gathers, that fall pretty much  
4 under my wing, up in the Northeast, they're  
5 not regulatory slides, they're the slides of  
6 our operations to do with the dealer landings  
7 and the permits and some recreational data.  
8 For which I want to thank Ron Salz and his  
9 team.

10 The slides are prepared by myself,  
11 Brad McHale, Sarah McLaughlin, Cathy Goldsmith  
12 (phonetic), and Dianne Stephan. And we also  
13 had an intern of our Diversity program in the  
14 summer, that I want to thank, for all of the  
15 data I'm going to show you.

16 Without further ado, this is a  
17 snapshot of the last decade of data. We  
18 picked 1996 as a convenient point. It's when  
19 I happened to start the Division. It's also  
20 when the Magnuson-Stevens Act, the Sustainable  
21 Fisheries Act came into place. And the  
22 beginning of the rebuilding scenario.

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1 Over here is the big picture of the  
2 story of what we've been working with, since  
3 1996. The year is across the bottom. The  
4 metric tons of the quota in red. And our  
5 landings in pale.

6 Since 1996, through about 2002, the  
7 trends was pretty familiar with boats. We had  
8 a quota of around somewhere between 1,200 and  
9 1,300 tons. And we had a heavy performance of  
10 the fishery, both in the commercial and the  
11 recreational sectors.

12 Those of you in the commercial  
13 fishery were used to openings and closings. In  
14 season actions, the recreational fishery was  
15 used to bag limits going up and down, being  
16 set before the season.

17 And by and large, that trend  
18 continued until about 2001, 2002.

19 Now the story begins in 2002,  
20 pretty dramatically. As you can see with the  
21 white bars, the landings precipitously  
22 declining. Going down to 2006.

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1                   2007, we see a slight spike. Last  
2 year, there was a spike in the landings in the  
3 bluefin tuna fishery. And that had a lot to  
4 do with the recreational sector. And I'll get  
5 into that in a little bit.

6                   While landings decreased, the quota  
7 increased, due to the provision of ICAT we  
8 were allowed to increase and carry over the  
9 under-harvest from the previous years.

10                  That presented another problem.  
11 Back in `06 and `05, you can see that the  
12 quota had gone up almost into the 3,000 metric  
13 ton range, and when we're harvesting, down  
14 here, less than 500.

15                  So what that did, was that got the  
16 ICAT group together, back in `06. To  
17 basically set the cap on the amount of quota  
18 that could carry over 50%.

19                  So you see this drop down here in  
20 to the quota. And that's a function of  
21 manifestation of the ICAT recommendations to  
22 reduce the quota by half. Be underage by

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1 half.

2 One small note, over here in `02  
3 and `03, you see the first of two years, the  
4 landings actually exceeding quota, for those  
5 two years. That is a manifestation of a  
6 revisitation of the methodology of how to  
7 calculate the recreational statistics.

8 With that calculated, the report  
9 came out in `04. And we went back, and we  
10 looked at the `02 and the `03 statistics. And  
11 those recreational numbers caused, in  
12 retrospective analysis increase over the  
13 quota.

14 They didn't go back any further in  
15 to the prior years. And I'll show you some of  
16 the data for that.

17 Now I'm about to go through in the  
18 bluefin land, some very familiar terms to me.

19 Small, large school, small-mediums, medium-  
20 mediums -- no there's no medium-medium --

21 But if you look at your -- there's  
22 a handout to help you on this one.

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1                   There are four handouts. There's  
2 the presentation. Okay? You should have all  
3 had the other slides.

4                   And there is one-pager with a  
5 table. And we called it -- (Off the record  
6 comments) -- thank you. Looks like this

7                   PARTICIPANT: And as I fly through  
8 these slides, I'm going to be using the terms  
9 pretty accurately. But they're going to be  
10 specific meaning. Large, medium, school,  
11 large schools. And this is a way to translate  
12 those terms to your meaning. Whether it's in  
13 length or weight, or kilograms. Just know  
14 that the fisherman, the fisheries, the dealers  
15 tend to use curved measurements. Scientists  
16 use straight. Some of us have embraced  
17 metric. Some of us are still in pounds.

18                   One of the last features over here  
19 are the ages of the fish. And of course age  
20 matters. So you can have a look and see how  
21 the size (inaudible)

22                   This report's put together by us is

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1 part of another report, it's a handout you  
2 have. Just for our own edification, as the  
3 history of the size classifications. It's a -  
4 - one of the handouts it's included -- this  
5 table's included there on one of the pages.  
6 And it's also available on the Web.

7 One of the key features that you  
8 will also see on that -- in that graph, is --  
9 is this: the large school -- the age/growth  
10 code -- is often debated in the bluefin tuna  
11 fish. When do these fish mature. What do  
12 these ages have to do with maturity of the  
13 fish?

14 Based on a presentation that Steve  
15 Turner and Guillermo Diaz did, back in -- for  
16 the SERS report, back in '06. They produced  
17 this plot of the gulf -- from the Gulf of  
18 Mexico for mature fish and the size of the  
19 fish at different ages, and the proportion  
20 that were mature.

21 Just so you know, when you look at  
22 that table, the maturity, based on the curve

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1 that they're talking about, around age 7,  
2 corresponds to the large around right -- right  
3 around the 73 inch fish, where the large-  
4 medium jibe-break takes place.

5 So, if you're looking at the ages  
6 of the fish. So what that means, is that  
7 those 73 inch fish, have just begun to how  
8 maturity. If you start looking at 50%  
9 maturity -- you're up in the age 12, 13.

10 So, depending on where you want to  
11 go for your age of maturity, you can move  
12 along that curve.

13 That's also in the age -- in that  
14 history report.

15 Here are the landings broken up by  
16 the different categories. Generally speaking,  
17 we have two categories. The recreational and  
18 the commercial. The recreational is one  
19 category. It's the angling category. The  
20 commercial is subdivided into quite a few  
21 different gear types.

22 The angling category is represented

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1 here in the large red bars. From 1996 through  
2 2007. They're the large red bars.

3 The bars at the bottom represent  
4 the commercial categories. And it's this blue  
5 bar, down in here, that's traditionally been  
6 one of the highest performers in terms of  
7 metric tonnage.

8 The general category, I guess the  
9 largest -- one of the largest sections of  
10 quota. They go after fish in the large,  
11 medium, giant category. That has been one of  
12 the highest performers in the fishery.  
13 Especially in the New England region.

14 So again, the total (phonetic) 2001  
15 , 2002, trends seem to be fairly familiar. In  
16 `02 and `03, began see a decrease in the  
17 general category landings.

18 These two spikes in here are again  
19 to do with that retrospective analysis in the  
20 recreational landings.

21 And then across the board, in  
22 everything except the recreational category,

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1 you see the commercial landings declining.

2 One of the sectors that's  
3 particularly taken a hard hit are the  
4 (inaudible). They almost had, I don't know  
5 any landings, in six. And I know seven they  
6 had a -- one set in (inaudible).

7 How those landings break up  
8 regionally is represented on this graph, again  
9 from '96 through '07.

10 The way we monitor our landings in  
11 the commercial fisheries by these large areas,  
12 along the coast and I've bundled them up, so  
13 areas one through six. Up here in the New  
14 England down to middle Long Island. Are  
15 represented by the blue bars, the Northeast.

16 The Mid Atlantic, area seven, in  
17 magenta.

18 Eight, the South Atlantic. And the  
19 Gulf of Mexico, nine and ten.

20 Just a reminder, the Gulf of Mexico  
21 is actually a closed fishery. There's no  
22 directive fishing, or bluefin tuna.

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1           So those are the incidental  
2 landings from long line here.

3           And what you see markedly is of  
4 course -- again, the corresponding decrease.  
5 The general category in the New England area,  
6 decreasing dramatically, in terms of its  
7 performance from about 2002.

8           This has had a marked impact on the  
9 economy. We used to be almost a \$20 million  
10 fishery. Now we're down to less than three.  
11 We suffered about a five fold decrease in our  
12 economics revenue from this fishery.

13           Meanwhile, effort, in terms of  
14 permits has gone up. Permits in particular,  
15 have gone -- we implement -- they've gone --  
16 right now are about 35,000 permit-holders in  
17 the database.

18           There are different functions that  
19 have been driving this. And not least are the  
20 regulations that have asked people to start  
21 getting HMS angling permits across the board.

22           Not the tuna permits. We tried a (inaudible)

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1 permit, that came online. Our advertising,  
2 our outreach has gotten better.

3 But there's also -- and I'll -- but  
4 I'll show you where the -- some of the spikes  
5 and some of these -- and some of this effort  
6 has really taken place.

7 The largest sector, sorry sir,  
8 again has been in this HMS angling. The  
9 recreational fishery has taken off.

10 Where this takes place, you know,  
11 by area, is on the next slide. And I've got -  
12 - I'm giving you a snapshot here. Just two  
13 years, from 2000 and 2007. So I'm just  
14 comparing two years. Two-thousand to through  
15 seven. And again, by area.

16 The New England region, from Maine  
17 to Connecticut, the Mid Atlantic, New York  
18 through Virginia, South Atlantic, the Florida  
19 area, and the Gulf and Caribbean. Down to the  
20 gulf.

21 So again, it's just a snapshot of  
22 two years, comparing how 2000 and 2007

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1 compare.

2 In the first is, across the board,  
3 homes have increased. And in 2000, 2007,  
4 every sector has seen an increase in the  
5 permits.

6 But again, the largest increase is  
7 in the recreational fishery. Particularly in  
8 Florida and in the Gulf.

9 One of the areas that has to come  
10 to light quite recently, has been this large  
11 increase in recreational permits in the  
12 Northeast. Particularly in Massachusetts.

13 And that's, we suspect, due to a  
14 couple of things. Folks are changing permits.

15 Getting out of the general category fishery.  
16 As you saw declining performance in area.

17 And also, the recreational fish  
18 have started to show up in the New England  
19 waters. And I'll show you the slide to that  
20 effect.

21 This is how the landings are broken  
22 up. From 2002 -- recreational landings, for

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1 2002 through 2007. Again by region. And  
2 numbers of fish this time.

3 This is where, having a grip on the  
4 size of these fish really matters. The school  
5 fish are the small 27 foot, 7 inch fish, that  
6 folks traditionally have gone for in the  
7 recreational fishery. They called them  
8 footballs, down in the lower end.

9 Then there's the 47 to 53s. And  
10 those are the -- the large schools.

11 The small-medium -- you want to pay  
12 attention to this one. This is from -- these  
13 are big fish. These are from 53 to 73 inch  
14 fish.

15 Traditionally, those size of fish  
16 have been very rare in the fishery, for the  
17 recreational fishery.

18 And has mostly been a school -- see  
19 these blue bars -- a school fishery across the  
20 board. With most of the effort going on down  
21 in the Delmarva peninsular area and quite a  
22 bit of effort in the New York, New Jersey.

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1           New England, traditionally, not  
2 many fish, not much interest. Mostly a  
3 commercial fishery.

4           In 2007, that switched. The trends  
5 might even have begun in 2006. But in `07,  
6 it's flipped. Not only do we have more  
7 recreational fish, but a lot of recreational  
8 landings, up in the New England area. But in  
9 fact, the -- most of the effort -- most of the  
10 landings we're seeing are in these larger  
11 fish. Not the small schools.

12           We used to get a lot of calls about  
13 footballs. They want footballs. These were  
14 large 40 plus inch fish.

15           This bar is deceiving. I'm going  
16 to show you this -- these small-mediums. What  
17 that's about. But we saw a lot of small-  
18 medium landings, that had quite an impact on  
19 the quota last year.

20           The next few slides, I really do  
21 want to thank Ellen (phonetic) and all the  
22 group that are in the field.

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1           We generate recreational landings  
2 from three different sources, at least. The  
3 large pelagic survey, is a survey based  
4 estimate -- many of you are familiar with  
5 this. And that generates data through surveys  
6 of uncalled dock intercepts and calculations  
7 and statistics.

8           This data is from the Maryland cod  
9 tag data. And I'm using it to illustrate a  
10 couple of points.

11           And we have a third data set where  
12 we ask people to call in and dial in at the  
13 800 number to report (inaudible).

14           What I'm trying to show you here,  
15 is two things. Fish migration matters if your  
16 trying to manage a fishery. Their abundance  
17 and the distribution shifts along the  
18 coastline.

19           So here in Maryland, looking at the  
20 -- from the years `02 through `07, the big  
21 spike of landings took place in Ocean City in  
22 the -- in `02, back in the very early July.

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1           Whereas in `03, the big spike of  
2 landings took place almost two months later,  
3 at the end of August and September.

4           You guys know this. The fish move.  
5           And their abundance and their availability  
6 changes quite significantly based on year to  
7 year.

8           The implications for that in-season  
9 management, quite intense. Try to manage  
10 exactly what time period the fish will be  
11 available to different bag loads.

12           The cumulative is plotted on this  
13 graph below, showing that since `01, when we  
14 had this banner year of large recreational  
15 landing, based on the bag loads that we  
16 thought were appropriate at the time. We've  
17 been throttling back. And the numbers of fish  
18 landed have been much lower, due to function  
19 of the bag limits and the availability of the  
20 fish.

21           And I'll talk to you about the  
22 impact of the bag loads in the next slide.

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1           Okay, this is large pelagic survey  
2 data. I'm going to go through this one a  
3 little slowly.

4           For one month, July, of each year,  
5 from `02, `03, `04, `05, `06, and `07. By  
6 size frequency. Looking at the small fish,  
7 starting with this -- you see this faint bar  
8 down here? This is the beginning of the  
9 school fishery, 27 inch fish. Up to the land  
10 limit, 47.

11           Then we have the large school in  
12 here. And then the small-mediums up to the 73  
13 inch limit, commercial.

14           So it's just each centimeter by --  
15 each inch by inch across the board of the size  
16 classes.

17           And there are two things I want to  
18 show you here.

19           Back again in `02, we had very high  
20 -- we have high bag limits. And the  
21 availability of the fish was such that we had  
22 a pretty -- almost normal distribution across

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1 -- across the size range, and at least in the  
2 month of July.

3 The corner bars represent the  
4 states. I'm not going to get into that detail  
5 for you. But that again tends to illustrate  
6 for you the (inaudible) what state the fish  
7 appearing in. That data is in here as well.  
8 But, I'm going to skip that for just a moment.

9 And in `02, it's like the fish  
10 aren't around. July is a bust year. There's  
11 nothing happening. But the bag limits were  
12 the same. `03 -- I'm sorry, `03, nothing  
13 happened.

14 `04, it looks like things are  
15 changing are a little bit.

16 `05, we start still -- we still see  
17 a spike. This is the last time we heard a lot  
18 of excitement about the school fishery. Those  
19 footballs, those small fish. And that's where  
20 most of the effort what most of the effort  
21 taking, most of the landings was taking place.

22 `06, we have to throttle back the

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1 bag limits, dramatically. We have to meet the  
2 four year ICAT requirement that we stay within  
3 the tolerance limit, especially for the  
4 schools. So bag limits are now effecting how  
5 this plot is playing out. And there's very  
6 little fish in here.

7 And in `07, what happened? Well  
8 two things happened.

9 There were very few school fish  
10 caught from the landing. There were very few  
11 sightings of school fish. People kept talking  
12 about seeing footballs. What they were  
13 actually seeing and reporting were fish more  
14 in the 40 plus range, not down in this range.

15 The large fish again, a few  
16 landings. Both at -- whereas instead you see  
17 this large distribution of fish across all  
18 size ranges. You now see this bulge in the  
19 middle.

20 And the second thing that's got  
21 people a little spooked. Is if you run the  
22 school fishery here, you don't see them here.

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1       You see a few in here. It looks like the  
2 beginning of the absence with small fish  
3 coming in behind.

4               Those data is the first couple of  
5 years we got it. There are folks more -- much  
6 more carefully that this. But it's got  
7 people spooked, especially the scientists that  
8 are looking for these small fish.

9               I'm going show to -- I'm going to  
10 concentrate on that point in a couple more  
11 slides.

12               But for now, just -- Sarah's going  
13 to fly to the next slide. Just keep an eye on  
14 these two graphs. Keep an eye on these two  
15 graphs for a second.

16               It flips, go back.

17               See how this large distribution of  
18 fish is across the board here? Hardly any in  
19 '03. It's exact opposite way around the next  
20 year. The same bag limits. It's all about  
21 availability of fish.

22               The efforts the same. Bag limits

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1 are similar. The fish just showed up a  
2 different year at that month. And this is --  
3 in a different month, but in the same place.

4 So as we notice, the fish vary in  
5 time. They vary in space. And again, in the  
6 month of August, the fisheries beginning to  
7 tail off a little bit.

8 Here it's not quite as profound.  
9 The fishery generally is tailing off in  
10 August. But again, you see very few fish  
11 taking -- the last major (phonetic) remnants  
12 of the school fish to be taking place in  
13 August.

14 Very -- almost no action at all in  
15 `06. And then the remains of that bulge in  
16 the middle in `07.

17 This is the total plot of all  
18 months, from `02 to `07. So now it's not just  
19 July, it's all the months in the tracking of  
20 the LPS. It's an annual plot. Looking at how  
21 all those months take place. So now you're  
22 looking at July and August together, all of

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1 the months. So '02 and '03 start looking  
2 familiar -- similar.

3 I diagnosed across the yearly  
4 average, that this is where you begin to see  
5 on a yearly level, has that normal  
6 distribution shifted to a school bulge in  
7 here, that's moving through to a central  
8 bulge, if you will, around the end of the --  
9 the high limit of the schools is a small part  
10 of the school meeting.

11 And this is the annual data from  
12 the Maryland tag data. Just taking each of  
13 the different months and plotting that out,  
14 showing the same change of distribution of the  
15 length of the fish.

16 Okay. My last two slides is trying  
17 to make a point, that I think is intuitive.

18 There are many more small fish per  
19 ton than large fish. The large giant fish,  
20 large school -- large-medium fisheries. About  
21 five fish per ton.

22 And the schools is about 63 fish

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1 per ton. So if you look -- if you're  
2 comparing weights and numbers, you're really  
3 in a different -- you're in different  
4 universes.

5 And I want to make a point here.  
6 This is the traditional way we look at the  
7 fish, the fishery. It's in terms of  
8 management, it's by quota, it's by weight. So  
9 what we've got here is the plot here in metric  
10 tons of our quota in blue, by these three size  
11 classes. I've broken them up by three. The  
12 small guys, the school fishery. In the 27 to  
13 47. These are the guys that are at the  
14 tolerance limit, strict tolerance limit.

15 The middle group, if you will, the  
16 large school small-mediums, up to 73 inches.  
17 And then the big guys, the 73 inch plus, the  
18 commercial fishery.

19 Last, and this is just for `07.

20 So last year, this is the landings  
21 trends for one year, `07 by these three  
22 groups, comparing the landings to the quota.

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1 Schools, here, did pretty well. We take -- we  
2 have to take special care because of the  
3 special regulations out of ICAT, for that  
4 school fishery. So we were close. We got a  
5 one fish bag limit through the season.

6 The large school small-medium, was  
7 in excess. Considerably in excess. In fact,  
8 it was two-and-a-half times the quota of in  
9 terms of numbers.

10 And our commercial fishery as has  
11 shown the past few years has performed really  
12 poorly. That's traditional. Recently.  
13 Compared to the quota.

14 So that's the landings quota story,  
15 that we present to you in regulations and in-  
16 season (phonetic) management actions.

17 When you compare this to numbers, the  
18 scale immediately of course changes. We've  
19 gone from metric tons of 14 (phonetic), and  
20 now we're 9,000 fish.

21 Well just so that you know, these  
22 school fish make up the large numbers of fish.

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1       There's 63 of them per ton. So in terms of  
2 numbers, this school fishery, is pretty  
3 substantial in terms of numbers, even though  
4 we're in quota.

5               This is of concern recently. Not  
6 only were we over quota. 2 and a half times  
7 over quota. If you recall, those graphs  
8 earlier, that's the bulge in the middle. And  
9 the large quota and landings situation down  
10 here has been something that we've been  
11 struggling with at least since `01. We've got  
12 the bag limits up, we've been increasing the  
13 bag limit from one for both to two for both,  
14 starting around `01. We won't -- and we've  
15 been at three, we've been at the maximum level  
16 recently. Three (inaudible) for both

17               So that's the story domestically,  
18 that I wanted to share with you. The landings  
19 trends, the monitoring data that we collect  
20 out of the regions in the past 10 years.

21               As to statistics, a lot of this  
22 data, of course, goes in to the science, that

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1 has been presented to you by the Science  
2 Center.

3 Sarah's going to just close out the  
4 presentation, with some of the international  
5 data that we get. And give you a glimpse of  
6 that story.

7 SARAH MCLAUGHLIN: Okay, thanks.

8 I'm going to share with you the  
9 data we collect in the HMS northeast region,  
10 regarding bluefin trade. And the trends that  
11 we're seeing.

12 For instance, regarding the size of  
13 commercial fish in trade. And the proportion  
14 of U.S. domestic landings that are exported.

15 As you know, this is -- we're going  
16 to have a new bluefin assessment this summer.

17 And it's a big year at ICAT.

18 So, reviewing the data trends over  
19 the past decade or so, is key as we all look  
20 forward, beyond this year's ICAT meeting, to  
21 potential changes in the fishery. Either via  
22 FNP amendment or things that we handle in our

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1 specifications.

2           So, the next -- these next four  
3 graphs show the changing average weight of  
4 domestic commercial bluefin for rod and reel,  
5 harpoon, longline, in Pursane (phonetic).  
6 There are going to be four graphs. Compared  
7 to the overall commercial average since 1983.

8           And compared with imports. And at the top,  
9 on these four graphs, the green line is going  
10 to be Canadian imports from Canada. And at  
11 the bottom in purple, are U.S. imports from  
12 Mediterranean.

13           So, this is for rod and reel.  
14 Which is the purple circle. And you'll see  
15 that it tracks pretty closely with the overall  
16 commercial -- you know, U.S. average weight.

17           There appears to have been a  
18 decline in general category, rod and reel,  
19 average weights, from the mid-80s to the mid-  
20 90s, after which the size stabilized.

21           The Canadian imports generally are  
22 greater than the U.S. average weights. So

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1 Canada's landing and trading bigger fish. And  
2 in contrast, from the Mediterranean, we're  
3 seeing much smaller fish. And recent  
4 increases are likely due to fattening and  
5 farm.

6 So that's rod and reel.

7 Here's harpoon in red.

8 These fish tend to be smaller than  
9 the overall commercial average.

10 Here's longline, in blue.

11 These colors are never as vibrant  
12 from the back of the room.

13 Longline fish tend to be larger  
14 than the commercial average. But again, just  
15 keep an eye on the Mediterranean size below  
16 and Canadian above.

17 And Pursane (phonetic), in orange.

18 Average weights have been variable around the  
19 commercial average. But recently with the low  
20 volume of landings, it's very variable.

21 These figures reveal trends in the  
22 import and export of bluefin, by the United

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1 States over the last 10 to 12 years.

2 The top graph includes pacific  
3 origin bluefin. And it shows imports by the  
4 U.S. from the major exporters, which are  
5 Spain, Canada, Mexico, and Italy, in order.

6 Now Mexican trade circumstances are  
7 difficult to assess, because of Mexican --  
8 there are Mexican transshipments. Shipments  
9 that don't break bond, that go through the  
10 United States, to another country. They're  
11 not included.

12 And the apparent recent decline in  
13 imports from Mexico, may have to do with  
14 reclassification of trade codes. That is re-  
15 export versus import. So it's a complex thing  
16 to track.

17 The bottom graph shows the relative  
18 proportion of U.S. landings, that have been  
19 exported. You can see back in the late 90s,  
20 it was in the 80, 90% range. And now we  
21 export less than half, 44% of U.S. landings.

22 And obviously, there's a

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1 combination of factors that leads to those  
2 decisions to keep a fish domestic instead of  
3 exported. The price of shipping, the  
4 increased demand in the United States.  
5 Perhaps the decreased quality of what we call,  
6 Boston bluefin. So it's a safer bet to keep  
7 it on the domestic market than risk consigning  
8 it to Japan.

9 This one tracks total U.S. imports,  
10 re-exports, and exports. And the key thing to  
11 note is the switch from 2003 to 2004, of the  
12 U.S. as a -- is now a net importer. We used  
13 to export most of our fish. Now we are  
14 importing from other countries to meet the  
15 demand in the U.S. market.

16 And re-exports are products that  
17 are imported to the United States, they break  
18 bond at Customs, but then subsequently get  
19 exported to another country.

20 This slide -- excuse me -- this  
21 slide puts it all together. It's a lot of  
22 what you've already seen.

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1           You see the quota in red. High in  
2 recent years, like Mark explained, due to the  
3 rollovers.

4           Landings have been declining. There  
5 in that light blue color. This was a very  
6 complicated graph to put together. So what  
7 we've done is break out the recreational  
8 landings in that dark blue bar and just kind  
9 of set it next to the light blue bar. Just so  
10 you can see the proportion of U.S. landings  
11 that are recreational.

12           Again, note the switch from net  
13 exporter to importer in 2004.

14           And note that exports are down  
15 overall. Obviously with less landings,  
16 there's less to export. But also, the  
17 proportion of landings that are being  
18 exported.

19           Also, as We've talked about, the  
20 recreational landings are becoming a larger  
21 and larger part of the domestic activity.  
22 Even though the recreational quota is less

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1 than 20% of our U.S. total liable catch.

2 We like to call this slide, who's  
3 fish is this anyway?

4 You may have seen CBS 60 Minutes,  
5 had a show about the Matanza in the last year  
6 or so.

7 So, some of the tracking we do gets  
8 incredibly complicated. So we've put an  
9 example in here.

10 So, if you go in the top left, you  
11 see the French flag. You've got a French  
12 vessel capturing a wild bluefin in the  
13 Mediterranean, then bringing it to a Turkish  
14 pen.

15 The fish is removed from the pen  
16 after fattening and shipped to Italy.

17 Italy -- an Italian exporter then  
18 ships it to the United States, to JFK.

19 An importer in the United States,  
20 then decides instead, to sell the fish to  
21 Japan. And ships it through Anchorage.

22 Now we're in the middle. It goes

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1 from Anchorage to Japan, where it may sit in  
2 the warehouse, if you saw the CBS special, for  
3 over a year, before a decision is made. And  
4 maybe it's taken out, and someone decides, I'm  
5 going to split this shipment and send part to  
6 the United States and part to Canada.

7 So, the things that complicate all  
8 of this tracking, are that farms are funnel  
9 points in the Mediterranean.

10 Fish weights can change not only in  
11 farm -- yes, fish weights change during farm  
12 fattening or when the product is split. The  
13 shipment is split, or it might be loaned out.

14 Fish can be in storage for over a year.,  
15 which makes it hard to say. Is this a 2007  
16 fish or a 2008 fish? When do you report it?  
17 Who reports it?

18 All of this is about to change  
19 because the -- last year's ICAT recommendation  
20 for a bluefin catch documentation scheme,  
21 which tracks the fish from the time it's  
22 caught, rather than the time it enters trade.

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1       And it will track it through its final  
2 market.

3               And the program was developed to  
4 provide more control of the Eastern Atlantic  
5 and Mediterranean fishery, where as we know,  
6 quota compliance is a problem. And reporting  
7 is quite poor.

8               The validation that's part of the  
9 BCD program is expected to show that bluefin  
10 have been caught consistent with ICAT  
11 recommendations. And it's hoped that the  
12 program will stop IUU fish from entering  
13 markets, rather than just kind of noting it  
14 after the fact.

15              Now switching back, that's it for  
16 international.

17              We just put two slides together --  
18 sorry, three more.

19              This slide just reminds you of the  
20 domestic management tools we have for  
21 amendments for -- in our specifications, just  
22 actions that we take for the bluefin fishery.

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1           There's the quota distribution per  
2       Atka (phonetic), the domestic quota, equals  
3       the ICAT recommended U.S. tack. And then the  
4       category allocations are set in the FNP.  
5       There's subquotas for the different  
6       categories. Or for -- we've used in the past,  
7       north-south area for the recreational. Now we  
8       use north-south for the incidental longline  
9       quotas.

10           There's time period subquotas to  
11       pace the general category fishery.

12           And then percentage limits on  
13       certain sizes. Like the school subquotas, 10%  
14       of the overall U.S. tack.

15           There's effort controls. Other  
16       retention limits, bag limits, for commercial  
17       and recreational fisheries.

18           We've used restricted fishing days  
19       in the general category in the past. But as  
20       you saw earlier, we decided not to use them in  
21       the last year, because there's really been no  
22       reason to slow the pace of the fishery for the

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1 general category.

2 We've got time area closures. We  
3 have target catch requirements for incidental  
4 retention. And then in-season actions, to  
5 open and close the fishery, you change the  
6 retention limits.

7 We've all heard, some of us more  
8 than others, what people think about what's  
9 going in the bluefin fishery, why the decline?

10 Is it due to just distribution  
11 changes? The fish are up off Canada? They  
12 prefer the water temperature and ocean  
13 conditions? Is it because of forage fish?  
14 Because the dog fish are eating the herring?  
15 Because the herring just aren't available,  
16 because of other fisheries' environmental  
17 conditions?

18 Is it also over fishing throughout  
19 the Atlantic? Especially activities in the  
20 Eastern Atlantic and Mediterranean? Which  
21 leads to recruitment over-fishing, growth  
22 over-fishing, what's going on with with stock

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1 mixing.

2           And this last slide we put in,  
3 which is probably easier to see on your paper,  
4 but not great quality.

5           It's from a Fromentin and Powers  
6 Paper, in 2005. And it shows the trends over  
7 the decades of what's been going on in the  
8 Atlantic.

9           It summarizes activity from the  
10 60s, when we had active fisheries in the mid  
11 Atlantic, northward. For the Pursane Cannery  
12 Fishery.

13           Active fisheries off Brazil, that  
14 was Japanese longline fishery. Off Norway, in  
15 the Mediterranean. And longlining in the  
16 Oceanic waters, was developed primarily by  
17 Japan.

18           And over in the 70s, you can look  
19 at the bars for the volume. And the, you know  
20 the, just the markings to see where the  
21 activity is.

22           In the 70s, there's a development

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1 of the Gulf of Mexico longline fishery. The  
2 fishery off Brazil was gone. Fishery off  
3 Norway mostly collapsed. Decreased mid  
4 Atlantic Pursane activity. Things in the  
5 Mediterranean are picking up, longlining and  
6 pursaning. And the New England and Canadian  
7 fishery were growing.

8 In the 80s, when we had the  
9 development of the sushi-sashimi market,  
10 there's expansion of the fishery across the  
11 whole Western Atlantic basin and  
12 Mediterranean. This is down here.

13 And then in the 90s, further  
14 expansion of fishing throughout the entire  
15 Mediterranean. Expansion of the Japanese  
16 longline fishery into the Central North  
17 Atlantic, along the Gulf stream. And in the  
18 Western Atlantic, our fisheries were active,  
19 but controlled by the quota.

20 So, this only goes through the 90s.  
21 But if we were to imagine a graph for the  
22 2000s, you'd expect to see sharp declines in

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1 the western catches. And a shift up towards  
2 Canadian waters. And you'd expect to see high  
3 Mediterranean catches, largely due to  
4 increased farming activity.

5 And we hope to learn more. Next  
6 week there's a world symposium on northern  
7 bluefin decline, bluefin in the Atlantic and  
8 the Pacific, to be held in Spain.

9 So, I hope scientists will be  
10 gathering to talk about what other data they  
11 have. What trends they're seeing. Hopefully  
12 there will be a lot on tagging.

13 And that's what we have.

14 (Off the record comments.)

15 ROM WHITAKER: Mark, Sarah, that  
16 was probably the best presentation I've even  
17 see on bluefin tunas and what was going on.

18 It certainly helps me make a lot of  
19 decisions, but I guess my main point is, we  
20 talked a half a day yesterday, about how we're  
21 going to utilize the swordfish quota that  
22 we've been given. And if we don't use it,

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1 we're going to lose it. So my point's pretty  
2 brief.

3 We've got bluefin quota that I  
4 assume we're going to use it, if we're going  
5 to lose it if we don't use it.

6 And I'm not -- everybody says I'm  
7 always speaking for North Carolina, I'm  
8 speaking for the whole east coast users, and I  
9 hope Rich will support me. But we're still  
10 close, four months out of the year. And we're  
11 letting 400 metric tons go.

12 So, rather than me petition you to  
13 do it. You all are the managers. You all  
14 certainly are on top of things for bluefins.  
15 I'd like for you all to figure out a way that  
16 we can utilize those other four months, to  
17 take some of this quota that we're going to  
18 lose, if we don't use.

19 And just personal observations this  
20 year, there -- there -- I saw off of Hatteras  
21 from mid-March till first of April, thousands  
22 and thousands and thousands -- probably the

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1 whole daggone quota of tunas for east and west  
2 Atlantic, swimming off of -- but they're all  
3 50 to 60 inch fish, as your chart shows.

4 Thank you.

5 MR. FISHER: Thank you, Myron  
6 Fisher. Yes this was a great presentation. I  
7 have a few questions about it. I think I have  
8 maybe three questions. One's rather simple.

9 I don't know what slide number, but  
10 it's on Page 5, where you show the  
11 participation by permits.

12 And, my question is, that indicates  
13 the amount of permits, but are you tracking  
14 effort in some other manner? Like how are you  
15 picking up effort?

16 Because the number of permits isn't  
17 indicative of the amount of effort put forth.

18 Are you -- is there like followup?

19 MARK MURRAY-BROWN: You're  
20 absolutely right. The effort -- the permits  
21 are a proxy. I mean, they represent interest,  
22 in the fishery, and I try to share that there

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1 could be different factors for how the permits  
2 could increase. Not just increased effort,  
3 but --

4 MR. FISHER: Right. In my question  
5 is, because you didn't talk about effort. And  
6 for instance, recreational fishery, are boats  
7 required to have a permit, even if it just  
8 makes one trip annually?

9 And unless you know the variation  
10 through the fishery to get an average.  
11 Because there's a lot of boats that might not  
12 even make a trip, but they want to have that  
13 permit. They want to hold onto it. Just in  
14 case they make a trip. And it's only a \$22,  
15 or whatever. It's not a -- not an expensive  
16 fee. It's about the price of five gallons of  
17 diesel.

18 So, people buying the permits and  
19 may not be exercising them.

20 MARK MURRAY-BROWN: You're right.  
21 When I start talking about of the LPS, I know  
22 I'm in trouble. Because I don't know the

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1 mechanics of the exact mathematics. Ron is  
2 our expert there.

3 During a calculation of the  
4 landings of the recreational data, they do  
5 apply.

6 MR. FISHER: Okay.

7 MARK MURRAY-BROWN: An effort  
8 calculation. They do that through the  
9 combination of the permit universe. Then they  
10 call a sub-sample of those permit holders.

11 MR. FISHER: So to track them.

12 My second item, and it's just a  
13 clarification. Only because I kind of got old  
14 and I can't read, even with my glasses.

15 On Page 8, when you talked about  
16 the graph of the annual landings, it was the  
17 graph that was in red. What are the units?  
18 Like I'm trying -- when I'm trying to look at,  
19 and if you're looking at the graph, the bar  
20 chart, what are the year classes, on say the  
21 bottom three? And -- and are they annual?  
22 Are we seeing a cohort move through the

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1 fishery? Or is that multiple years?

2 (Off the record comments.)

3 MR. FISHER: Right, but I can't --  
4 we can't read the numbers. So I'm trying to  
5 determine from the lances (phonetic), that  
6 your class is moving through the fishery or --  
7 there's -- are there multiple years between  
8 them?

9 Like, when you look at the bulge  
10 and catch, from the fourth and the fifth and  
11 the sixth slide --

12 MARK MURRAY-BROWN: Yes.

13 MR. FISHER: Okay.

14 PARTICIPANT: (Off the record  
15 comments.)

16 MR. FISHER: Yes, that's what I  
17 want to know. Is that your classes?

18 (Off the record comments.)

19 MR. FISHER: Okay. And my very  
20 last item. The very last slide you had,  
21 showing the global capture. Is there any way  
22 we could receive those four pages as full size

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1 sheets? Because this -- yes, I'd really like  
2 -- I thought that was a very interesting -- I  
3 thought that was very important too, showing  
4 per decade where the fisheries move to. But,  
5 I can't see it on your screen or on mine.

6 SARAH MCLAUHLIN: Yes, we can give  
7 you the source. It's a --

8 MR. FISHER: Okay.

9 SARAH MCLAUGHLIN: It's an SCRS  
10 paper, that would be posted on the ICAT  
11 Website. And I can -- I can give it to you.  
12 I actually have the paper with me. But I'll -  
13 - so find me and I'll give you the reference.

14 MR. FISHER: Just the source will  
15 do.

16 And you know, and I guess my last  
17 would be a comment. Not about the  
18 presentation, but about the fishery. Just to  
19 echo what was earlier said. Is that, we're  
20 trying to meet the quota so we don't lose it,  
21 but yet, the restrictions are holding down  
22 certain components of the fishery.

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1           And whichever components have the  
2 ability to harvest more fish, regardless of  
3 what it is, I think we should try to free it  
4 up, in order to -- you know, make -- get more  
5 catch. Get -- it doesn't -- does not pay to  
6 lose quota.

7           I know we don't want to harvest the  
8 giants in the Gulf where I'm from, the  
9 spawning fish. But, we certainly don't want  
10 to lose the quota, because it will be  
11 harvested by some country.

12           Thank you.

13           PARTICIPANT:       Off the record  
14 comments.

15           RICHARD STONE:     First, that's a  
16 terrific presentation. You guys worked really  
17 hard on that. And the collection of that data  
18 is -- you know it's really good. And it's --  
19 in some cases, it's really revealing. And in  
20 some cases, I'm scared to death at how people  
21 are trying to interpret the data at the same  
22 time.

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1           And I first wanted to comment to  
2 Ron that about three years ago, when we  
3 stopped catching our quota and the more  
4 dramatic it got. You know, East coast Tuna  
5 for one, went on record as saying, that every  
6 single U.S. regulation affecting the bluefin  
7 fishery, ought to be reviewed and looked at  
8 with an eye towards is it hindering catch?

9           And if it's hindering catch, you  
10 really ought to challenge the basis of why is  
11 it still there?

12           So, I'm on board with you, is my  
13 point.

14           The other thing is, you know,  
15 looking at the landings and the size  
16 distribution of the landings, and then trying  
17 to infer either missing year classes or year  
18 class trend. And yet, at the same time,  
19 noting the shifts in the availability of the  
20 various sizes in different areas.

21           Are you -- you're sending mixed  
22 messages. Some people want to interpret it as

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1 saying, well, because John Grays can't get any  
2 age zeros off of the Virginia Capes, in the  
3 month of June, there's missing year classes.

4 And yet it might just be that those  
5 age zeros are somewhere else right now. And  
6 not off to the Virginia Capes.

7 Just as we're seeing in New  
8 England. We -- as Tom DePersia will certainly  
9 vouch for. We never had the concentration of  
10 school fish and small and large-mediums, that  
11 we're having right now.

12 They've shifted to New England.  
13 And they're interfering with the actual giant  
14 fishery as well.

15 And even looking at the New England  
16 data, the way you've set it up. You've shown  
17 the way it is. Not the way you set it up, the  
18 way it actually is.

19 You're showing that the  
20 preponderance of the catch is the small-  
21 medium, and the large-medium, and the  
22 schoolees are down. And you know, the

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1       implication to some would be, well, boy, that  
2       must mean there's a lot -- you know, there's -  
3       - that the class are weakening behind. And  
4       there's not as many smaller school tuna  
5       available. And that's clearly not the case, I  
6       don't think, in New England at all.

7                   The point is, that you've got a bag  
8       limit, that says, you can catch. So it's not  
9       an indication that there's necessarily an  
10      indication that there's less of the smaller  
11      fish in there.

12                   And that fishery is primarily a  
13      Cape Cod Bay, Stellwagon Bay, back side of the  
14      Cape fishery.

15                   If you go up off the coast of  
16      Maine, you'll hear an entirely different  
17      report. Where it's primarily a harpoon driven  
18      fishery. Where the school-fish fishery are  
19      just everywhere. And the harpooners can't  
20      even -- can't take them. They can't touch  
21      them at all. So there's no landings of those  
22      school fish. They seem to be more coastal

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1 oriented.

2 And -- and, you know, amongst the  
3 islands and inside -- even inside the Bays,  
4 between Boone Island and Ogunguit. These are  
5 places most of you don't know. But that's  
6 what, you know, familiarity with the local  
7 fishery. If you look at it really carefully,  
8 you've got to be careful about interpreting  
9 this stuff as stock assessment information,  
10 when it's really shifting fishery information.

11 I know we want to move on. So, I  
12 mean, we could talk about this stuff all day  
13 long. And it's fascinating to me. But, it --  
14 it -- just one last quick point.

15 You mentioned, you know, the value  
16 of the fishery of \$32 million -- of \$23  
17 million. That's because you only went back to  
18 '96. Prior to that, I think we peeked out at  
19 about \$32 million in the fishery.

20 And the final point I wanted to  
21 make. If it turns back up. I called up  
22 today's landings on the Tokyo market. And

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1 it's not going to come up. But Tunisia  
2 today, on today's market, since Sarah was  
3 talking about the international market.  
4 Tunisia today, probably has 140 pieces of wild  
5 bluefin and the largest fish I saw are on  
6 there. I wish it would come up, but now it  
7 won't come up.

8 The largest -- I got it. The  
9 largest fish on today's Tunisian market, at  
10 core trading, is a 39 kilo fish. The smallest  
11 one is a 22 kilo fish.

12 So you're talking about -- they --  
13 and this never used to be. The Mediterranean  
14 exports to Japan, the small fish always stayed  
15 for the canneries. But they've run out of --  
16 the point is, they've run out of giants  
17 practically, to export to the farms. So,  
18 Algeria, Morocco, Tunisia, and a couple other  
19 countries, that I -- I'm not sure which ones  
20 they are. But they're landing incredibly  
21 small fish. And even coming from the farms  
22 last year, they started a trend.

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1 I remember in sending some  
2 information to Bill Hogarth (phonetic),  
3 showing that they've -- they were landing --  
4 they were putting 19 kilo fish, that were in  
5 the farm for 12 months, after satiation  
6 feeding for 12 months, they were 19 kilos, and  
7 they were shipping them to Japan. Whereas it  
8 used to be strictly a giant market.

9 So clearly, you know, we're not  
10 getting the immigration of the giants from the  
11 Mediterranean market. But, I'll just -- I'll  
12 stop there. This -- very nice piece of  
13 business.

14 MARK MURRAY-BROWN: Thank you,  
15 Rich. And -- you didn't -- thank you, very  
16 much.

17 And although they didn't ask a  
18 question, if I captured the spirit of a  
19 confusing message, between abundance and  
20 distribution, then that's pretty accurate  
21 message. Because those are the following the  
22 SCRS are clearly, working this hypothesis,

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1 both sides. What is going on in the grand  
2 scale in the ocean basins?

3 The one thing I can say very  
4 confidently, is that it's all changed.

5 And usually, in a fishery  
6 management field, you know, watching a decade  
7 of changes is expected. Things change.

8 What's become particularly -- the  
9 motivation for me to put this slide  
10 presentation together, is the last three  
11 years. It's changing so rapidly. And the  
12 fishing management tools that we were sharing  
13 with you, are, by and large, slow moving  
14 management measures.

15 So, it's the speed of the change as  
16 much as where it's heading, that's got me  
17 going.

18 (Off the record comments.)

19 PARTICIPANT: Yes, I'd like to also  
20 say, I appreciate the presentation. It is a  
21 good presentation.

22 I would like to just mention

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1 something that I've been doing. Working with  
2 the -- with NMFS and with Sea Grant and New  
3 York, New Jersey, Virginia, the state of  
4 Maryland.

5 We've been -- we had a cooperative  
6 research proposal funded. And working with  
7 Ron Salz and the folks in NMFS, to look at  
8 lengths and weights for the fish below 73  
9 inches. And try to help fill in your table a  
10 little bit more.

11 Because much of the -- much of what  
12 was used to do the conversion factor, is to go  
13 from length to weight, was based on large  
14 fish. Particularly from the Pursane and the  
15 fishery years ago.

16 So we are trying to improve the  
17 database. And help to revise the conversion  
18 factors. Or certainly check and see if  
19 they're accurate or not.

20 And, Rich mentioned that the  
21 fishery is changing rapidly. And  
22 unfortunately, when we started putting our

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1 cooperative research proposal together,  
2 several years ago, we focused on New York, New  
3 Jersey, Maryland, Virginia, and North  
4 Carolina. And so we didn't get our friends  
5 from Massachusetts and Maine involved in the  
6 study.

7 And so, I'm actually making sort of  
8 a plea now. To those folks in Massachusetts  
9 and Maine. And actually I've talked with Tom  
10 DePersia. And he's willing to try to help us  
11 out. And a charter boat captain up in Maine,  
12 Dave Petsi (phonetic).

13 So, we're looking for additional  
14 samples. Lengths, weights, girth. So that we  
15 can add to our database. And then hopefully  
16 do a pretty good analysis at the end of this  
17 coming year.

18 We've asked for an extension, no-  
19 cost extension of our proposal, for -- to  
20 include this year. Since we did it very well  
21 in North -- I'm sorry -- in Maryland.

22 And you can see from the data you

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1 showed, there were quite a few fish that were  
2 landed in Maryland. But we had very few  
3 samples from -- actually, hardly any from New  
4 York. New Jersey we did have some. But not  
5 nearly as many as we expected. And Virginia,  
6 very few.

7 So we -- we're looking in to fill  
8 in those geographical areas. And try to  
9 improve our database, so we can do a pretty  
10 good analysis, for -- hopefully for that  
11 conversion aspect at the end of this coming  
12 year.

13 We hope to have -- maybe have some  
14 data available for you, for the next -- for  
15 maybe even the fall meeting. We'll see how we  
16 can do.

17 But anyhow, I'm just appealing to  
18 the folks in Massachusetts and Maine. If they  
19 can help us out, will you please get in touch  
20 with me or with Ron Salz. And we hope to get  
21 some data from those areas.

22 Thank you.

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1 MR. McBRIDE: Thank you, Joe  
2 McBride. A couple questions, Mark. More  
3 simplistic in my ignorance of the science and  
4 stuff.

5 The -- when you -- give a number of  
6 permits, are those the HMS permits?

7 MARK MURRAY-BROWN: Yes, Joe, yes.

8 MR. McBRIDE: And they include  
9 shark fishermen in that permit scenario?

10 In other words, you get one permit  
11 now for all your activities in the highly  
12 migratory species? Sharks, tuna, et al. Then  
13 you sub-categorize it in the tuna, to whether  
14 it's charter or party boat, angling or  
15 general.

16 Is that correct? For the \$27  
17 permit?

18 MARK MURRAY-BROWN: The last part  
19 of what you said is correct. In terms of how  
20 they're sub-categorized.

21 The fact that there could be shark  
22 fishermen would be true, if they're a longline

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1 tuna permit holder and have a shark longline.

2 It's stuff we talked about yesterday --

3 MR. McBRIDE: I'm speaking  
4 recreationally now for the moment for the --  
5 well, it's recreationally in the HMS anglers  
6 permit.

7 PARTICIPANT: Anglers across the  
8 board. The tuna, sharks, swordfish anglers  
9 (phonetic).

10 MR. McBRIDE: My -- now the question  
11 I'm asking. When you give a number -- but I  
12 forget the number you gave. Many of those  
13 people I could speak against specifically or  
14 anecdotally if only about my own geographic  
15 area.

16 Many of them are shark fishermen.  
17 They're not really tuna fishermen.  
18 Particularly, in our area, because we have  
19 very little tuna other than fall off shore,  
20 for yellowfin and longfin et al.

21 So, a lot of them are just, you  
22 know, family guys go out, 10, 15 miles, they

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1 go shark fishing. And I'll be very candid  
2 with you in my opinion. And again, it's my  
3 opinion.

4 There are, God knows, how many  
5 without any permits, you know, in your  
6 outreach as to your outreach, has improved  
7 tremendously over the years. But I'd say,  
8 keep after it to get more inclusive details up  
9 and down, certainly our geographic area.

10 That's one.

11 So my point is, let's say you use  
12 the figure 40,000. Not all of those 40,000  
13 are bluefin, or even tuna fishermen. I don't  
14 know what the percentages are. But that would  
15 be probably hard to ascertain.

16 Number two, the location of these  
17 school fish. And I know Tommy and I argue and  
18 -- in our geographic area, the Rhode Island,  
19 Connecticut, Block Island Sound, out into the  
20 ocean, as far north as -- northeast as the  
21 Mudhole -- Mudhole east. We get nothing but  
22 school fish. Twenty-seven to forty-seven.

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1           And we'll go out in a given year,  
2           and we'll follow the regulations.       And  
3           whatever they may be.    The next year we go  
4           back and we get 27 to 47.   And it appears  
5           these fish never grow and come back to our  
6           geographic area.

7           Only the small ones come in and  
8           they go and they must go, if I'm reading the  
9           charts, or listening to the charts, I can't  
10          see the numbers in my old age.    If I'm  
11          listening to what's being said, the school,  
12          the large school and small-mediums are being  
13          caught in two places.       Number one, New  
14          England.  Is that correct, Mark?  The numbers?

15                   MARK MURRAY-BROWN:  Last year that  
16                   was true.

17                   MR. MCBRIDE:       And also, in, you  
18                   know, in the Mid Atlantic down in, Maryland,  
19                   North Carolina, et cetera.

20                   And now, I don't hear those two  
21                   areas going after school fish as such.

22                   And last year, for example, in the

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1       only place I can say that we could plan a  
2 fishery in the charter and party boat  
3 business, in our area for bluefin tuna, is  
4 late September, early October in the Mudhole.

5                   And last year, we didn't have them.

6       But we had more giants than normal there.  
7 There might have been 12 -- you know the  
8 figures better than I. Twelve to fifteen  
9 giants landed. Which is a recent phenomenon,  
10 as of last year. But fewer school fish had  
11 died. Almost within a week, the school fish  
12 would die, in that area. For, you know, for  
13 our practical purposes.

14                   So, I don't understand that.

15                   Now, is there a scientific  
16 dispersal procedure for these school fish?  
17 They come to us and then they live another  
18 year, they go up north or they go down south.

19       I mean, is there science involved here? Or  
20 is it just wherever the fish decide to go?

21                   MARK MURRAY-BROWN: Well, that's  
22 the second time you mentioned science.

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1                   This is a presentation of the  
2                   statistics that I gather. Which -- okay, so,  
3                   there's the scientists do those presentations.

4                   MR. McBRIDE:       Okay.       I'm just  
5                   asking these questions.

6                   MARK MURRAY-BROWN:   Sure.

7                   MR. McBRIDE:       And the other  
8                   question. And this has to do with the school  
9                   fish.

10                  The school fish are approximately a  
11                  year old, 27, two years old. In that range.  
12                  Am I correct? From your chart there, looking  
13                  at it earlier?

14                  PARTICIPANT:     Yes, they're older  
15                  than one. They're two -- yes --

16                  MR. McBRIDE:     The maturation of  
17                  these fish is six to seven years old? Is that  
18                  correct? They start to breed at that age? Or  
19                  when do they start to breed? Am I going  
20                  scientific on you.

21                  MARK MURRAY-BROWN:   That would be  
22                  right.

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1                   MR. McBRIDE:    So, yes, okay.    And  
2                   that's what it looked like on the chart.  
3                   There was something -- mature, maturity curve.

4                   So, if these larger fish are being  
5                   harvested to the point where they're not  
6                   around anymore, why -- where -- our breeding  
7                   stock has gone down substantially, is that  
8                   correct?

9                   PARTICIPANT:    Well, this gets into  
10                  it.    I mean, where the efforts applied and  
11                  across the board, what -- I don't know if  
12                  there was a sub-message of what I was trying  
13                  to share.    But the -- we've obviously been  
14                  hitting these fish pretty hard across the size  
15                  range.

16                  MR. McBRIDE:    Yes.

17                  PARTICIPANT:            And    the    big  
18                  difference for last year, was we hit them in  
19                  the middle.    And that's usually an area where  
20                  we don't hit them.

21                  So,    the    impact    that's    having  
22                  biologically, that gets into the science.

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1                   MR. McBRIDE: But we -- but, you're  
2 hitting them in the middle, because the larger  
3 fish are not around in the numbers we'd like  
4 them around. Or hopefully have them around.

5                   And I'm just asking these questions  
6 as a layperson.

7                   If you don't have mature fish,  
8 you're not going to have 27 inch fish in two  
9 years, theoretically. You know? Or you're  
10 going to have fewer of them, depending on the  
11 numbers of large fish that remain. There's  
12 something wrong.

13                   Then when you tell me, in the  
14 Mediterranean, as Rich was saying, the size of  
15 the fish there have declined also, on the  
16 average. They don't have as many giants, as -  
17 - and they're selling smaller fish because  
18 they can't get their hands on giants to sell  
19 bigger fish to Japan.

20                   It appears that the bigger fish  
21 aren't around in the numbers, that they had  
22 been historically. That's that's all I --

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1 that's what I'm assuming. I don't know if I'm  
2 right.

3 And thank you. And you did a great  
4 job.

5 MS. BEIDEMAN: Terri Beideman. And  
6 I'll echo everyone's comments. This is very  
7 interesting presentation. Sat through a few  
8 of these bluefin ones over the years, and this  
9 has got some data presented in a different  
10 way. So it was very interesting.

11 My comments are primarily  
12 technical.

13 On this page with all the weights.  
14 It has a conversion fact for length. Okay, a  
15 factor.

16 Is that -- that is the accurate  
17 factor, 1.35, for converting dressed weight to  
18 round -- or whole weight, or whatever you want  
19 to call it?

20 Length --

21 PARTICIPANT: That's right, Terri.

22 You're looking at the note at the bottom?

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1 MS. BEIDEMAN: Correct.

2 PARTICIPANT: Correct, because all  
3 of those measurements; lengths, weights, are  
4 all whole fish.

5 MS. BEIDEMAN: Okay. And -- excuse  
6 me -- and so, it is still though, when you  
7 convert dressed weight, it is 1.25, okay.

8 That's why it, like, jumped out at  
9 me. Okay. Right.

10 But this is length. So, I was  
11 looking at it, I was going, well it's not  
12 swordfish. Swordfish is 1.35 for weight.

13 But anyway, going on. I just  
14 wanted to check on that to make sure that I  
15 was still -- science changes numbers over time  
16 I've seen. So I decided I'd better check on  
17 my facts.

18 Regarding the landings, by area  
19 based on the LPS. You have a couple of  
20 different charts for this.

21 And how many dockside intercepts --  
22 okay, you showed those different over the

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1 years.

2 And I know from experience that  
3 there's large variability in the number of  
4 intercepts, depending on budget, depending on  
5 weather. That would have an impact on what  
6 you see and what you get. And that would have  
7 an impact on what you interpret.

8 So, I know in some years, when I  
9 was looking at that stuff, you know, up until  
10 the early 2000s, pretty closely. That if you  
11 had a poor year for intercepts, the data  
12 really showed it.

13 And I was curious if that could be  
14 provided? You know, the raw data are what  
15 they get for information, often was in the  
16 safe report. The number of dockside  
17 intercepts was almost never in the safe  
18 report. And I steadfastly requested it every  
19 year that it wasn't in there. Because it  
20 makes a difference. It makes a very large  
21 difference.

22 If you're looking at data from year

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1 to year. And you have, for whatever reason,  
2 not enough intercepts, or too many in one  
3 place. And not -- or if some reason, why  
4 there is more or less, then you can have a --  
5 it looks like a bulge in landings, when it was  
6 just really a bulge in more dockside  
7 intercepts.

8 So, I just wanted to kind of raise  
9 that variable, so that you can take that into  
10 account, as you look at this stuff. That it  
11 does depend heavily on the ability and the  
12 success of those dockside intercepts.

13 And on this one chart here, where  
14 you have landings. My assumption, and its  
15 based on the LPS. Is that this is an -- it's  
16 on Page 5, at the bottom.

17 This is an expansion, or is that  
18 straight raw data from what the dockside  
19 intercepts got?

20 No, not that one. The one that  
21 says, Recreational Landings by Area. This  
22 one. It's on Page 5 of the presentation.

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1           That one.

2           It's based on the LPS. It's got  
3 the areas over the years et cetera. But it  
4 has numbers of fish. And I was curious as to  
5 whether or not this was straight raw data --  
6 you have the dockside intercepts, they measure  
7 so many fish. That's a number. Okay, that's  
8 the number.

9           Then you have the ones that you  
10 don't happen to intercept. So you have to try  
11 to factor that in. And I know that's been a  
12 source of huge contention over the years. How  
13 to do it, what to do with it, retro fitting,  
14 and retro reviews, and stuff going in a closet  
15 for four or five years, and nobody knows.

16           Is that an expansion? Or is -- it  
17 says, landings. But is that the total  
18 estimate of landings? Or is that just what  
19 they saw on the dockside intercepts? I don't  
20 know. It's not clear.

21                           MARK           MURRAY-BROWN:           My  
22 understanding, as to the expansion, that's the

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1 total estimate.

2 MS. BEIDEMAN: Okay.

3 Okay, well, that -- those are my  
4 first questions.

5 And just to echo Rom and Rich. If  
6 we have regulations that are prohibiting our  
7 ability to catch our quota. Any species of  
8 fish out there is in better shape, if the  
9 United States fishermen are catching it,  
10 because we are more conservation oriented than  
11 everybody else out there and we all know it.

12 So, get rid of those regs,  
13 temporarily, or however you can. And let us  
14 catch the quota, so that we don't have to give  
15 it away to somebody who, you know, eats  
16 Marlin, or something.

17 So, thanks.

18 SARAH MCLAUGHLIN: Terri, just to  
19 clarify, that 1.35 is to go from a pectoral  
20 fin curved fork length, to a total curved fork  
21 length.

22 So when it said dressed, it means -

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1 - when there's no head, you go from the  
2 pectoral fin insertion, multiply by 1.35.

3 MR. HEMILRIGHT: Dewey Hemilright.

4 Thank you for your presentation. I thought  
5 it was pretty open across the board about  
6 different things.

7 One thing I would look at is, as  
8 we've around the room, you know, and either  
9 use it or lose it, our quotas. I still think  
10 the data, the restrictions on the longline for  
11 bluefins, for your incidental catch of bluefin  
12 tunas, the criteria is, you know, maybe should  
13 be doubled for a year or two, just to look at  
14 it.

15 It seems like we have a very  
16 limited number of boats that are fishing. And  
17 it's a shame if you catch a bluefin tuna or  
18 four, five bluefin tunas or something over  
19 your trip, and you have to throw them over.

20 There was a scenario this one time,  
21 I had to stay out for five days to catch my  
22 2,000 pounds for the bluefin tuna I caught. I

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1 mean, there's no need to have that be throwing  
2 something over, when there's still quota  
3 available.

4 And it also appears, that when you  
5 look at this scheme up there, you know, if  
6 your fish is not getting to a spawning age or  
7 something like that, you know, these kind of  
8 numbers, looking at the size of fish that the  
9 rest (phonetic) are catching. And, you know,  
10 it's pretty alarming when you seeing going  
11 doubling up the quotas and going over as much  
12 as it has been.

13 I would say that, for a year or  
14 two, you could at least, you know, maybe put a  
15 couple fish in for 2,000 pounds, or something  
16 like that.

17 But, there's no reason for U.S.  
18 longline vessels to be throwing over bluefin  
19 tunas, as long as there's plenty of quota and  
20 there's not many vessels left.

21 Thank you.

22 MR. McKEON: Sean McKeon. And I'll

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1 try to be real quick. I agree with --  
2 certainly with Rom -- Rom's comments. And  
3 Dewey's, Terri's comments, Rich's comments.  
4 With respect to the regulatory burden, if you  
5 find specific places that that can be relaxed,  
6 and let these guys catch -- excuse me -- catch  
7 our fish.

8 And I do think that was a great  
9 presentation, delivered very well.

10 I think one of the problems, or one  
11 of the things that I see really up close is,  
12 you know, our ability to gather data has so  
13 vastly improved, over what it used to be.  
14 That we now have this empirical data, which  
15 confirms what a lot of fishermen have known  
16 forever. And what they say down my way is,  
17 fish ain't got no home. And a lot of times,  
18 what we see out there, is fish are moving,  
19 there's a lot of cyclical things I see there.

20 I'm certainly not a scientific  
21 expert, by any means. But I think that a lot  
22 of our folks understand that.

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1 Kind of like you go to the doctor's  
2 office now. Years ago, he would take your  
3 temperature. If your heart rate was fine, and  
4 your eyes weren't a different color then they  
5 should be, he'd send you home, and you'd be  
6 all right. Today, they test you till they  
7 eventually find something. And if you hang  
8 around long enough, they'll tell you that you  
9 probably are going to die of something  
10 someday.

11 I think, on the very last slide you  
12 showed, what people are saying about the  
13 decline in -- in BFT landings. I didn't see  
14 here, and maybe there's a reason for it. But  
15 I think commercial effort.

16 So many of our fishermen have  
17 gotten out, who this is a -- this is not a  
18 full-time fishery. And as some of the guys  
19 spoke prior to me. You know, it's closed  
20 quite a bit of the year. A lot of folks who  
21 would go into that fishery, do not. For some  
22 of the reasons Dewey just spoke about. They

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1 have to throw overboard product that makes it  
2 worthwhile to do it.

3 So I think in those bullet points,  
4 I think commercial effort -- all of your  
5 slides, I think, if I was listening and  
6 looking at them correctly showed that.

7 And I think that, I would also like  
8 to just emphasize what Rich said about the  
9 shifting fisheries. And the abundance  
10 distribution comments that you, I think,  
11 agreed to. I would just reemphasize those  
12 comments.

13 Thank you.

14 PARTICIPANT: Catching our quota,  
15 first is, what's actually out there. Can you  
16 go to the graph at the top of Page 8, when  
17 you're looking at the annual landings from  
18 2002 to 2007?

19 (Off the record comments.)

20 PARTICIPANT: There you go.

21 First of all, I have a question.

22 So, this is just landings, correct?

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1 (Off the record comments.)

2 PARTICIPANT: Okay, now and -- from  
3 year to year, does the bag limits change, for  
4 each one of those size classes?

5 (Off the record comments.)

6 PARTICIPANT: So understandably,  
7 you're going to have changes between years.  
8 And what you're seeing there.

9 What I'm curious about, is what's  
10 actually out there versus what they're  
11 catching.

12 Now, this is dependent on what  
13 people are landing. Is there any type of  
14 fishery's independent data, that can give us  
15 an idea what the true structure looks like?

16 PARTICIPANT: No. Thanks again for  
17 raising that. Because I really want to  
18 emphasize. That's exactly right. This is all  
19 fishery dependent information. Unlike a  
20 scientific presentation.

21 The -- but you should know that the  
22 SCRS does actually have, what, nine indices to

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1 measure the abundance, distribution of the  
2 fishermen. Those are all in the end the  
3 fishery dependant data. There's only one data  
4 set that they use at fishery independent. And  
5 it's the larval, so they -- so I don't have  
6 the answer to your question. But you're  
7 right. This is fishery dependent information.  
8 Dependent on what the fishermen landings are  
9 showing us.

10 What it says about distribution in  
11 real time and space, biologically, that's --  
12 this would be an inference. But it's not the  
13 same.

14 PARTICIPANT: Because obviously,  
15 what your true distribution looks like. It  
16 should dictate what your management measures  
17 are going to be.

18 It should, to the best of your  
19 capabilities.

20 I guess, because I'm also sensitive  
21 to what everybody's saying too. About, we  
22 need to be able to catch more of this quota.

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1 Yet, people are saying, Hey, we're seeing a  
2 lot of fish, but we're not able to catch them.

3 So, I don't know if there's a  
4 better way to look at what the true stock  
5 structure's like. And to be able to make your  
6 management measures based on that. To allow  
7 these people to be able to harvest some more.

8 That's just my comment.

9 PARTICIPANT: I'll try to be brief.

10

11 First of all, it's a great  
12 presentation.

13 Following along with the philosophy  
14 of using the quota or losing it. I know last  
15 year, when we went to ICAT, we changed a  
16 percentage of the angling size fish. The  
17 percentage of the quota that we could catch,  
18 from 8%, I believe, to 10%.

19 Is there anyway we can increase it  
20 again?

21 I mean, is that the max? Or is --  
22 could we go after a bigger piece?

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1                   Once again, if we're catching these  
2 smaller fish, can't we -- we'll apply them to  
3 our quota. And we're catching a bigger part  
4 of our quota.

5                   Is there anyway we can go to ICAT  
6 and ask for more fish? In that school and  
7 small-medium category?

8                   MARK MURRAY-BROWN: That is indeed  
9 part of a negotiation process.

10                  It's set by ICAT, which means, it's  
11 a big deal. Because it's not as if we -- that  
12 we don't have the regulatory ability to just  
13 change it.

14                  So you're right, that's the way to  
15 do it. That's the process. Dr. Rebecca Lent,  
16 back there.

17                  So --

18                  (Off the record comments.)

19                  MARK MURRAY-BROWN: The -- correct.  
20 I'll -- don't want -- not going to  
21 overemphasize it. But it is a 10% tolerance.  
22 So, there's an interesting part of the

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1 discussion takes place out at ICAT, from the  
2 European perspective about that fishery.

3 PARTICIPANT: First of all, I just  
4 wanted to make a comment in response to a lot  
5 of the comments around the room. Just to, for  
6 the record. That not -- I agree that the U.S.  
7 is much more likely to treat a quota in a more  
8 conservation friendly way, and to have cleaner  
9 fisheries. And that we certainly don't want  
10 to lose our quota to other nations.

11 But at the same time, I certainly  
12 don't think we should throw every regulation  
13 out the window. In, you know, for the  
14 ultimate goal of just catching as many fish as  
15 we can.

16 You know, there are a lot of bad  
17 signs. And I agree that the fishery data and  
18 fishery independent data. It's hard to  
19 distinguish exactly what's going on. But  
20 there are several bad signs.

21 And your average size is decreasing  
22 across most of your permit categories. Your

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1 landings are down. The small fish. You know,  
2 maybe it's dogfish. Sorry Sonya, who knows  
3 the issue is, with the small fish. But  
4 they're not being caught.

5 The larvae in the Gulf aren't being  
6 found at the same levels as they have in the  
7 past, I know. I know Jim is doing some  
8 research down there.

9 But it's -- you have several  
10 different indicators, that there's something  
11 going on, that could be bad. And that we  
12 should, you know, be precautionary. And  
13 figure out if those trends that we're seeing  
14 are real or if they're just a, you know, a  
15 manifestation, because of the fishery.

16 So, just that. And then a  
17 question. On the catch documentation scheme,  
18 I'm just a little confused, how exactly it  
19 works. With your, whose bluefin is it? Or,  
20 whose fish is it anyway, slide.

21 If a fish is caught by a French  
22 pursaner and transferred to a Turkish pen. At

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1 what point does the catch documentation scheme  
2 document start?

3 Is it with France, or is it with  
4 Turkey?

5 PARTICIPANT: It should be France,  
6 because it needs to be filled out when the  
7 fish is removed from the -- oh, sorry. Am I  
8 saying this right?

9 Is it removed from the farm, Diane?  
10 Or is it put in -- removed from the water,  
11 put into the farm?

12 (Off the record comments.)

13 PARTICIPANT: So at each point,  
14 where the nation holding that fish transfers.  
15 Is it reported to ICAT at each point? Or  
16 it's just upon final market that it gets  
17 reported? Or, how does that work?

18 MARK MURRAY-BROWN: Well, this is  
19 one of the pieces that Diane mentioned.

20 What you're technically referring  
21 to and what Sarah presented, is a re-export.  
22 So each time it goes from one nation to

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1 another, that's considered a re-export. And  
2 the new requirement will be that each time  
3 that happens, a new piece of paper needs to be  
4 added. A re-export certificate from country A  
5 to B, then B to C, then C to D.

6 Always with that original catch  
7 document at the bottom.

8 So if you're tenth in line, you got  
9 your -- you got yourself one heck of a  
10 package. And it's technically meant to go to  
11 at least, I think, three places at that point.

12 I hope I'm getting this right.  
13 It's supposed to go to the ICAT secretariat,  
14 the host nation where the fish is going, and  
15 it's supposed to go to your own nation.

16 MR. AUGUSTINE: Thank you, Pat  
17 Augustine.

18 Terrific presentation. Matter of  
19 fact, I was saying, you know, I think we  
20 should have a copy of this presentation with  
21 all the other presentations in a CD sent to  
22 each one of the advisory panel members.

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1 (Off the record comments.)

2 MR. AUGUSTINE: Okay, that's good,  
3 thank you very much.

4 Back to the point that Joe McBride  
5 made, concerning the number of permits that  
6 are out there.

7 It just seems to me, that we also  
8 have a bluefin tuna reporting mechanism in  
9 place, for anyone who lands a bluefin tuna.

10 How difficult would it be to go  
11 back and separate the number of reported  
12 landings of bluefin tuna? To actually  
13 determine what the average number of bluefin  
14 tuna fishermen are annually?

15 And if you took a -- say over a  
16 three year period of time, and come up with an  
17 average. Could we not then get a truer  
18 picture as to what your daily limit could be?

19 So that we end up not building up -- this is  
20 one way, to reduce the underage.

21 So that we could get a better  
22 picture as to whether, it may be three bluefin

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1 tuna per vessel, versus five or one or  
2 whatever.

3 I know there's a concern here, that  
4 the more bluefin tuna recreational anglers  
5 catch, the more likelihood that they're going  
6 to want to sell. Just the way it is. Cost of  
7 doing business.

8 So, it just seems to me, somehow we  
9 could increase the number of retained fish.

10 And then the other question is,  
11 what kind of a tool do you need, recommended  
12 by us to you, or you tell us what you need,  
13 and we'll suggest that you put it in place.  
14 What kind of a tool do you need in your  
15 toolbox to react quicker?

16 Our problem is, we do reaction  
17 management through NMFS. Totally reaction.  
18 Our toolbox is very limited. We only wait  
19 until a problem is here. And because of the  
20 process cycle, of putting something in place,  
21 at federal register, and 13 or 12, 11 levels  
22 of desks, if you will, to get a stamp on

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1 something to approve it. That -- what else  
2 can we put in the toolbox as we do in the  
3 councils, or in the commission?

4 Where you'll end up with three or  
5 four items that you all could put forth as a  
6 change in management, that only requires a  
7 limited amount of processing through the  
8 public and so on.

9 I'm not sure, you may have  
10 something in mind. Because I know you're --  
11 you have these management tools you have now.

12 Is there something else within  
13 that, that we could help you with?

14 PARTICIPANT: Well I think,  
15 actually on -- on the scale of some of our  
16 management, bluefin ability to change things,  
17 is on the quickest side. With a three day  
18 notice -- on that, I think is as short as we  
19 have in the HMS world.

20 And you can see the in-season  
21 action. That's -- those kinds of things are  
22 set up through a formal rule making. But then

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1 you list out the criteria and the data that  
2 you're going to review and the process. And  
3 we've been able to do things within three days  
4 for some of those changes.

5 Some things we'll probably not be  
6 able to, you know, quota changes, allocation  
7 changes, are never going to be in-season  
8 actions. There's probably a subclass that --  
9 there may be more things that we could add. I  
10 don't think I've got any -- at least I don't,  
11 maybe you guys do -- specific ideas for  
12 additional tools.

13 But something we could think about.

14 MR. AUGUSTINE: That was the idea  
15 of the question, to see if there was something  
16 as you go back to your jobs. And come back  
17 for the next advisory panel meeting, with any  
18 other ideas, that you think we should vet and  
19 make comments to.

20 PARTICIPANT: Sorry, I'm going to  
21 turn my back to some people somewhere.

22 (Off the record comments.)

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1                   PARTICIPANT:     Just a few points  
2                   about some points that have come up.

3                   Joe's point about wondering about  
4                   movement patterns of the small fish. Which is  
5                   obviously of quite a bit of importance to  
6                   trying to determine what these landings data  
7                   mean, for trying to determine abundance versus  
8                   catchability.

9                   Very little is known about small  
10                  fish movement patterns. Just because the  
11                  tagging data hasn't been collected on those  
12                  fish yet. That's started recently. And  
13                  hopefully more of that will come in and we'll  
14                  get a clearer picture of the movement patterns  
15                  of these fish.

16                  One thing we do know about bluefin  
17                  tuna in general, and the small fish in  
18                  particular, is that they're very patchily  
19                  (phonetic) distributed.

20                  So where you do see these cases of  
21                  missing year classes, that may in fact just be  
22                  that they're not available to a certain

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1 fishery at a certain time. The flip side of  
2 that coin, is that where you do see these good  
3 year classes, that might not necessarily mean  
4 that it's a good year class in general. It  
5 may just mean that they're available to a  
6 certain fishery at a certain time.

7 With one of the concerns there, is  
8 that just because there may be good year  
9 classes on our side of the ocean, for a number  
10 of years, that doesn't mean that those fish  
11 are going to recruit into the spawning stock  
12 of the Western fishery.

13 We've seen before, in the past,  
14 that what appeared to be good year classes,  
15 moving up through the generations from age two  
16 to six to seven, never recruited into the  
17 adult, because there were a large percentage  
18 of eastern fish in those year classes. That's  
19 the most likely explanation.

20 And a lot of our tagging data has  
21 shown that, that does in fact happen. Where  
22 certain year classes or certain cohorts are

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1 heavily influenced by eastern fish that came  
2 over here, that do not then recruit into our  
3 western stock.

4 One of the things that's come up a  
5 number of times, is trying to catch our quota.

6 One of the problems with the quota,  
7 as it is right now, is that essentially, for  
8 the past 20 years, this quota for the western  
9 stock has been a rebuilding quota.

10 And if anyone -- I don't know how  
11 familiar most of the people are with ICAT.  
12 But, if you look at the projections of what  
13 ICAT has said for the past 20 years, about  
14 what would happen to the western stock if we  
15 did catch the certain quota that they had  
16 laid out for us. Which essentially, we did.  
17 We've been very good with not going over our  
18 quota, as Mark and others have shown.

19 They predict almost every year. An  
20 almost exponential growth in the western  
21 stock, which has never happened. And it's  
22 been 20 years now, which you don't need to

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1 know much about the ins and outs of the  
2 population model that they're using, to see  
3 that, if you've overestimated something for 20  
4 years, there's probably something wrong with  
5 the model.

6 One of the main problems -- one of  
7 the simple problems, is that it just -- it  
8 underestimates mixing between eastern and  
9 western stocks.

10 And what that does, is overestimate  
11 the potential future fish available that are  
12 going to recruit into the western spawning  
13 stock.

14 It also underestimates the effect  
15 of the eastern over-fishing is going to have  
16 on the western fisheries as well. Both of  
17 which are -- could potentially be bad things.

18 But, the point that I want to make  
19 there, is that given the models that ICAT is  
20 currently using, and the stock assessments  
21 that they're currently doing. If both the  
22 western and the eastern management units,

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1 caught their allotted quota, the -- there  
2 probably wouldn't be much of a fishery in the  
3 western Atlantic in about 20 years.

4 So, going whole hog to try to do  
5 anything we can to catch our quota is probably  
6 not very sustainable.

7 There are people now, that are  
8 trying to reduce some of those models, with  
9 more up-to-date data and more realistic mixing  
10 models. And hopefully those will be out  
11 shortly, so.

12 PARTICIPANT: When you said that  
13 the -- if the models perhaps, you know, not  
14 taking into consideration the mixing and so,  
15 if each management unit caught its allotted  
16 quota, the fishery in 20 years, would not be  
17 sustained.

18 But you are saying, we're now at  
19 that 20 year point. You're not saying another  
20 20 years in the future, right?

21 PARTICIPANT: Well, I would say  
22 that the fishery has already become, I mean,

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1 the estimates are that we're down to 10% of  
2 historic levels, or something along those  
3 lines.

4 So, you know, whether you want to  
5 call that collapsed. Or whether you want to  
6 call, you know, commercial extinction  
7 collapsed, is, you know, depending on where  
8 you want to call it. But it -- it's -- I  
9 think the point I was making is, it's just  
10 going to get worse. It's -- those are not  
11 adequate rebuilding quotas. That's --  
12 rebuilding is not going to happen.

13 (Off the record comments.)

14 PARTICIPANT: I was planning on  
15 being quick, but 15 seconds.

16 First of all, first of all, I  
17 wanted to point out to Joe's concern, that he  
18 doesn't see, you know, fish beyond 27 inches.

19 An alternative explanation to  
20 Andre's, is that there are other areas that  
21 see similar phenomenons.

22 The Bay of Biscay has a very small

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1 size range of age classes in it. The Gulf of  
2 Guinea has a small range of age classes that  
3 are typically in it.

4 Prince Edward Island has very large  
5 fish that are common to it, and don't  
6 generally see any small fish.

7 So it's not necessarily that.

8 And also, the -- his comment about  
9 the eastern -- that when we see a spike, it  
10 might be that we had a good eastern Atlantic  
11 recruitment, and that's why you're not seeing  
12 it return. Because it's really eastern fish  
13 going back home.

14 We see the same thing in New  
15 England. Where we get the six and seven year  
16 olds. And they don't come back as eight and  
17 nine year olds.

18 The other alternative explanation,  
19 I've been telling people for years. And data  
20 shows it. If you look at the central Atlantic  
21 catches, those age classes are being caught in  
22 the central Atlantic.

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1           Whether they're eastern or western  
2 fish, they're a mix. We know they're a mix  
3 that are being caught. And that's the problem  
4 area.

5           Just too quick more points. I'm  
6 talking as fast as I can.

7           The -- to Sean's point and Dewey's  
8 point, of the increasing incidental catch in  
9 the pelagic longline.

10          That was included in the East Coast  
11 request. That we review every single record  
12 regulation and this added rationale for  
13 allowing more catches of -- or greater  
14 retention of the PL catches. Because they are  
15 the most widely distributed fishery. And if  
16 there are shifts in abundance, going on --  
17 shifts in availability, going on, the PLL  
18 fishery is more likely to find it, than any of  
19 our coastal fisheries.

20          Just one last quick point. The  
21 drop in effort in New England. You know, it -  
22 - the graphs look dire. And I -- I'm not

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1 trying to prejudge what the 2008 stock  
2 assessment is going to show. But I would also  
3 suggest that there is a possibility that the  
4 dramatic situation, that's being suggested by  
5 the graphs, may be inflated, if you will.  
6 Because of other things that are going on.

7 People have already mentioned the  
8 dogfish. The effort drop off is phenomenal.  
9 We've gone from 14,000 general category  
10 permits at one point in time. We're less --  
11 we're down to less than 5,000. There's less  
12 than 2,000 -- 3,000 in the northeast right  
13 now.

14 Fuel is \$3.00. Only the good guys  
15 go fishing at this point in time.

16 (Off the record comments.)

17 PARTICIPANT: Well -- it was three  
18 -- I'm talking about last year when these --  
19 when you saw the low catches, it was three  
20 bucks. It's now four bucks, you're right.

21 I'll stop there. Okay. Fifteen,  
22 twenty-five seconds.

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1 MR. BLANKINSHIP: Good morning, my  
2 name is Randy Blankinship. And I am with the  
3 National Marine Fishery Service out of the St.  
4 Petersburg, Florida office.

5 Also up here is Sarah McLaughlin  
6 out of Gloucester. She was just up for the  
7 last presentation.

8 It's good to see you all. And I  
9 appreciate you all standing by, as we move  
10 this presentation to today.

11 Yesterday we spent quite a bit of  
12 time working on this proposed rule, with its  
13 final review and clearance. And as you are  
14 well aware, sometimes when you're in a place,  
15 it's good to get some work done, so you can  
16 get it past one hurdle and to the next. And  
17 so, that's where we were yesterday.

18 And that proposed rule has not  
19 published yet. But it is continuing on its  
20 process and review and clearance. And we  
21 expect it probably to go to -- down to  
22 Department of Commerce this afternoon most

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1 likely.

2 Greenstick gear issues have been  
3 discussed at several advisory panel meetings.

4 And this presentation makes the assumption  
5 that most of you are familiar with the  
6 Greenstick issues, since you've seen it  
7 before.

8 Some of you may not have seen it  
9 and may not be as familiar. And I hope that I  
10 can answer any clarification questions that  
11 you may have at the end of the presentation.

12 This proposed rule has been  
13 developed for authorization of greenstick and  
14 harpoon gear, for harvest of Atlantic tunas,  
15 including bluefin tuna in the Atlantic tuna's  
16 general HMS charter head boat, and Atlantic  
17 tuna's longline categories. And authorize  
18 harpoon use for Atlantic tuna harvest  
19 including bluefin tuna, in the highly  
20 migratory species charter head boat category.

21 It also authorizes, or requires  
22 rather, sea turtle control devices in the

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1 longline fisheries.

2 In order to increase fishery  
3 operational flexibility, this proposed action  
4 would authorize greenstick fishing gear for  
5 harvest of Atlantic tunas, including bluefin  
6 tuna, in Atlantic tunas general charter head  
7 boat and Atlantic tunas longline categories.  
8 I'm sorry -- public requests for authorization  
9 of the fishing gears, led NMFS to analyze and  
10 consider their use.

11 NMFS subsequently has analyzed and  
12 request -- analyzed this request and  
13 determined that use of this -- of these gears,  
14 would allow efficient harvest of Atlantic  
15 tunas with low bicatch and bicatch morality.

16 The purpose of this proposed rule  
17 is to provide additional opportunities for  
18 fishermen to harvest Atlantic tunas within  
19 current quotas, and consistent with other  
20 established limitations. Such as target catch  
21 requirements and size limits.

22 NMFS intends with this proposed

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1 rule, to allow harvest of Atlantic tunas with  
2 gears that are generally efficient in  
3 harvesting target species. And once again,  
4 low in bicatch and bicatch mortality.

5 Regarding sea turtle control  
6 devices. To increase post release survival of  
7 sea turtles, consistent with the bicatch  
8 mitigation measures required under the 2004  
9 biological opinion, for the Atlantic pelagic  
10 longline fishery. And to increase safety at  
11 sea for fishermen, when handling sea turtles  
12 caught or entangled in longline fishing gear.

13 This proposed action would require  
14 a sea turtle control device, in pelagic and  
15 bottom longline fisheries.

16 A series of public information  
17 meetings, that were held in the summer of 1997  
18 -- sorry, 2007. And input from you all, have  
19 been helpful in developing the alternatives  
20 that were considered in this proposed rule.

21 The alternatives that I'm going to  
22 present to you, are divided by category of

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1 proposal. And multiple alternatives are  
2 preferred.

3 First of all, four alternatives  
4 were considered, regarding greenstick gear  
5 authorization.

6 Alternative A-1 -- and these  
7 alternatives are what we expect them to look  
8 like, when this is published. Probably in  
9 about one to two weeks.

10 Alternative A-1, which is the no  
11 action or status quo alternative. Would  
12 maintain existing gear definitions and  
13 authorizations for harvesting Atlantic tunas.

14 This alternative would maintain  
15 existing regulations for harvesting Atlantic  
16 tunas. Thereby, allowing greenstick gear use  
17 only as allowed under the current definitions  
18 and regulations for longline and hand gear,  
19 based on the gear configuration.

20 Alternative A-2, is to authorize  
21 greenstick gear, for harvest of Atlantic  
22 tunas, by Atlantic tunas general category

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1 permitted vessels.

2 This is a preferred alternative.  
3 This preferred alternative would authorize  
4 persons fishing from Atlantic tunas general  
5 category permitted vessels to harvest Atlantic  
6 tunas, including bluefin tuna, with greenstick  
7 gear.

8 And I'll get into the definition of  
9 greenstick gear under the proposed rule in  
10 just a couple of slides.

11 Authorized persons fishing from  
12 charter head boat permitted vessels, to  
13 harvest Atlantic tunas, including bluefin  
14 tuna, with greenstick gear.

15 This alternative would also allow  
16 for hire charter head boat trips, to use  
17 greenstick gear.

18 Current regulations allow the sale  
19 of Atlantic tunas, caught on charter head boat  
20 permitted vessels, regardless of whether the  
21 vessel is for hire or not.

22 The primary impacted fishing

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1 entities under this alternative, would be  
2 charter head boat permit holders, who are  
3 currently restricted to two hooks or less per  
4 line, when using greenstick gear.

5 Alternative A-4, would authorize  
6 greenstick gear for harvest of Atlantic based  
7 tunas and bluefin tuna, within existing target  
8 catch requirements, by Atlantic tunas longline  
9 permitted vessels.

10 This is also a preferred  
11 alternative.

12 This preferred alternative would  
13 authorize persons fishing from Atlantic tunas  
14 longline category, permitted vessels, to  
15 harvest Atlantic bays and bluefin tuna, within  
16 existing target catch requirements, with  
17 greenstick gear.

18 This alternative would maintain the  
19 current management measures, that allow only -  
20 - that only allow bluefin tuna harvest  
21 incidentally to other fishing, if the  
22 appropriate level of target catch is retained.

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1           Greenstick gear would be defined as  
2           in the previous alternatives. And once again,  
3           I'll get into that definition in just a  
4           second. That include, limiting the number of  
5           hooks to no more than 10 hooks. For purposes  
6           of this preferred alternative, related to  
7           Atlantic tunas longline vessels, greenstick  
8           gear, as defined, would not constitute pelagic  
9           longline, as described in the regulations with  
10          the four components that are specified in the  
11          regulations for bottom longline and pelagic  
12          longline.

13                   Three                   distinguishing  
14          characteristics separate greenstick gear from  
15          pelagic longline and bottom longline gear. As  
16          greenstick gear is actively trolled, does not  
17          have floats capable of supporting the mainline  
18          or weights, and/or anchors, capable of  
19          maintaining contact with the mainline and an  
20          ocean bottom.

21                   The intent of this alternative  
22          would be to distinguish greenstick gear from

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1 current definitions of existing authorized  
2 gear types, such as longline.

3 This preferred alternative would  
4 also allow greenstick to be used by Atlantic  
5 tunas longline permitted vessels, at times and  
6 in places, closed to longline fishing. If the  
7 requirements for removal of any one of the  
8 elements of pelagic longline or bottom  
9 longline are met.

10 Because J hooks are more efficient  
11 -- or, effective rather, than circle hooks,  
12 when fished with greenstick gear, and J hooks  
13 are not expected to result in high post  
14 release mortality rates, this preferred  
15 alternative would allow Atlantic tunas  
16 longline permitted vessels, to possess no more  
17 than 20 J hooks, if greenstick gear is on  
18 board.

19 On board Atlantic tunas longline  
20 permitted vessels, J hooks would only be  
21 allowed for use with greenstick gear. And no  
22 more than 10 of those hooks may be used on a

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1 greenstick.

2           Also, with an issue related to  
3 pelagic longline vessels, in the Gulf of  
4 Mexico, and the live bait prohibition in the  
5 Gulf of Mexico. NMFS specifically asked for  
6 comments, related to the possibility of  
7 requiring a specific hook size with greenstick  
8 gear.

9           And the issue there, is related to  
10 whether or not there's a possibility that  
11 under that -- Atlantic tunas longline vessels  
12 fishing in the Gulf of Mexico, might somehow  
13 utilize the greenstick gear authorization and  
14 utilize sabiki bait catching rigs, or similar  
15 type rigs, under this provision, to better  
16 enable them to catch live bait.

17           The prohibition is already in place  
18 for the use of live bait on longline gear.  
19 But this potentially creates an issue that we  
20 wanted to get specific comments from you all.

21

22           One potential way of dealing with

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1 it -- with this, might be a minimum size  
2 requirement for greenstick gear.

3 (Off the record comment.)

4 MR. BLANKINSHIP: Hook size --  
5 minimum hook size. Sorry.

6 Also, one thing that we  
7 specifically want to get some comment on, is  
8 the allowance of artificial bait possession  
9 and use, on Atlantic tunas longline vessels,  
10 when greenstick gear's on board.

11 Currently, baits are limited to  
12 whole fish and even the type of fish is  
13 specified in some areas. And whole squid.

14 And other bait types cannot be  
15 possessed or used on those vessels.

16 For greenstick gear to be used, and  
17 most of the time, it is used with artificial  
18 baits. Particularly rubber squid bait. An  
19 allowance would potentially maybe need to be  
20 used to accommodate that and allow that type  
21 of use.

22 And so, that is pointed out. And

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1 we would like to have specific comment on that  
2 issue.

3           Regarding the greenstick gear  
4 definition. Greenstick gear would be defined  
5 as an actively trolled mainline, attached to a  
6 vessel, and elevated or suspended above the  
7 surface of the water, with no more than 10  
8 hooks or gangions attached to the mainline.

9           The suspended line, attached  
10 gangions and/or hooks, and catch, may be  
11 retrieved collectively by hand or mechanical  
12 means.

13           Greenstick gear does not constitute  
14 a pelagic longline or a bottom longline, as  
15 defined in this section. Or as described in  
16 Section 635.21C, or 635.21D, respectively.

17           Distinguishing characteristics once  
18 again, that separate the gears, as greenstick  
19 gear is actively trolled and does not have  
20 floats capable of supporting the mainline, as  
21 with pelagic longline or weights and/or  
22 anchors capable of maintaining contact between

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1 the mainline and the ocean bottom, as with  
2 bottom longline.

3           Regarding data collection and  
4 greenstick gear.

5           NMFS considered several  
6 possibilities for greenstick gear data  
7 reporting, including these that you see here.

8           And we want your specific comment on data  
9 collection issues.

10           None of these data collection  
11 programs -- I'm sorry. No new data collection  
12 programs are -- requirements are in the  
13 proposed rule.

14           However, your comments about this  
15 particular issue, could be very helpful.

16           Some of the things that we looked  
17 at and possibilities that we looked at, were  
18 observers onboard general category and charter  
19 head boat vessels. And there are some pros  
20 and cons with that.

21           On the pro side, this provides good  
22 bicatch information.

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1           On the con side, the mini vessels  
2 are very small. They couldn't handle extra  
3 folks onboard. Also, it's very costly to do  
4 this. And availability of observers could be  
5 limiting.

6           Also, log books were considered,  
7 for general category and charter head boat  
8 vessels. They are not currently required  
9 under HMS regulations to report via log books.

10           However, Atlantic tunas longline  
11 vessels are currently required to report, if  
12 they are selected for reporting.

13           This method also has some pros and  
14 cons.

15           A pro is that it's less expensive  
16 than doing observers.

17           However, cons are that it's not --  
18 does not provide very good bicatch  
19 characterization data, because it's self  
20 reported data, mainly.

21           We also looked at improvements to  
22 the trip ticket program and dealer reporting

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1 mechanisms.

2 The trip ticket is in the Gulf of  
3 Mexico and the South Atlantic. And dealer  
4 reporting is in the Northeast.

5 One of the things that we actually  
6 have already done, is worked to request and it  
7 has been issued. A new gear code for  
8 greenstick gear. So that those two reporting  
9 mechanisms can, over time, better collect  
10 information specific to greenstick gear.

11 There are also possibilities to  
12 conduct special studies on greenstick gear, to  
13 further characterize the gears catch and  
14 bicatch characteristics.

15 Looking at harpoon authorization.

16 Alternative B-1, which is the no  
17 action or status quo alternative. Would be to  
18 maintain existing gear authorizations for  
19 harvesting Atlantic bluefin tuna by highly  
20 migratory species, charter head boat permitted  
21 vessels.

22 This alternative would maintain

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1 existing regulations for these vessels. And  
2 currently, those regulations are that harpoon  
3 gear is authorized only for vessels holding an  
4 Atlantic tunas general and harpoon category  
5 permit. Which are both commercial permits.

6 Alternative B-2, would authorize  
7 harpoon for Atlantic tunas fishing by highly  
8 migratory species, charter head boat permitted  
9 vessels.

10 This preferred -- this is a  
11 preferred alternative. And would, of course,  
12 authorize harpoon gear for commercial harvest  
13 of Atlantic tunas, including bluefin tuna for  
14 these vessels.

15 While fishing under the rules that  
16 apply, when filling the Atlantic tunas general  
17 category, bluefin tuna retention limit,  
18 charter head boat vessels would be able to use  
19 harpoon gear to fish for and retain bluefin  
20 tuna greater than 73 inches, curved fork  
21 length.

22 NMFS developed two subalternatives

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1 to alternative B-2. And request specific  
2 comments on these subalternatives.

3 Alternative B-2A, is to authorize  
4 harpoon for Atlantic tunas fishing, by charter  
5 head boat, permitted vessels, on all trips.

6 This alternative would allow use of  
7 harpoon gear on all charter head boat trips,  
8 including those taken with paying passengers.

9 For example, a for hire trip, as  
10 described in -- I'm sorry, in -- For example,  
11 for hire trip and non for hire trips. Such as  
12 trips with captain and crew only.

13 Atlantic tunas may be sold from a  
14 charter head boat permitted vessels,  
15 regardless of their for hire status.

16 Alternative B-2B, would authorize  
17 harpoon for Atlantic tunas fishing by charter  
18 head, permitted vessels, on non for hire trips  
19 only. And this is the preferred alternative.

20 This preferred alternative would  
21 allow use of harpoon gear on charter head boat  
22 non for hire trips only.

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1           Regarding the sea turtle control  
2 device issues.

3           As an addition to the suite of sea  
4 turtle bicatch mitigation gears is required by  
5 the pelagic longline and bottom longline  
6 fisheries.

7           NMFS is proposing to require a sea  
8 turtle control device be possessed and on  
9 board and used.

10           This proposal is a result of field  
11 operations, data collection, and anecdotal  
12 reports of fishermen, conducted by the  
13 Southeast Fishery Science Center. Which  
14 indicated that the gear is effective as an aid  
15 in removing hooks and entangling gear from  
16 large sea turtles, that are not brought on  
17 board the boat.

18           Fishermen have also indicated the  
19 device makes it easier and safer to handle  
20 large sea turtles.

21           Alternative C-1, which is the no  
22 action alternative. Would maintain existing

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1 sea turtle bicatch mitigation regulations for  
2 pelagic and bottom longline fisheries.

3 Currently, the turtle tether is  
4 recommended for possession and use, as part of  
5 the sea turtle bicatch mitigation  
6 requirements. But it's not -- measures, but  
7 it's not required specifically. That would  
8 continue under this alternative.

9 Alternative C-2, which is the  
10 preferred alternative. Would require  
11 possession and use of sea turtle control  
12 device -- of a sea turtle control device, as  
13 an addition to the already existing  
14 requirements for sea turtle bicatch mitigation  
15 gear.

16 This preferred alternative would  
17 require its possession and use of one gear in  
18 addition to the existing bicatch mitigation  
19 gear requirements.

20 The sea turtle control devices that  
21 would be approved to meet the requirement, are  
22 the turtle tether and the T&G Ninja Sticks.

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1           T&G Ninja Sticks is named for the  
2 two fishermen that assisted in developing the  
3 gear.

4           While this proposed rule would only  
5 require one control device to be possessed and  
6 used, NMFS recommends that the use of two  
7 devices provides even more control over the  
8 large -- over a large turtle, by allowing both  
9 front flippers of the turtle to be secured.

10           This further enables the removal of  
11 hooks and entangling gear, which then results  
12 in reduced post release mortality rates.

13           These devices that you see up here,  
14 are devices that may be purchased or  
15 constricted according to specifications that  
16 would be in the regulations.

17           The gear or construction or  
18 purchasing of the gear ranges for the turtle  
19 tether from \$40, if it was constructed  
20 approximately to \$250 if -- at the maximum  
21 cost right now, of a gear that might be  
22 purchased.

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1                   For the T&G Ninja Sticks, for  
2 construction of that gear, approximate cost is  
3 about \$25. And production models are  
4 available for about \$175.

5                   The time line for this rule making,  
6 is that once again, that this rule has not --  
7 proposed rule has not been published yet, we  
8 expect it in the next week or two. So  
9 sometime later this month.

10                  The comment period then, would be  
11 probably late May -- late April through May of  
12 2008. And a final rule will be expected this  
13 summer.

14                  Now on your handout, and up here,  
15 I've included contact information. Once  
16 again, this has not been published. But I  
17 included this in here, so that you would have  
18 it available when it does publish. You can  
19 easily turn and find the information, to be  
20 able to make public comment on it, if you  
21 wish.

22                  With that, I'll gladly take your

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1 comments or questions.

2 (Pause.)

3 MS. PEEL: Ellen Peel with Billfish  
4 Foundation Recreational.

5 We've been looking at greenstick  
6 gear as also, while marlin weren't -- wasn't -  
7 - weren't mentioned, as a means to reduce  
8 marlin bicatch mortality. Since the lines are  
9 shorter and theoretically, the fish should be  
10 able to be released alive in a more green  
11 position. This might even, the greensticks,  
12 might even avoid, you know, some additional  
13 closures.

14 However, I'm shocked. I mean, when  
15 you acknowledge, as we all know it is, it's an  
16 actively trolled gear with natural baits.  
17 That you're allowing J hooks and live bait.

18 Yet, trying to understand similar  
19 dynamics with combo rigs, you won't allow, you  
20 know, the exemption from the circle hooks.  
21 But you're giving this gear an exemption from  
22 circle hooks and they are allowed to use

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1 natural baits, I'm sorry -- natural baits.

2           So, I will turn to some gear  
3 experts. I'm certainly not one. But unless  
4 this can be explained clearly, I can guarantee  
5 you the anglers in at least the Gulf of Mexico  
6 are going to come unglued because it appears  
7 to be a grade inconsistency between  
8 communities, on whether circle hooks, J hooks,  
9 natural baits can be used.

10           Comment period, I would like to go  
11 ahead and make sure it goes through June.  
12 Tournaments are just starting. We're starting  
13 circle hook rigging workshops, since the  
14 government didn't do them. And your old video  
15 is old. We're also doing a DVD. But once  
16 they get the news of this, they're going to  
17 come off the docks completely.

18           Thank you.

19           MR. BLANKINSHIP: Thanks, Ellen. I  
20 wanted to just speak to that slightly.

21           Some of the details that are in the  
22 -- that will come out in the environmental

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1 assessment, speak to some of these issues.

2 It's not available yet because it's  
3 not published. And -- but it will be shortly.

4  
5 Related to the baits that are  
6 allowed on here. Of course, one of the things  
7 that you kind of said there, and I think you  
8 corrected yourself, but you were talking about  
9 live bait available on there.

10 Right, and in one of the points  
11 related to greenstick gear, is that yes,  
12 potentially, they could use a natural bait on  
13 there. Most of the time it is used with  
14 artificial baits. And the allowance provision  
15 is to -- for pelagic longline, is to allow the  
16 possession and use of artificial baits. So  
17 that they can do that very thing.

18 Related to actively trolled, even  
19 if it had a natural bait on there. One of the  
20 -- I guess one of the differences between  
21 greenstick gear and rod and reel gear as used  
22 in a billfish fishery, is that greenstick gear

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1 has a mainline that is normally quite heavy.  
2 Those hooks and gangions would be attached to  
3 that main line. And it has this trolling  
4 device at the back called a bird, which is  
5 usually about two to four feet in length.  
6 Seeing the diagram up here.

7 One of the issues related to  
8 Atlantic bill fishing and the circle hook  
9 provision, is the likelihood in common use of  
10 dropback techniques with those rod and reels,  
11 that result in the ingestion of the bait by  
12 the billfish, particularly white marlin was of  
13 concern.

14 And that results in high post  
15 release hooking mortality with J hooks.  
16 That's the whole premise behind that circle  
17 hook requirement, was that dropback provision.

18 Greenstick gear, because of the  
19 size of the mainline, because of the bird at  
20 the end, and the way that it is fished, does  
21 not lend itself to easily dropping back to a  
22 fish that may be up and chasing this gear.

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1           That is one distinction that is  
2 pointed out in the EA between the two types of  
3 fishing methods.

4           And at that -- I'll leave it at  
5 that for the next question.

6           MS. PEEL:     Well, but the large  
7 combo rigs, separate from the small combo rigs  
8 used in Venezuela and used when you're  
9 targeting white marlin are different. And  
10 there should be more consideration on that.

11           However, this is a rule I just hope  
12 you give the anglers in the Gulf plenty of  
13 time to make comments.

14           MS. BEIDEMAN:     That was a good  
15 presentation, Randy.

16           Terri Beideman.

17           I have a question.

18           On your -- the pelagic longline  
19 vessels that may opt to want to use this, they  
20 have to disable their pelagic longline gear in  
21 order to use it, correct?

22           MR. BLANKINSHIP:     They would have

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1 to remove one component.

2 MS. BEIDEMAN: Okay.

3 MR. BLANKINSHIP: Although it  
4 doesn't necessarily just mean disable.

5 MS. BEIDEMAN: Right, well, you  
6 know, there's a term that's basically  
7 disabling your gear, as removing X, Y, or Z.  
8 You know, and that shows that you're not  
9 pelagic longlining.

10 So at that point, that vessel is  
11 not a pelagic longline boat anymore. Okay?  
12 It is a, for all intents and purpose, a  
13 greenstick general category, whatever you want  
14 to call it. But it's not a pelagic longliner,  
15 because it's not using that gear for that  
16 trip.

17 I'm talking about a vessel, okay.

18 So, my concern with this, is to  
19 ensure that because they have this tuna  
20 longline permit, which is going to be their  
21 ability to land tunas that they catch. That  
22 they aren't constrained to having to deal with

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1 the target catch requirements. Because they  
2 are not -- they're not tuna -- they're not  
3 longline boats at that time.

4 So, that to me is a large problem  
5 trying to hold them to those target catches,  
6 when they are in essence no different than any  
7 other greenstick boat out there.

8 They are no longer a pelagic  
9 longline boat.

10 (Off the record comment.)

11 MS. BEIDEMAN: Well, I don't know  
12 what to do about it. I just know that trying  
13 to keep them out there. Well, Rich knows what  
14 to do.

15 I'm just trying to raise an issue.  
16 And I don't want pelagic longline vessels to  
17 be painted in a corner. Okay, and that's what  
18 I perceive, is when you start having separate  
19 little regulations for them. Even though  
20 they're not a pelagic longline boat for the  
21 purposes of that trip. They are constrained  
22 by this tuna longline permit, to being

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1 classified as one. And I can see an issue  
2 with that.

3 Now the permits are being discussed  
4 and potentially morphed into something  
5 different. But I have a concern about, you  
6 know, question marks, whether people would, on  
7 the basis of their permit, be required to, you  
8 know, do certain things.

9 It also raises issues with regard  
10 to, if you're going to allow boats in the Gulf  
11 of Mexico, that are not pelagic longline boats  
12 ever, to do greensticking. And you, you know,  
13 have a set -- one set of rules for them and a  
14 different set of rules for pelagic longliners  
15 that are not fishing that way this trip.

16 I don't know exactly how to word  
17 it. But you have an issue there, with regard  
18 to bluefin tuna. And that's a very large  
19 yellowfin area. And they would, I'm certain,  
20 love to use greenstick gear to catch yellowfin  
21 if they can.

22 So you have an issue with regard to

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1 directed fishing going on for tunas and  
2 bluefin. And, you know, to the extent that  
3 the rules get modified somehow.

4 I don't want pelagic longline  
5 vessels to be painted in the corner with  
6 regard to how they are allowed to use the  
7 spear that everybody else can use.

8 So, those are my bigger concerns.  
9 The J hook issue, I don't know that circle  
10 hooks work with it. So that may be, you know,  
11 a moot point, as far, you know, if you're  
12 going to allow it, then you allow J hooks.  
13 Circle hooks are required for pelagic longline  
14 vessels exclusively. That's all they can use.

15 But if they're not a pelagic longline vessel  
16 for that trip, then it shouldn't be an issue,  
17 how many J hooks they have on the boat.

18 You know, so, I'm just concerned  
19 that we're coming up with a whole suite of  
20 stuff, that only applies to the second class  
21 citizens. And it should not be. If they are  
22 a fishing vessel documented in the United

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1 States with all their permits and doing all  
2 the right things and they're not pelagic  
3 longliners, they shouldn't be any different  
4 than anybody anywhere else. You know, that  
5 isn't a pelagic longliner at anytime.

6 So, I caution you that this is a,  
7 you know, it's a slippery slope. And I don't  
8 want to see, you know, our vessels not allowed  
9 to use that gear. Just the same as anybody  
10 else. Not with special sets of rules.

11 Thanks.

12 MR. BLANKINSHIP: Okay, thanks.  
13 Just for one of the clarifications that are  
14 related to bluefin tuna incidental limits, is  
15 that there is the potential for Atlantic  
16 tunas longline vessels to have both gears and  
17 use them both on the same trip. That's why  
18 that provision is still a part of it. And is,  
19 you know, clearly a part of that.

20 So, I wanted to point that out.  
21 And it -- as a -- as one of the provisions  
22 that we considered here, and tried to

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1 accommodate and work with.

2 MR. HEMILRIGHT: I said I wasn't  
3 going to say nothing today, because I thought  
4 it was kind of -- it was a done deal, waiting  
5 for six months. But it obvious it ain't a  
6 done -- it's not a done deal.

7 On alternative four here. I wish  
8 that National Marine Fisheries would go  
9 fishing with somebody with a greenstick.

10 I mean, what in the hell is the  
11 problem? We've been sitting here dealing with  
12 this, messing around, figuring it out, and  
13 nobody to my knowledge, from National Marine  
14 Fishery Service has gone a boat to go  
15 greensticking.

16 And I know somebody would accompany  
17 them or you know, take them out. Probably for  
18 free.

19 This thing here about the -- when  
20 we go fishing longlining, and this greenstick  
21 is just another way for me to catch a tuna.

22 You know, I can't come in and go

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1 out there and go tuna -- or longlining and the  
2 water not be good, or something come up and I  
3 see yellowfins. Well, hell, heck, let me run  
4 back in and go get my greenstick.

5 You know, why not look at something  
6 like that, if you have a blue -- you know,  
7 most time, bluefin tuna fishing is something  
8 separate, so you could take your gear off,  
9 your longlining off, and go target that  
10 bluefin tuna. Go catch your requirements or  
11 go catch your one or three fish, just like the  
12 general category. But most time, bluefin tuna  
13 and yellowfin ain't together.

14 So, I kind of would like to be able  
15 to have my greenstick on my boat at all times.

16 But, if I choose to go bluefin fishing, to go  
17 catch those bluefins, and all I have is  
18 bluefins, then I would have to have my  
19 longline gear taken off.

20 But for yellowfin tuna, why  
21 shouldn't I be able to have it on there both  
22 at one -- both at the same time?

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1           And I don't think it's a problem  
2 would be with enforcement that they look in  
3 your fish hole and you got one bluefin tuna on  
4 that boat, and you got greenstick gear on the  
5 boat. Well, you know, maybe they can look at  
6 where you've been and something. And see if  
7 there's a problem.

8           But you should be able to go  
9 yellowfin -- have yellowfin tuna on your boat  
10 and be able to have the greenstick on there.

11           Most of the time the people who are  
12 using it, you're using J hooks. Well, if --  
13 so what if you've got J hooks on your boat for  
14 your greenstick, and you got your longline  
15 gear? Well, you ain't catching bluefin tuna.

16           Because if you caught bluefin tuna, you  
17 wouldn't have that greenstick gear on the  
18 board. I mean, you wouldn't have your  
19 longline gear on the board.

20           But what I'm -- I guess I'm getting  
21 a little mixed up here. But I need to be able  
22 to use that -- have that greenstick gear on my

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1 boat when I'm yellowfin tuna fishing.

2 And at these present conditions,  
3 and this alternative, you're not allowed to.  
4 And it's, you know, it's -- I just -- it needs  
5 to be changed.

6 MR. BLANKINSHIP: Dewey, to that  
7 point, and maybe I'm misunderstanding what  
8 you're saying and correct me if I'm wrong.  
9 But, one of the things that I was trying to  
10 just pointing to, and that the -- that this  
11 alternative actually does, is try to  
12 accommodate use of both gears on the same  
13 trip.

14 However, it does have to take into  
15 consideration some of the restrictions that  
16 are on pelagic longline vessels and longline  
17 gear for sea turtle protection and, you know,  
18 those other issues that are -- that apply.

19 It still has to take those into  
20 consideration. But yet, be able to allow  
21 additional flexibility for those fishermen by  
22 allowing them to have both gears on there at

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1 the same time and potentially fish them both  
2 on the same trip.

3 So, am I misunderstanding what  
4 you're --

5 MR. HEMILRIGHT: How do you build -  
6 - how are you allowed to go fish a pelagic  
7 longline and have both the gears on your boat?

8 Are you allowed to do that?

9 MR. BLANKINSHIP: Under this, it  
10 would authorize greenstick gear separately  
11 from pelagic longline gear. So they're two  
12 different gears.

13 If you're fishing, you know,  
14 outside of a closed area, you could have both  
15 of them onboard and fish both of them at the  
16 same time in that area.

17 Okay?

18 Potentially, you also have the  
19 ability to be able to go into a closed area  
20 with greenstick gear, as long as the  
21 components of a longline are not onboard.

22 Either the components of a bottom

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1 longline or a pelagic longline. If they're  
2 not onboard, then you can go into a closed  
3 area and fish the greenstick.

4 (Off the record comments.)

5 MR. BLANKINSHIP: They do apply --

6 (Off the record comment.)

7 MR. BLANKINSHIP: Under the  
8 proposed rule it would apply. The incidental  
9 catch limit would apply.

10 (Pause.)

11 MR. HEMILRIGHT: Yes, well are you  
12 going -- is something going to be done to fix  
13 this? I mean, it's obvious there's a problem  
14 here. And it hasn't -- why should the catch  
15 requirements be applied if you're not having a  
16 long -- if you don't have longline gear  
17 onboard? Just because you got a piece of  
18 paper? And you go in a closed area? And  
19 you're fishing? Why should the catch  
20 requirements comply?

21 MS. McLAUGHLIN: Well, I guess to  
22 the point, I mean, what you're going to see

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1 come out on the street, is not going to  
2 reflect a change at this point.

3 We're sharing with you something.  
4 We could have waited. And had the official  
5 public version in front of you.

6 We're far enough along in this  
7 process, that you're still going to see when  
8 this comes out, as we've presented it here.

9 So just know, when you see this in  
10 two weeks, that this is it. These are good  
11 comments coming in. This is why we have  
12 public comment. Because we don't think of  
13 everything.

14 So, we'll take a lot of this into  
15 consideration during the public comment  
16 period. We'll make sure that we have a good  
17 amount of time for people to digest it. And  
18 not try and rush this through.

19 So, these are good comments. I  
20 think we are trying to be accommodating. The  
21 request came in. We're trying to take into  
22 consideration the difference factors, the

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1 different gears, the different requirements  
2 for different purposes. And I think some good  
3 points are being raised here.

4 So, you know, keep them coming.  
5 This is exactly why we have public comment.

6 PARTICIPANT: Would you consider in  
7 the future, bringing one of your gear experts  
8 in when you have meetings like this? We  
9 brought a top captain along and weren't then  
10 interested in having his expertise. But if  
11 you'd bring a federal government gear expert,  
12 it might help answer some of these questions.

13 (Pause.)

14 PARTICIPANT: Yes, I just had a  
15 couple questions or clarifications for the  
16 harpoon authorization.

17 The first question was in regards  
18 to alternative B-2. Which I believe, you  
19 said, would only authorize harpooning over 73  
20 inches.

21 My question there, would be, I know  
22 in a lot of the charter head boats -- boats

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1 now, will decide what category they're fishing  
2 under, depending on what first fish they  
3 catch.

4 What would happen to short fish in  
5 that situation? Would there be an option that  
6 a short harpooned fish could then become a,  
7 more or less, a harpooned angled category  
8 fish? Or would that just be a dead discard at  
9 that point?

10 MS. McLAUGHLIN: Harpoon use is  
11 only authorized for general category fishing.

12 The intent, when this was brought  
13 to us by General Category Tuna Association,  
14 was to give charter -- Peter Weis (phonetic)  
15 brought this to us, essentially to give  
16 captain and crew the ability to go commercial  
17 fishing. I think he most -- mostly his intent  
18 was on non for hire trips. Go out on a day,  
19 when maybe the fish aren't available to hook  
20 and line gear, stick a fish, sell it.

21 So, it's really just for commercial  
22 use.

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1           If it's on a for hire trip and a  
2 small fish is retained first, then the captain  
3 is obligated to fish the angling category  
4 limit. He can't -- just like now, if you have  
5 a small fish onboard, you're not supposed to  
6 mix and match the angling category retention  
7 limit with a general category retention limit.

8           So, that -- the intent is not to  
9 change that.

10           (Off the record comment.)

11           MS. McLAUGHLIN: It would become a  
12 discard.

13           PARTICIPANT: And my next question  
14 was on alternative B-2B.

15           So that's for non hire trips only,  
16 B-2B? Would those be under -- I guess those  
17 would be under general and not harpoon  
18 category? But, I mean, for all intents and  
19 purposes, you start off your trip, knowing  
20 that you're a harpoon vessel. Isn't that just  
21 increasing the number of harpoon vessels out  
22 there? Which aren't they limited access right

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1 now?

2 MS. McLAUGHLIN: No, they're not  
3 limited access. And the vessel could be out.

4 I don't know that they know they're going to  
5 harpoon that day.

6 I mean, they'll have the -- they  
7 would be able to use -- add the gear of their  
8 charter head boat, use the gear, it's another  
9 gear available to them if it's not a good rod  
10 and reel day, they could stick a fish.

11 (Pause.)

12 MS. MERRITT: Thank you, Rita  
13 Merritt, South Atlantic Council.

14 Question to begin with.

15 Randy, do we allow or is there some  
16 provision for allowing two separate permits on  
17 a pelagic longline boat? One for general  
18 category and one for the pelagic -- for the  
19 Atlantic tunas longline?

20 It's my understanding you can only  
21 have one or the other.

22 MR. BLANKINSHIP: That's correct.

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1 You can only have the vessel permitted in one  
2 way.

3 MS. MERRITT: Okay, so is there  
4 some consideration being given to allowing  
5 both types of fishing, even though you only  
6 have the one permit?

7 I'm a little confused about being  
8 able to catch a bluefin tuna under general  
9 category, while you're holding an Atlantic  
10 longline tuna permit.

11 MR. BLANKINSHIP: The vessel is --  
12 let me just phrase it this way. The vessel is  
13 -- would be permitted under the -- it would be  
14 under the category permit that it has on that  
15 vessel. And it can only have one.

16 That would be the category that a  
17 fish would be brought in and landed under.  
18 And accounted for under.

19 And the authorization of the gears  
20 that can be used that permit, are what they  
21 can use when they're fishing for it.

22 So in other words, for Atlantic

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1 tunas longline, they can use longline.

2 This proposed rule would also  
3 authorize greenstick gear to be used by that  
4 permit -- permitted vessel.

5 For general category, they can use  
6 the gears that are permitted for them  
7 currently.

8 This would also permit -- or, allow  
9 them to use greenstick gear in addition to  
10 those others.

11 MS. MERRITT: Okay. Well, in light  
12 of what you just said. When we were talking  
13 earlier about having this flexibility for the  
14 longline fishery, I am in favor of being --  
15 allowing them to either disable their longline  
16 gear and to be able to have that flexibility  
17 in their fishery to stow their gear, or do  
18 whatever it is that's necessary to make it  
19 apparent that they're fishing in a different  
20 mode.

21 It is also a South Atlantic opinion  
22 in some fisheries, and -- and I would like to

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1 extend this to your harpoon alternatives. In  
2 that we -- we believe that the sale of  
3 recreationally caught fish should not be  
4 allowed.

5 So, under B-2A harpoon  
6 authorization, I would like to not see that --  
7 that sale be allowed.

8 And finally, under the -- when  
9 Ellen was talking about the circle hook versus  
10 J hooks on the greenstick. I was under the  
11 impression that through one of our previous  
12 presenters, that there had been some research  
13 done where the conservation benefit was at  
14 least as good, if not better, despite not  
15 using circle hooks on the greenstick.

16 And -- and, I may be mistaken. But  
17 that was my understanding at the time. That,  
18 that was one of the reasons why J hooks would  
19 be still be allowed.

20 Thank you.

21 (Pause.)

22 MR. DePERSIA: My comments are

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1 specifically to the harpoon on charter boats.

2 Tom DePersia, Charter Boat Captain.

3 I think the -- the whole proposal  
4 is a bad proposal. That's why I'm  
5 recommending alternative B-1, status quo.

6 My feeling is that it -- the  
7 proposal's going to increase retention and  
8 mortality of school and small-medium bluefins.

9 And it's also -- could actually reduce the  
10 catch of general category fish -- general  
11 giants. Giants or large-mediums.

12 In terms of the small fish, when --  
13 if you -- if you allow the charter boats to go  
14 out and attempt to harpoon a giant tuna,  
15 there's going to be a lot of small fish that  
16 are going to be harpooned in the process.

17 We've got novices out here trying  
18 to -- trying to harpoon these fish. Once they  
19 stick them, or zap them, the fish is dead.  
20 And that point, they'll either put it on board  
21 and it will apply to the angling category  
22 catch. Or they'll discard the fish, discard a

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1 dead fish if they're by themselves and they're  
2 supposed to only be catching giants.

3 I think if you allow charter boats  
4 when there's a charter and the fish aren't  
5 biting, I mean, I've gone through schools of  
6 what looks like millions of fish. They're all  
7 over the surface, but they just don't want to  
8 eat. The charter customers are going to ask  
9 the -- the captain, Hey, could we try to stick  
10 one of these fish? And I'm sure some of them  
11 are going to do it.

12 And once again, this is adding on  
13 to your angling category catch. And, you  
14 know, we've already been reduced from three  
15 fish.

16 MR. DePERSIA: So what is that going  
17 to mean? Next year we're going to go to one  
18 fish because we're going to increase the  
19 catch, the retention level is going to be  
20 higher.

21 Now, in terms of just allowing them  
22 to go after giants, I've talked to some of the

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1 harpooners, some of the best harpooners  
2 around, and I actually think this might even  
3 hurt the general category catch, and that's  
4 the whole reason why we brought this up,  
5 authorizing gear that's going to increase our  
6 catch towards our quota.

7           Several of the harpooners, the good  
8 harpooners, think this is a bad idea because  
9 several of them -- most of them use airplanes,  
10 and if all of a sudden all of these charter  
11 boats have pulpits and towers and harpoons on  
12 board and an airplane is circling over a  
13 school of fish, what is the charter boat  
14 captain going to do? He's going to -- he's out  
15 there trying to stick a giant. He's going to  
16 say, "Hey, let's go. We know there's giants  
17 over there. These guys are circling the  
18 fish."

19           Now, the real harpooners have maybe  
20 one or two days in the whole season where they  
21 may be able to score on fish, and their whole  
22 income comes from this one or two days when

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1 everything is perfect, and they don't need a  
2 bunch of novice charter boat captains trying  
3 to stick these -- few fish that come up to  
4 the surface, and it can actually hamper them  
5 in catching the fish that they're intended to  
6 catch. So I think it could actually reduce  
7 the number of giants or large-mediums that are  
8 caught as opposed to increasing the numbers  
9 where the rule is really proposed to do.

10 I also talked this morning to the  
11 Vice President of the Northeast Charter Boat  
12 Association, 114 paid members, and they voted  
13 last night on this issue, and they voted  
14 unanimously against any harpoons on charter  
15 boats. So I wanted to make that comment.

16 PARTICIPANT: What was the name of  
17 that organization?

18 MR. DePERSIA: Northeast Charter  
19 Boat Association.

20 PARTICIPANT: Tom. Just, for  
21 everyone that's commenting on this one  
22 specifically, I just request that letters like

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1 that in your comments, you make sure that you  
2 get them in writing during the comment period  
3 because we'll want to see that.

4 PARTICIPANT: Yes. On the  
5 greenstick authorization, I'm -- first of all,  
6 Alan's request to extend the comment period, I  
7 support that. I still think there's amazingly  
8 still some issues here that have to be  
9 resolved and thought through, and I think the  
10 public hearing process will help, maybe help  
11 clear that up.

12 But just quickly to run through a  
13 few of them, I think East Coast Tuna  
14 ultimately will support Alternative 2 and  
15 Alternative 3. Alternative 4 clearly has  
16 problems. It's not getting at what we were  
17 trying to get at.

18 When I initially said to Terri that  
19 I had the answer, it was because I was  
20 misinterpreting. I was interpreting target  
21 catch requirements in a different fashion. I  
22 was thinking that you were just saying that

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1 they were limited to the three fish maximum  
2 target catch in the incidental catch category,  
3 which I would have protested in case the bag  
4 limit in the general category went up to four  
5 or five, in which case I would have said the  
6 long line greensticker should have been able  
7 to match that as well.

8 But we've got to work on that some  
9 more. We'll wait until we see the specifics  
10 of the proposed rule and Blue Water will get  
11 back to you on that one.

12 On the harpoon authorization, as I  
13 mentioned yesterday or the day before or  
14 whenever this meeting started, the East Coast  
15 will reserve judgment on this. As Tom points  
16 out, there is controversy in the fishery as it  
17 becomes known that this is being considered,  
18 and I don't have a feel for which way East  
19 Coast will come down on that.

20 On the sea turtle control device, I  
21 think, you know, we'll poll the membership  
22 again and see what they think, whether this is

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1 actually necessary. I have to admit I'm not  
2 really familiar with where this additional  
3 protection proposal device came up from. I  
4 didn't know we had a continuing issue. I  
5 thought the last status report, in fact,  
6 showed pretty darn good success in terms of  
7 both reducing interactions and getting the  
8 line off to preponderance of the turtles.

9 But we'll keep an open mind on it,  
10 and we'll look at the proposed rule and get  
11 back to you with a formal comment on it.

12 Thank you.

13 MR. WHITAKER: Rom Whitaker.

14 Well, I know we've been dealing  
15 with this issue about five or six years and I  
16 really feel like we've about beat this horse  
17 down pretty good, but I'm glad to see we're  
18 going forward.

19 There are some things in my area.  
20 There are a lot -- there's a lot of  
21 greensticking done, both commercially and a  
22 few charter boats, and maybe to help you

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1 answer some questions about the Gulf, I would  
2 suggest that -- and maybe Dewey could  
3 enlighten you -- but I think a seven-ought  
4 hook would be a plenty, would cover everybody  
5 as far as minimum size. I think most of the  
6 commercial guys probably use a ten, but a  
7 seven or eight-oh, even seven-oh, eight-oh  
8 would certainly keep them from catching bait  
9 on it.

10 Second thing, that artificial bait  
11 only. I don't think I've ever seen a  
12 greensticker out there pulling something  
13 besides a rubber squid or a rubber flying fish  
14 or ballyhoo or something, but artificial bait  
15 only? That should pretty much eliminate the  
16 bait or trying to bait fish with them.

17 Third thing, flexibility. I  
18 thought I heard in your presentation, Randy,  
19 that -- and it was a great presentation, and I  
20 appreciate your all's hard work -- that one  
21 component of your long line gear had to be  
22 removed. I agree with fuel at \$4 a gallon

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1 these guys need all the flexibility that they  
2 can get, you know. To have to come in and  
3 take my spool off or my hooks off or whatever  
4 component, and that certainly is -- well,  
5 anyway, \$4 a gallon would be hard to do.

6 Another thing, there are different  
7 colors of sticks. There are blue ones; there  
8 are green ones; there are purple ones.

9 (Laughter.)

10 MR. WHITAKER: I hope we don't have  
11 to have an amendment to that guy that has the  
12 purple stick out there instead of the green  
13 one. So I hope Enforcement is listening.

14 But anyway, as to the harpoon  
15 issue, I'm in favor of B-1, no action or  
16 status quo. I kind of agree with what Tom  
17 said, but anyway, thank you.

18 (End of Tape 15, Side B, beginning  
19 of Tape 16, Side A.)

20 PARTICIPANT: -- and stuff like  
21 that of that second dorsal in particular  
22 and/or maybe the anal. So the fact that the

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1 fishermen can remove that after landing is a  
2 good thing. So that will work.

3 With Section 3(b) and (c), let's  
4 see. Well, I guess in this Chapter 2 it  
5 doesn't go into it as much, but with the  
6 adding the new prohibitions and on the  
7 purchase and the situations with the selling  
8 of, we still have the same problem. This goes  
9 back to 1991 when it comes to sandbar sharks,  
10 adults.

11 There were 12 sharks taken as a  
12 sample. Three were adults, and even with the  
13 nine juveniles blended in and the best cutters  
14 that you could have asked to have on the boat,  
15 you still came up with over a five percent  
16 ratio.

17 Now, I believe law enforcement can  
18 probably tell you more fully than we can,  
19 although we've told you for years, that if you  
20 catch nothing but adult sandbars, you're going  
21 to exceed six percent. So that automatically  
22 puts two entities in trouble because you can't

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1 get your conversions or your ratios correct,  
2 and that is going to be both the dealer and  
3 the boat operator and/or owner, since a lot of  
4 times the owner is the one that has to pay the  
5 bill.

6 So you need to go back and get that  
7 situation with the sandbar cleaned up.  
8 Likewise, you still have the conversion  
9 problem on the hull weight to dress weight,  
10 and if a guy eviscerates a whole shark because  
11 he wants to bring it in, you don't have any  
12 kind of conversion for that.

13 I called NMFS staff about that.  
14 This was something that Henrique Cortez had  
15 asked me to apply for a characterization  
16 effort, and we got turned down, but basically  
17 it was to go and try to understand the  
18 different methodologies of how you dress a  
19 shark traditionally for the last 25 years  
20 around from, you know, basically from the mid-  
21 Atlantic right around to Louisiana.

22 And so we feel that you're going to

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1 have to look at that one a little better so  
2 that you make sure that you're not  
3 inadvertently criminalizing dealers and boat  
4 owners by not understanding how to convert or  
5 how to be able to understand the reality of  
6 the animal that you've been managing all these  
7 years.

8 So the truth is the 1.39, except  
9 for North Carolina on the conversion from  
10 dress to hull weight, is incorrect and the 2.0  
11 that North Carolina uses is correct and has  
12 been in place for a long time. But the 1.39  
13 is based on a salmon-shark-Alaskan groundfish  
14 thing that came out in 1980. I've supplied  
15 that to Henrique, and Henrique says that it's  
16 up to the science center and Nancy Thompson  
17 and gang to be able to make that adjustment.

18 I recommend that NMFS management,  
19 after all of these years of us asking, get  
20 that 2.0 in place and get that 1.39 discarded.

21 Furthermore, you need to go by  
22 species by species, sandbar, blacktip,

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1 whatever, and understand that's going to be a  
2 variation in that liver, and in the ultimate  
3 evisceration of the animal, if you want to  
4 bring in a whole animal and do a slice, and  
5 even if it got to the point where law  
6 enforcement -- and I've heard it a dozen times  
7 -- wants you to bring in the whole shark with  
8 the fins attached, you're going to have to  
9 understand those percentages because right now  
10 if we have a 4,000 trip limit, which was  
11 supposed to be a temporary thing, went into  
12 effect 12 years ago and we're still saddled  
13 with it, the fact is that if you convert with  
14 1.39, you can bring in 5,560 pounds of whole  
15 shark, which is ludicrous because if you have  
16 the 2.0, you could bring in 8,000 pounds of  
17 whole shark.

18 So basically speaking, around a 15  
19 percent drop off of that 8,000 pound total  
20 would possibly account for the evisceration,  
21 the liver removal and stuff like that, but  
22 sandbars have a significantly larger liver. A

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1 well fed animal, a tiger or dusky, whatever  
2 may or may not be legal, will also have that  
3 same phenomenon. Females and males have a  
4 little bit of a difference.

5 So this is back to where I would  
6 say that the Shark Consortium or whomever is  
7 getting money from NMFS should start looking  
8 at some things or get your bottom long line  
9 team in Panama City that handles sharks to get  
10 that straightened out.

11 Dropping down to -- well, you  
12 answered it on Section 11. We have been  
13 saddled with the obligation on commercial has  
14 to abide by the more restrictive stuff. The  
15 recreational, you know, I can understand  
16 that's going to be a big pile of people. So  
17 you're going to have to deal with trying to  
18 deal with that.

19 But we have had to deal with being  
20 already under that situation. So that's  
21 pretty much all I have to say about this at  
22 the moment.

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1                   PARTICIPANT: First off, I want to  
2 apologize to Margot and Ron and the MERS  
3 people for being probably a little overly  
4 critical of the MERS data system, but I've  
5 been involved with this for such a long time  
6 it's very frustrating, and I hope they took  
7 everything that I said, even though it's  
8 critical, in the context that it was meant  
9 because it appears to me from my experience of  
10 dealing with them, and you know, I've been  
11 highly critical of that division, but I've  
12 also tried to make suggestions to improve that  
13 data set because I'm a firm believer that if  
14 you're going to have proper fishery  
15 management, you've got to have good data, and  
16 I think most everybody sitting at this table,  
17 probably everybody sitting at this table, has  
18 tried to do the same thing; that people are  
19 not just bitching at them. They're making  
20 suggestions.

21                   And at times it just seems like  
22 they either don't listen or they just don't

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1 learn, and that's where I came from on that.

2 I support and the people I  
3 represent support, the -- and I believe the  
4 Gulf Council is going to support the same  
5 thing in their letter, that when it comes to  
6 the longline and the closed areas, that  
7 regardless of where the area is that there  
8 will be no closed area, that there will be no  
9 pelagic or bottom longline.

10 On Issue 6, I've got a question. I  
11 think you said that when you're talking about  
12 possession of billfish on vessels issued  
13 commercial permits, that that's currently only  
14 to the HMS commercial permits. So my question  
15 is if like in the Gulf, if I've got a reef  
16 fish commercial permit and I happen to have an  
17 angling HMS permit and I've got commercial  
18 reef fish on my vessel, could I retain a  
19 recreational bag limit of billfish or some  
20 other HMS species?

21 If I've got a reef fish commercial  
22 permit for mackerel, any other kind of

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1 commercial permit --

2 PARTICIPANT: I believe --

3 PARTICIPANT: -- and I have an  
4 angling HMS as a recreational angler, could I  
5 retain -- I'm commercial fishing for reef  
6 fish. Can I retain that recreational bag  
7 limit of whatever I've got?

8 PARTICIPANT: I believe that is  
9 correct -- I just want to find the cite in the  
10 proposed rule. So if you'll give me just a  
11 second, you can go on with your next issue,  
12 and I'll --

13 PARTICIPANT: Okay wait. If I'm  
14 correct in that assumption, then I would  
15 suggest that you all recommend to the various  
16 councils in your -- in the area jurisdiction  
17 where HMS is that they also reciprocate in  
18 their commercial permitting that there be no  
19 allowance for the recreational retention of  
20 HMS species. Because we get into this  
21 argument all the time, and I've heard it  
22 forever and I know it goes on, but I don't

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1 know that it's to the extent that people say,  
2 and it happens on both sides, recreational and  
3 commercial, but you have sale, what I consider  
4 illegal sale of fish. I don't consider just  
5 recreational sale of fish. It's an illegal  
6 sale, and that just makes that a little bit  
7 more difficult for enforcement if you're able  
8 to retain fish with a different permit and  
9 you're in a commercial operation. That would  
10 help prevent that.

11 And then under Issue 11, I've  
12 recommended that in the past. So I'm highly  
13 in favor of if you're going to have a permit,  
14 that you abide by the regulations of that  
15 permit unless the state is going to be more  
16 restrictive, and that came up with the shark  
17 issue in the State of Florida because they are  
18 not quite as restrictive as the federal permit  
19 is, and I think it needs to be that way.

20 I would also go a step further and  
21 we've recommended this in the Gulf for some  
22 time, and for some reason or another the Gulf

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1 Council just continually refuses to play here.

2 But because I'm an owner and I own more than  
3 one vessel and all of these things are always  
4 tied into the owner because I'm the one that  
5 supposedly has the deep pockets that you can  
6 come after, is create an operator permit on  
7 both the for hire and the commercial side so  
8 that for those owners who own multiple  
9 vessels, that the operator gets into some kind  
10 of responsibility that generally the operator  
11 is the consistent violator and he'll move from  
12 me to Russell to whoever.

13 And so to help get rid of that  
14 criminal, you need to create that operator  
15 permit and because in some areas -- because in  
16 the Northeast, I believe, they have operator  
17 permits, and it's something that I think is a  
18 necessary thing.

19 Thank you.

20 MR. BLANKENSHIP: Randy  
21 Blankenship.

22 My first thing is a question of

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1 clarification. I'll wait until we get a  
2 chance to do it.

3 All right. My understanding on the  
4 recreational HMS permit is that it applies to  
5 species that are managed and controlled under  
6 ATCA to the -- and to the management unit to  
7 the shore. So, therefore, species such as  
8 billfish and swordfish and tunas, a angler  
9 that's fishing in state waters for those  
10 species is required to have that federal  
11 permit because of ATCA. Am I correct on that?

12 PARTICIPANT: That's -- with regards  
13 to tunas, you're correct, yes.

14 MR. BLANKENSHIP: For tunas, ok,  
15 but for sharks it doesn't apply to the shore.  
16 The management unit doesn't. So my question  
17 is under actually what authority you would be  
18 making this apply to recreational permit  
19 holders in state waters for sharks.

20 PARTICIPANT: Primarily as a result  
21 of possessing the HMS permit.

22 MR. BLANKENSHIP: Okay, but the

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1 management unit doesn't apply to the shore in  
2 state waters. So how can you make it stick?

3 PARTICIPANT: It would be as a  
4 condition of getting the federal permit. You  
5 would be agreeing to abide by the federal regs  
6 regardless of where you're fishing. You're  
7 not required to get the federal permit.

8 MR. BLANKENSHIP: Right.

9 PARTICIPANT: But if you do get it,  
10 you're agreeing to that.

11 MR. BLANKENSHIP: Okay, all right.

12 PARTICIPANT: And just to clarify,  
13 ATCA does provide the authority given a  
14 certain process to extend management of all  
15 HMS or ICAT regulated species to the shore.  
16 We've gone through that process for tunas and  
17 haven't completed it for swordfish and  
18 billfish. So --

19 MR. BLANKENSHIP: That's my  
20 confusion.

21 PARTICIPANT: -- we have that  
22 ability if we go through the process. We just

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1 haven't completed it.

2 MR. BLANKENSHIP: Okay.

3 (Participant speaking off  
4 microphone.)

5 PARTICIPANT: Nelson~~s~~ (phonetic)  
6 point that ATCA still overrides. I mean, the  
7 U.S. agrees to ICAT recommendations that are  
8 binding as a nation, and so we're obligated to  
9 fulfill them. But ATCA also has procedures  
10 outlined in them to do things, and so we have  
11 to do both.

12 MR. BLANKENSHIP: Okay. Thanks.

13 Issue 11, that proposal, the  
14 preferred alternative there, at least from my  
15 standpoint right now I think may perpetuate  
16 confusion in Texas because three years ago  
17 Texas passed the rule that said that all fish  
18 landed in Texas must comply to Texas  
19 regulations unless they were caught in waters  
20 that had more restrictive regulations than  
21 Texas.

22 And the problem, I guess, is that

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1 this permit applies only to HMS managed  
2 species and not to all federally managed  
3 species in federal waters, and so it seems  
4 like there's still going to be this big  
5 question about am I fishing here and for which  
6 species does this rule apply versus fishing in  
7 state waters and it applies for all species.

8           You see, there's just this big room  
9 for confusion in Texas, which extends out to  
10 nine nautical miles. So it's a pretty  
11 significant amount of water there.

12           So anyway, it seems to me at this  
13 point that this rule from our standpoint in  
14 Texas wouldn't be very helpful for ease of  
15 enforcement or for providing clarification for  
16 the angler.

17           Thanks.

18           PARTICIPANT: I think maybe this  
19 would help. What's going on here, people  
20 fishing in federal waters, they have an HMS  
21 permit. They have to abide by the HMS  
22 regulations.

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1           Once they get into state waters and  
2 landing and that state is more restrictive,  
3 they have to follow the state regulations on  
4 the more restriction. So a vessel could be  
5 fishing off of Texas waters beyond nine miles.

6           It goes into Louisiana, though. It wouldn't  
7 follow the Texas rules out in the EEZ. It  
8 would just follow the federal regs., but if it  
9 goes into Louisiana, more restrictions there  
10 on landing, that's where it would apply.

11           We're not going to be enforcing the  
12 Texas regulations out beyond nine miles. It's  
13 still going to be a state responsibility once  
14 it gets into their jurisdiction.

15           MR. BLANKENSHIP: Yes, I understand  
16 that and don't really have a problem with  
17 that. It's just that if you're I think I  
18 could spend a lot of time on this and I don't  
19 really want to, but the issue here is that  
20 you're not talking about all federally managed  
21 species, and so if you get into this issue of  
22 if you're in this place at this time, these

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1 regulations apply; however, if I say I caught  
2 this fish somewhere else, you've still got the  
3 confusion issue.

4 In other words, if it's landed in  
5 Texas and you -- I've landed a cobia from  
6 federal waters, it doesn't -- this same issue  
7 doesn't apply about whether or not it was more  
8 restrictive or not in federal waters, but it  
9 does apply for sharks in federal waters, but  
10 it doesn't for gag grouper. It just  
11 perpetuates this confusion. It's not very  
12 simple.

13 And that simplicity was the purpose  
14 of state -- our state passing the rule that we  
15 passed, was trying to get a little more  
16 simple.

17 PARTICIPANT: Okay. Well, maybe we  
18 can talk offline about specific Texas regs.

19 MR. HEMILRIGHT: Dewey Hemilright.

20 Issue No. 1, I don't know where to  
21 start with this one because it's just, it's  
22 tough. I don't understand why less than 70

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1 daubs is going to define you as a bottom  
2 longliner and more than 71 is going to define  
3 you as a pelagic longline vessel in a closed  
4 area, respectively.

5 I also don't understand the five  
6 percent limit on the amount of pelagic  
7 indicator species for bottom longlining that  
8 may possess fishing in a closed area or vice  
9 versa.

10 And I'm definitely not for 1(e),  
11 closed in both the pelagic and bottom, because  
12 we have a closure now off North Carolina for  
13 bottom longlining. You go down below the  
14 closed areas and you can go bottom longline  
15 fishing.

16 I believe there's a time of year,  
17 right now, that off Charleston is closed to  
18 pelagic longline fishing; is that right? So  
19 the only place I get to go fishing bottom  
20 longlining, if I choose, would be below that  
21 closed area in North Carolina.

22 So if you go and close both of

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1       them, then I don't have nowhere to go fishing.

2                        You know, it seems like we're -- I  
3       don't -- it seems like you're just splitting  
4       hairs here.    Suppose I see four or five buoys  
5       floating down in the ocean.    Am I not supposed  
6       to pick them up because I've got 70 buoys and  
7       I'll be over my limit?

8                        I mean, it's just, I don't know.  
9       We've got vessel monitoring systems, and they  
10      half the time don't damn work.    We've got just  
11      more stuff just being piled on, and I mean, I  
12      don't -- well, I understand, but I'm for 1(a)  
13      no action, and probably that ain't the action  
14      you all are going to do, but that's what I'm  
15      for.

16                      Issue    No.    2    with    the    shark  
17      identification, I'm for no action on that  
18      because I don't see what's keeping the two  
19      fins is going to help somebody identify the  
20      shark without having here the whole carcass.  
21      I mean, if you're going to make me go to  
22      school to identify the sharks, I want to know

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1 the people that are making me keep these fins  
2 on. Have they been certified in  
3 identification? Have you got any type of way?

4 I mean, it's not like all of a  
5 sudden every day there's somebody there to  
6 identify your sharks. So I think that before  
7 you go making me identify them, the people  
8 that are going to be identifying them, they  
9 should be certified. So I'm for no action on  
10 that, even though Rusty said it was fine.  
11 That's just another thing of another pain that  
12 I've got to take. Once I unload that shark  
13 we've got to go back and cut the two fins off  
14 that go back. So I'm just against that until  
15 you show me.

16 I mean, you say it's for shark  
17 identification. Damn, you've got the shark  
18 there. Can't you identify it with the shark?

19 Why do you need to cut off two little fins  
20 for? Is that some special thing?

21 Issue No. 3, you know, suppose you  
22 come in with 3,990 pounds of sharks. I've got

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1 one shark left. Am I supposed to put him on  
2 that scale, cut ten pounds off, and throw the  
3 rest over?

4 The same way with the fins. If  
5 you're catching large sandbars, your fins are  
6 going to be over. So do I weigh 200 pounds,  
7 which is five percent of the law and throw the  
8 rest over?

9 You know, why don't you all do  
10 something to help us, instead of some way to  
11 extort money out of us? To help us you would  
12 go and say, "Hey, let's put a tolerance of  
13 five to 750 pounds or something, you know,"  
14 which we've been asking for because of being  
15 over on retention limits and having to travel  
16 long ways.

17 But instead, no, you're going to  
18 make -- a chance to penalize me and have to  
19 throw something back dead over if I come to  
20 the dock. Because it's not like you're  
21 counting individual species, like 39 tunas or  
22 one blue marlin or one bluefin. It's

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1 poundage, and it's hard to weigh. You don't --  
2 you can't weigh out there.

3 So instead of making it easier,  
4 you've just -- another way, a possibility to  
5 extort money out of work -- extort money.  
6 That's what it would be because it would be  
7 fines or tickets -- take money out for being  
8 over.

9 Also, the dealer, we're out there  
10 trying to -- this past year shark fishing,  
11 we'd come in and sometimes you'd cut your gear  
12 off and come in and unload. You'd go right  
13 back out, and it's just another way. I looked  
14 about -- why not give us a tolerance of four  
15 or 500 pounds we've been asking for? Why not  
16 make it easy. Easy, not easier, because I  
17 know that's not going to happen, but instead  
18 of coming down with retention limits to where  
19 if you are a pound over we're going to give  
20 you a ticket. I mean, that's -- wouldn't that  
21 be a lot easier?

22 What do you do in that case if you

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1       come up to the dock and have got 3,990 pounds  
2       and you've got one more shark and he weighs 40  
3       pounds, a guesstimation? You put him on the  
4       scale and he's over. You're over 4,030. You'd  
5       cut half of that off and throw the rest of  
6       them over.

7                   Do you weigh your fins up there and  
8       say, "Well, I've got 200 pounds here and you  
9       know, we know we've got big sandbars and  
10      they're over. So here's ten or 12, 15 pounds.

11      Well, just throw them over," do we? Is that  
12      what we do?

13                   Did you all think about that or  
14      this just makes it easier for you?

15                   And I just keep on reiterating.  
16      It's just getting more damned difficult to  
17      deal with you all folks because you all just  
18      like you ain't got a clue what the heck we're  
19      going through out there just to keep it going.

20                   And then you come down with  
21      retention limits. Oh, it's just easy. It  
22      don't have no economical, additional

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1 economical impact, so -- but it does.

2 I mean, why not increase it? I'm  
3 not going to keep harping on it because it  
4 just don't seem like you get it. Probably  
5 won't.

6 That's probably enough I need to  
7 say. Thank you.

8 PARTICIPANT: If I could just  
9 respond, I think extorting money has a  
10 different meaning. I mean, this is intended  
11 to support enforcement of the trip limit  
12 that's already on the books, and I think, you  
13 know, maybe Enforcement could chime in at some  
14 point and we can talk off line about how they  
15 handle case by case trip limit enforcement,  
16 but I think extortion is a different thing. I  
17 just want to clarify that that's not what  
18 we're doing.

19 MR. HEMILRIGHT: You're allowed to  
20 give your answers. I'm here to advise on my  
21 opinion. I call it extorting because that's  
22 what it is. So hey, we agree to disagree.

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1           PARTICIPANT: Some of this is very,  
2 very important, and I appreciate Dewey's  
3 concerns because it is critical out there.  
4 Bottom longline, pelagic longline, even small  
5 measures are, you know, the straw that's  
6 breaking the camel's back today.

7           Where did Enforcement go? They  
8 were just here, and they just left.

9           PARTICIPANT: We're going to have  
10 Enforcement discussion at 10:45.

11          PARTICIPANT: We really, really  
12 need them on some of this because --

13                   (Participant speaking off  
14 microphone.)

15          PARTICIPANT: I will, but let's try  
16 to deal with the bottom pelagic longline.

17           Now, fishermen out there on the  
18 ocean can differentiate between bottom  
19 longline and pelagic longline. You come up on  
20 a boat. You can tell by, you know, the amount  
21 of, you know, equipment, et cetera. You know,  
22 you come up on the gear and you can tell by

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1 whether it's a buoy that's attached to the  
2 bottom and you see the current going past it.

3 There's no other buoys, no string of buoys  
4 such as you have in pelagic longline.

5 If fishermen can tell between  
6 bottom longline and pelagic longline, why  
7 can't we teach our enforcement officers to be  
8 able to tell so that we can avoid a couple of  
9 critical things here?

10 Okay? One critical thing is that  
11 these boats economically have to be able to  
12 switch target during the trip. The bottom  
13 longline boat, you know, if it's not going  
14 well bottom longline and there's the  
15 availability of pelagic longline in the area,  
16 he's got to be able to switch. He has that  
17 flexibility today. That flexibility should  
18 remain. It's critical.

19 The pelagic longliner, he's out  
20 there pelagic longlining. It blows up, 40, 50  
21 knots. You know, it's going to blow for two  
22 days, you know. He switches over, does a

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1 little bit of, you know, bottom shark fishing,  
2 and can continue his trip when, you know, on  
3 the pelagic and when, you know, the weather  
4 settles down. It's critical. Boats will go  
5 out of business if they don't have that  
6 flexibility, if they can't retain that  
7 flexibility both in the bottom longline  
8 fishery and the pelagic longline fishery.

9           Secondly, you can't unload the fish  
10 hold of these boats at sea without damaging  
11 the catches. You just can do it. It takes  
12 breaking everything out of the ice, melting it  
13 out. You know, at the end when you get back  
14 to the dock, it is not the same quality  
15 product as if you had not broken it out of the  
16 ice. That's a couple of critical, critical  
17 things.

18           PARTICIPANT: Excuse me, Nelson.  
19 I'd just like to respond to a couple of  
20 things.

21           PARTICIPANT: Sure.

22           PARTICIPANT: First of all, these

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1 requirements would only be applicable when  
2 they're in the closed areas so that if they're  
3 outside of them, then they will have that  
4 flexibility. So, again, it's primarily an  
5 enforcement issue, and yes, I think that  
6 oftentimes it is apparent to be able to  
7 differentiate between these two gears.

8           And our -- I think that part of our  
9 intent as a result of this is, however, there  
10 might be situations where there is some  
11 question and that we would take, you know,  
12 these additional steps if it's necessary at  
13 that point in time. So hopefully it would be  
14 apparent to an enforcement official what type  
15 of gear they are, but if you need something  
16 that's quantifiable, then you can fall back  
17 upon these.

18           So that was kind of the intent in  
19 developing this.

20           PARTICIPANT: And you can tell that  
21 it's bottom, you know, but a couple of things.

22           What if, you know, a pelagic longliner just

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1 switches over to bottom and he only has a  
2 little handful of sharks on the boat at that  
3 point, you know? So what is he then?  
4 Because, you know, he's on his first, you  
5 know, bottom set. What is he then?

6 PARTICIPANT: Well, if you're in a  
7 bottom longline closed area, that would be a  
8 problem. If you're not, I mean, the idea here  
9 is that in an area that's closed to one gear,  
10 we need an ability to differentiate it from  
11 gears that are authorized, and this is an  
12 attempt to try and come up with a quantifiable  
13 way to differentiate.

14 It's difficult. Most people can  
15 look at a boat and know. Well, that's a  
16 pelagic longline or it's not, but we need some  
17 additional help when it comes to actually  
18 quantifying things, and that's what this is  
19 trying to do.

20 Away from closed areas or out of  
21 seasons, you know, where they're not  
22 applicable, it wouldn't come into play.

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1 PARTICIPANT: There isn't very much  
2 away from closed areas. The closed areas  
3 there, someone likened this to three quarters  
4 of the land mass of the United States of  
5 America. There isn't much away from closed  
6 areas within the EEZ and much less away from  
7 closed areas on a boat like Dewey's that can't  
8 go 200 miles offshore.

9 So you know, we need to be a little  
10 realistic on that, but again, I'll go back.  
11 You know, Margot, while Enforcement is sitting  
12 here, fishermen, fishermen can tell, you know,  
13 by looking at the boat whether it's bottom or  
14 pelagic. Fishermen can tell by looking at the  
15 gear whether it's bottom or pelagic. Why  
16 can't we teach our Enforcement to be able to  
17 tell whether it's bottom or pelagic so that  
18 these critical things can be respected and we  
19 don't undermine, further undermine, you know,  
20 the economics of the fishery?

21 PARTICIPANT: I think it's coming  
22 down more to we need the written definition of

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1 what it is. I mean, that's how we're going to  
2 have to present it if there's a violation to  
3 General Counsel or if we go on board a boat.  
4 We need to have a clear-cut, written  
5 definition.

6 And you have to understand, too,  
7 it's not always a Special Agent that's going  
8 to be at the boat. When it's done at sea, it  
9 may be a young Coast Guardsman or a young  
10 state officer or somebody that doesn't have  
11 the experience.

12 I agree with you that we need to  
13 have some way to easily identify this, and I  
14 understand the fishermen who work with this  
15 gear every day all the time can walk through a  
16 boat and understand it.

17 From an enforcement standpoint how  
18 do we get that young boarding officer with the  
19 Coast Guard to know what it is? And the only  
20 way we're going to convey that out is some  
21 type of written directive because we're not  
22 going to be able to just explain it over the

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1 phone to them every time.

2 PARTICIPANT: Yes, but we need that  
3 boarding officer to call in with any questions  
4 because they're making some big mistakes out  
5 there, some of the young boarding officers,  
6 that are costing operations, you know, money.

7 PARTICIPANT: And I understand  
8 that, and there is a system in place with the  
9 Coast Guard that they call their training  
10 centers for fisheries, and if it gets to  
11 another point, then they will contact an  
12 agent. But it still comes down to getting the  
13 written definition of the area, and our  
14 concerns are in the closed areas, and we need  
15 a strong written definition that identifies is  
16 it pelagic or is it bottom longline.

17 PARTICIPANT: Right.

18 (Participant speaking off  
19 microphone.)

20 PARTICIPANT: Right, but you have  
21 to break everything out of the hold to even  
22 prove that.

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1 PARTICIPANT: Ask that question.

2 PARTICIPANT: Yes. Well, I did,  
3 but you have to break everything out of the  
4 hold to even prove that, and there's a lot;  
5 there's a lot of, you know, various different  
6 situations that would have to be taken on a  
7 first come, first serve basis or, you know,  
8 case by case.

9 But one of the ideas that I've  
10 heard is is there a way to call in Okay I  
11 don't know how much that idea has been vetted,  
12 but is there a way to call in to identify, you  
13 know, that you're going all bottom longlining,  
14 that you're switching to bottom longlining or  
15 what have you.

16 PARTICIPANT: That has been a  
17 strong opinion of Enforcement is we want that  
18 capability to know, and one of the reasons we  
19 did that is so we have a call in and we know  
20 what that's going on, and then the Coast Guard  
21 could have it and we'd like to do it.

22 And it could be a mass system or a

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1 call-in system, but yes, that's one thing we  
2 would really want.

3 PARTICIPANT: And if that could be  
4 done on the VHF, all the better, I would  
5 assume.

6 PARTICIPANT: Yes, we'd have to  
7 work out the communication aspect of it, but,  
8 you know, we would like to have some sort of  
9 call-in.

10 PARTICIPANT: Right. Well, I would  
11 advise to try to work toward something of that  
12 nature, and again, I want to say how critical  
13 it is that these vessels retain the ability to  
14 switch during the trip and how critical it is  
15 unless, you know, somebody suspects contraband  
16 or something that, you know, unloading the  
17 fish at sea is, you know, very financially  
18 detrimental.

19 PARTICIPANT: Nelson.

20 Sorry. On the call-in requirement,  
21 Enforcement has asked us to make some changes  
22 to the VMS requirements, and part of that

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1 would be to require a call-in. We did think  
2 about that fo this rule. So a fisherman calls  
3 in and says that they're using bottom longline  
4 and they're caught fishing in a pelagic  
5 longline closed area. You still have the  
6 problem of somebody going on board who may not  
7 know the difference and bringing that person  
8 in.

9 So we wanted to have something on  
10 the books so you could still tell the  
11 difference.

12 PARTICIPANT: And the difference of  
13 daubs. You know, it would have to be like a  
14 last resort to have to force, you know, the  
15 pelagic longliner have, you know, all, you  
16 know, bullet floats except for so many  
17 pollyballs, force a bottom longliner and have  
18 all pollyballs. That would be -- you know,  
19 that would also be a problem.

20 Okay. Moving on, shark  
21 identification. It's okay. I think it's  
22 unnecessary. Again, this is a case where, you

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1 know, Enforcement should be better trained,  
2 and it's another concession by compliant  
3 fishermen willing to, you know, I'm not going  
4 to fall on the sword on that one.

5 PARTICIPANT: Can I just respond to  
6 that?

7 PARTICIPANT: Sure.

8 PARTICIPANT: That this is not just  
9 for Enforcement to help tell the fins,  
10 although Enforcement did request this saying  
11 that there's enough information in those two  
12 fins so they can tell, but it's also to help  
13 the sharks dealers identify it once they're  
14 off-loading the boat, and that we're, during  
15 the shark identification workshops, hoping to  
16 be able to show them the differences with  
17 these two fins on.

18 So it wouldn't just help  
19 Enforcement, but also the dealers who aren't  
20 going to see the entire sharks. They're just  
21 going to be seeing that dressed carcass.

22 PARTICIPANT: I've got a feeling

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1 that once you get a sharp dealer or their  
2 proxy into a mandatory workshop that you're  
3 going to have some amazing identification  
4 results.

5 Issue No. 3, Blue Water supports  
6 BNC. However, in addition to commercial  
7 retention limit measures, NMFS should review  
8 and make any necessary revisions in order to  
9 fully enforce illegal recreational sale of  
10 HMS. Huge problem, continues to be. Huge,  
11 huge problem. It's a food safety issue.

12 Oppose Issue No. 4, definition of  
13 Florida East Coast closed area. We oppose  
14 that even if it's a half a mile. We can't say  
15 yes to anything that is a further negative  
16 impact on this fishery. Even if it's ten feet  
17 we just can't do it.

18 Support Issue No. 5, definition of  
19 hand line.

20 On Issue No. 6, Blue Water can  
21 support a temporary Option B on the grounds of  
22 current stock status and biological

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1 conservation needs for Billfish. However, as  
2 overfish stocks are recovered, reasonable  
3 retention and disposition of incidentally  
4 caught fish that cannot be returned to the sea  
5 alive should be reevaluated.

6 Issue No. 7, Bluefin tuna dealer  
7 reporting. Support the preferred provision.

8 Issue No. 8, support.

9 Issue No. 9, Blue Water supports  
10 the preferred alternative on 9(b), support.

11 Notice to require a permit for all  
12 HMS fishing vessels and Internet or other  
13 electronic reporting system will work to  
14 provide the ability to easily report. The  
15 public at large is not burdened by requiring  
16 recreational fishermen to report their effort,  
17 catches, landings and discards of Atlantic  
18 HMS, a public resource.

19 NMFS must use pooling or other  
20 extrapolation methods to estimate total U.S.  
21 recreational effort, catches, and post release  
22 mortality for management and assessment

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1 purposes, including more accurate ICAT  
2 reporting.

3 NMFS must require all HMS fishing  
4 vessels to comply with dockside interviews by  
5 data collection programs and to insure that  
6 the respective marinas do not impede such data  
7 collection.

8 NMFS should require mandatory  
9 observer coverage because it is obvious that  
10 the voluntary program in the HMS FMP has not  
11 worked.

12 NMFS should insure compliance with  
13 reporting and other requirements by rescinding  
14 permits and issuing violations, sanctions, and  
15 fines.

16 Issue No. 10, Blue Water supports  
17 the preferred alternative and opposes A and C  
18 unless and until there is further  
19 clarification from ICAT.

20 Issue No. 11, all U.S. fishermen  
21 should abide by U.S. regulations no matter  
22 where they are fishing unless under a charting

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1 or an arrangement consistent with ICAT  
2 recommendations and/or an exempted fishing  
3 permit.

4 Then Madison Swanson Steamboat  
5 closure came up. I don't know where it fits  
6 in all here, but it was raised. And you know,  
7 Blue Water cannot support that closure for one  
8 HMS hook and line gear type. We could support  
9 that closure for all HMS hook and line gear  
10 types, but not for one.

11 You know, pelagic longline is --

12 PARTICIPANT: It is, Nelson.

13 PARTICIPANT: With snapper and  
14 grouper just as much as trolling, just as much  
15 as --

16 PARTICIPANT: It's the same  
17 regulations the Gulf Council has, which is for  
18 all gear types.

19 PARTICIPANT: Except there's an  
20 exception for high speed trolling --

21 PARTICIPANT: Trolling.

22 PARTICIPANT: -- for six months out

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1 of the year.

2 PARTICIPANT: So it's across the  
3 board, recreational and commercial, for the  
4 closure? Okay. Thank you.

5 Also, don't know where it fits.  
6 There's some discussions in here on incidental  
7 catch limits. Do we discuss that now or is  
8 there a different --

9 PARTICIPANT: One thing I wanted to  
10 talk about at the break, which we are going to  
11 need to take soon, is a list of other issues  
12 that folks would like to talk about. If you  
13 want to get those to me on the break, just  
14 pass me a note, whatever.

15 What we're going to do is that  
16 miscellaneous issues this afternoon, run  
17 through what everybody wants to talk about  
18 and, you know, I'll figure out an approach to  
19 get it all covered in the time we've got. So  
20 I would ask you to save that and try and stick  
21 to the issues under reg. housekeeping at this  
22 time.

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1 PARTICIPANT: Okay. I thank you.

2 MR. McBRIDE: Yes, Joe McBride, New  
3 York, Montauk Boatman's & Captain's  
4 Association.

5 I have one statement and one  
6 question. Lewis opened up the door for  
7 support for the greensticks. Yesterday I  
8 didn't make a comment on it, but I'd like the  
9 record to show that we certainly have no  
10 objection to the continued use of the  
11 greensticks both commercially and/or  
12 recreationally. They're a trolling devise.  
13 If they're more efficient under Structure 1  
14 for the commercial operation, that's fine.  
15 They're certainly not a longline device.

16 So if Lewis has an opportunity  
17 without, you know, tearing all of the regs. up  
18 and rewording things and something and we can  
19 get it in there, it's something that should be  
20 included. It certainly is not a longline  
21 device. That's number one.

22 Number two, yesterday I made a

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1 brief comment about enforcement, and I -- to  
2 show the lack of -- my point was don't make a  
3 law you can't enforce, and I asked about the  
4 permit. So I made a comment about the  
5 permits, just anecdotally that I don't think  
6 they were ten percent of the people who fish  
7 for HMS have the permits.

8 What is the number, the current  
9 number of permit holders on the -- is it the  
10 East Coast only from Texas to Maine or is it  
11 go both coasts for the HMS permits?

12 PARTICIPANT: It's just Gulf of  
13 Mexico through to Maine and including the  
14 Caribbean. Are you asking specifically the  
15 angling category number?

16 MR. McBRIDE: No, the total number  
17 of HMS permits. That can go to either --  
18 angling yes, angling. I'm sorry. Frankie's  
19 right.

20 PARTICIPANT: I think it's up to  
21 about 25,000.

22 MR. McBRIDE: Oh, it's up that

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1 high? Because at one time you were down five  
2 or 6,000. You know, I think that they do that  
3 out of the Port of Montauk.

4 PARTICIPANT: No.

5 MR. McBRIDE: Thank you very much.

6 PARTICIPANT: That doesn't sound  
7 right.

8 MR. McBRIDE: That's an improvement  
9 anyhow.

10 PARTICIPANT: The number of angling  
11 category permits has been increasing over the  
12 last several years.

13 MR. McBRIDE: Okay. That's the  
14 point I'm making. I'm glad that you're  
15 working on that. Again, you know, it isn't  
16 right if Person A gets the permit who obeys  
17 the regulation and Person B ignores it and no  
18 one is doing anything about it. That's my  
19 point.

20 Okay. Thank you.

21 PARTICIPANT: Thank you.

22 On Issue 1, I agree with Nelson

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1 that the opportunity for flexibility amongst  
2 the fisheries is very, very important,  
3 especially as restrictions are moving more and  
4 more fishermen out of one area into another.  
5 They need to have back-up plans to maintain  
6 their income.

7 To a point that Dewey said  
8 regarding the number 70 versus 71, between  
9 bottom longline and pelagic longline, you  
10 know, that seems a little bit too stringent to  
11 me as far as being able to enforce it. Most  
12 prudent fishermen also keep spares on board of  
13 everything, and you know, that can -- there  
14 probably ought to be some percentage in there  
15 as well that may not create problems with  
16 fines and other interferences.

17 I agree on shark identification,  
18 Issue 2. We definitely need more education  
19 and it goes across the board both with  
20 enforcement as well as fishermen.

21 Item 3, the HMS retention limits,  
22 yes, I agree with that because of -- not just

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1 because of the cost; the recreational sale  
2 came up, the safety issues there, but, you  
3 know, just to accept waste that often occurs.

4 Issue No. -- I'm going to skip six  
5 for a second. Because I have more to say  
6 about that -- Issue No. 9, I'd like to see --  
7 and perhaps this is covered elsewhere, just  
8 the consistency there in the consequences of  
9 not reporting. I believe it~~as~~ under Issue 8,  
10 the potential impacts, it does say that  
11 perhaps there will be fewer permit renewal  
12 delays, et cetera. It ought to carry over  
13 into Issue 9 because if you're going to have -  
14 -

15 (End of Tape 16, Side A, beginning  
16 of Tape 16, Side B.)

17 PARTICIPANT: Thank you. I have to  
18 echo some of the comments made. Not in any  
19 organized fashion, but quickly.

20 I'm not qualified to talk about  
21 harpooning. I'm not familiar with the  
22 industry. But just the theory of it, I would

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1 really not to -- like to see harpoons on  
2 charter boats. Just the general theory of it.  
3 Regardless if they're on a commercial trip.

4 To weigh in on the -- everything  
5 else pertains to greensticks. To weigh in on  
6 the artificial versus natural bait, it would  
7 be easy just to say all artificial, but I will  
8 have to say on a given day, you can't catch a  
9 fish on a rubber squid. But you put a  
10 ballyhoo out there and you get eaten up.

11 And people out there trying to make  
12 money. We limited them by bait selection,  
13 giving them the opportunity to pay for their  
14 fuel.

15 So, as much as my heart would love  
16 to say keep it with artificial bait, I do know  
17 on a given day, they're just not biting on a  
18 rubber bait.

19 Did I hear you say -- you said a  
20 lot of verbiage that's not mentioned -- and  
21 like a lot of data that's not on these slides  
22 specifically.

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1           In recreational use, you would be  
2 limited to two hooks. Is that what I thought  
3 I heard?

4           MR. BLANKINSHIP:     On greenstick  
5 gear, because it has a mainline and the hooks  
6 and the gangions are attached to the main  
7 line, a general category vessel cannot -- is  
8 limited to two hooks. Because if he uses  
9 three hooks or more, then it falls technically  
10 under the definition of a -- of a longline.  
11 And he's not authorized to use that.

12                           (Simultaneous conversation.)

13           MR. BLANKINSHIP:     Under current  
14 regulations.

15           PARTICIPANT:     Right. Okay, and --  
16 and I just wanted to make sure that's what I  
17 heard.

18                           On the commercial vessels, and once  
19 again, I had a difficult time hearing. Am I  
20 correct that they would be limited to 20 hooks  
21 onboard the vessel?

22           MR. BLANKINSHIP:     On Atlantic tunas

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1 longline permitted vessel, currently they only  
2 may possess and use circle hooks.

3 PARTICIPANT: Right.

4 MR. BLANKINSHIP: This would allow  
5 them to have up to 20 J hooks onboard, if they  
6 had greenstick gear also onboard.

7 PARTICIPANT: Okay, and that's -- I  
8 mean, that would be whether they rigged on the  
9 squids, or whatever. Just a total of 20?

10 MR. BLANKINSHIP: Yes, and they  
11 would only be allowed to use the J hooks with  
12 the greenstick gear.

13 PARTICIPANT: Correct.

14 MR. BLANKINSHIP: And only up to  
15 10.

16 PARTICIPANT: Right.

17 MR. BLANKINSHIP: Yes.

18 PARTICIPANT: Okay --

19 MR. BLANKINSHIP: But that only  
20 applies to Atlantic tunas longline permitted  
21 vessels.

22 PARTICIPANT: Okay. And I

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1 understand the regulation, it's just, you  
2 know, like I said, I'm a charter boat person,  
3 but hooks typically come in boxes of 100 and I  
4 do understand the regulation, what you're  
5 trying to do.

6 My last is just -- probably has to  
7 do with the definition of the gear.

8 Just looking at the bulleted  
9 points, if either you may want to tweak it and  
10 add something to it. But the only  
11 recreational boats I know using greensticks,  
12 they're actually -- they're not employing it  
13 the same way as commercial boats. They're  
14 actually using it as a tall center outrigger.

15 And the main line is not directly connected,  
16 it's connected with a clip. And if it falls  
17 under this, I guess it would still fall under  
18 the category, because they have the stick on  
19 the boat and they actually are using it. I'm  
20 just curious down the road, would further  
21 regulations on it -- if they can only have two  
22 hooks.

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1           People I know have -- they're  
2 dragging a daisy chain of four, five, six  
3 squid and having a hook in each one. But  
4 they're typically just trying to catch one  
5 fish at a time. It'll pop out the clip and  
6 they fighting that one fish.

7           So, I'm just mentioning, like I  
8 said, bringing up inconsistencies from what's  
9 being used today, to what the rules going to  
10 omit people from what they've been doing the  
11 last few years.

12           MR. BLANKINSHIP: All right,  
13 clarification there. On the rigs where -- for  
14 instance, an outrigger or even on a greenstick  
15 rig. Where rod and reel line is going up to a  
16 clip and then down into the water and a fish  
17 hits that and it breaks away and they fly on  
18 the rod and reel. That's falls under the  
19 definition of -- of hand gear. And is  
20 considered rod and reel. And this definition  
21 would not change that.

22           PARTICIPANT: Okay, but -- okay. I

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1 just wanted to -- wondered if one of your  
2 voted items would be stating that, if this is  
3 going to public hearing, it's already -- it's  
4 already published. But just to state it for  
5 clarification.

6 MR. HUDSON: Russell Hudson,  
7 Directed Shark Fisheries.

8 Randy, I have a question to begin  
9 with and I have a couple points that I have to  
10 make.

11 The question is, what would be the  
12 effective date for the PLL and BLL vessels to  
13 have the equipment onboard after the final  
14 rule publishes in the summer of 2008?

15 MR. BLANKINSHIP: It'd be 30 days  
16 after publication. The cooling off period,  
17 the normal cooling off period.

18 MR. HUDSON: So the effective date  
19 would be 30 days after the final rule. That's  
20 roughly 500 or so boats, that would have to  
21 have the turtle tether or else the ninja  
22 sticks onboard the vessel.

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1 I assume you're familiar with  
2 Appendix B-1. And in Appendix B-1, at the  
3 moment, there is not a schematic of the ninja  
4 sticks. There was a modification from the  
5 2004 B-1 for the eyelet, right behind the  
6 quick release clam fleet.

7 And so, that was just a slight  
8 modification that the Science Center, you  
9 know, did.

10 But I understand that B-1 is being  
11 updated to show a lot of the new de-hooking  
12 equipment and that.

13 And so, I did hear that they were  
14 going to call the ninja sticks a turtle  
15 grabber. But I'm not certain if that's flying  
16 or not.

17 But, keep in mind that Amendment  
18 18-A in the Gulf of Mexico for reef fish is  
19 already in place. And it effects a couple  
20 thousand for hire vessels as well as hundreds  
21 of other commercial vessels using longline for  
22 other things that don't have grouper and -- or

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1 don't have HMS permits for swordfish or for  
2 shark.

3 And Amendment 15-B, at the South  
4 Atlantic Council level, is supposed to go  
5 final later this fall.

6 In both of those documents, they  
7 require the vessels to have the same  
8 equipment, virtually that the HMS folks have  
9 to have.

10 And in the south Atlantic region,  
11 there's another couple thousand for hire  
12 and/or other commercial vessels.

13 So, there's a ramp up there. A lot  
14 of equipment that potentially has got to be  
15 manufactured and then, either by the entity  
16 themselves, following whatever guidelines in  
17 Appendix B-1. And I'm hoping you'll have  
18 Appendix B-1 out before you get to the final  
19 rule or before the 30 day comment period is  
20 over. Because they'll need to have the  
21 schematics in order to, you know, make it all  
22 correct.

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1           Furthermore, and I hate to be the  
2           bearer of bad news. But in Appendix B-1, from  
3           2004, there is a mistake with regards to the  
4           dip net and the mesh size reference.

5           The reference is for a square,  
6           which is a half a mesh. Two squares makes a  
7           mesh.

8           So where it says, two-and-a-half to  
9           three inches, the nets that have been sold are  
10          correct. But the wording in B-1 needs to be  
11          corrected.

12          I'm probably going to get in  
13          trouble for saying it. But I just -- get it  
14          on the record right now. So that whoever's  
15          involved with making Appendix B-1, and making  
16          it available to the fishermen, will be able to  
17          make those corrections, and additions if you  
18          can get that done before final rule.

19          MR. BLANKINSHIP: Thanks, Rusty.  
20          Appendix B-1 is being, as you said, redone by  
21          the Southeast Fishery Science Center  
22          personnel. And we'll pass that note on to

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1       them for sure.

2                   I understand your comment about  
3       needing some advanced time to ramp up for  
4       compliance.

5                   One thing relative to the crossover  
6       between the south -- or, the Gulf of Mexico  
7       with any South Atlantic regulations in the  
8       turtle handling gear, that the range that they  
9       refer to, in our regulations for gears, will  
10      not and does not include our addition in the  
11      regs of this new sea turtle control device.  
12      So this will be in addition for ours that is  
13      outside of the range of what they reference.

14                  So, it will not have a crossover in  
15      that regard.

16                  MR. HUDSON: I agree, but at one  
17      point in the future, they will be probably  
18      having to amend those. And then would be  
19      having some or all of those vessels, to have  
20      to get the gear.

21                  I just want to anticipate being  
22      able to deal first with 500 vessels versus

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1 dealing with 5,000. I mean, it's a huge  
2 difference.

3 MR. WEBER: Rick Weber.

4 A couple of definition things here.

5 On your greenstick definition you  
6 have retrieved by hands or mechanical means.  
7 Thinking of what Myron was saying. They  
8 should be jointly retrieved. They -- you  
9 know, just you're a word short there that says  
10 they all come in at the same time. To  
11 separate out the commercial from the  
12 recreational configuration.

13 In your response to him, you said  
14 that three hooks make a longline. And this  
15 seems to be continuing issue when we have  
16 nonconforming gear.

17 We ought to have something that we  
18 call nonconforming gear. Because three hooks  
19 being trolled isn't a longline by any rational  
20 definition. And you need some other new  
21 definition in there, rather than just, it  
22 becomes a longline. It's a nonconforming

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1 gear.

2 Did I hear you say that greensticks  
3 are going to be permitted on charter head  
4 boats, yes?

5 You did not make reference to  
6 whether or not that falls into for hire trips  
7 or non for hire trips. Do you intend to make  
8 that distinguish?

9 MR. BLANKINSHIP: That is proposed.

10 And there is not a distinction. It would be  
11 authorized for all them. Whether they're for  
12 hire or not for hire, under the preferred  
13 alternative as it's currently proposed.

14 MR. WEBER: I think just off the  
15 cuff, reserving the right to reverse myself,  
16 but, I don't think it has anyplace on a for  
17 hire trip.

18 You know, you're talking about  
19 mechanical drums and all sorts of things. It  
20 just doesn't feel right.

21 And if you go forward with harpoon.

22 And I don't know my personal opinion on

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1 harpoons there. But I don't think they ought  
2 to be on the for hire trips either.

3 You're trying to give these guys  
4 flexibility to make an income when they don't  
5 have a for hire trip. And I support that.  
6 But let's not confuse when they are for hire  
7 and when they're not.

8 And finally, I think I want to  
9 support the J hooks. But only to the extent  
10 you're recognizing that it's the start of the  
11 fix of a problem. Because I agree that I  
12 don't -- you know, there is no significant  
13 drop back there.

14 The combo baits, the big baits, the  
15 blue marlin baits, as we were trying to appeal  
16 to you before, don't seem to have the big  
17 bicatch problem. You know what I mean? It's  
18 what Randy kept trying to drive home. Is  
19 there is a difference between your little dink  
20 baits that you do drop back and this bigger  
21 bait, on even 80 pound tackle or some such  
22 thing. That is also as cumbersome for us to

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1 drop back on at 80.

2 You know, you just don't run and  
3 pick it up and drop it into free spool.  
4 That's not how the big tackle is fished. And  
5 we don't drop back on those either. And we  
6 would be very similar to what you're seeing in  
7 the greenstick gear. And it would be the  
8 start of the fix.

9 Thank you.

10 MR. BLANKINSHIP: I want to --  
11 excuse me -- I want to just -- a little bit of  
12 clarification, because in the draft EA, when  
13 it does come out. Speaks a little bit to that  
14 gear definition issue and the number of hooks  
15 that you referred to.

16 What I -- one of the things I just  
17 want to -- want to clarify here, is that the  
18 presence of a -- that with a longline, the  
19 presence of a mainline and hooks or gangions  
20 attached to that mainline, and the number of  
21 hooks is -- are the components of that  
22 mainline definition.

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1           And that is why technically, we've  
2 got an issue with greenstick falling under  
3 that under current regulations.

4           This particular proposed rule would  
5 try to clarify that issue and define  
6 greenstick gear separately. So that with  
7 greenstick gear, actively trolled lines,  
8 suspended above -- or elevated above the water  
9 surface, that has a main line, is allowed to  
10 have up to 10 hooks, in that clarification.

11           Okay, so, this proposed rule does  
12 do that clarification. And it does also speak  
13 to kind of a clarification in how the mainline  
14 -- or the longline definition applies to other  
15 gears. Which have been, sometimes,  
16 (inaudible) as you said. I think, I don't  
17 remember what term you used, exactly.

18           Nonconforming gears. But it does  
19 provide some clarification along those lines,  
20 that the presence of a mainline is -- is one  
21 distinguishing characteristic of longline  
22 gear.

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1                   PARTICIPANT: Very quickly. I, of  
2 course, have supported the greenstick gear in  
3 the past and so that will remain the same.

4                   I just simply wanted to comment on  
5 the data collection. And you were talking  
6 about several options here. And I still think  
7 it should be all of the above when -- when  
8 appropriate. But certainly, vessel logbooks  
9 need to be there. And vessel logbooks are  
10 required under the multi species permit in the  
11 Northeast, so it's not something new. But, it  
12 just makes sense that these data would be  
13 collected on vessel logbooks as well as  
14 through other methods.

15                   Thanks.

16                   MR. AUGUSTINE: Pat Augustine on  
17 behalf of Joe McBride and RFA.

18                   Joe asked me to mention that the  
19 RFA does not support the harpoon being allowed  
20 on charter boats.

21                   PARTICIPANT: Thanks Paul, I think.  
22                   Okay, so real quick. MRIP, just as a

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1 reminder stands for Marine Recreational  
2 Information Program. I gave a presentation  
3 last fall that covered more of the -- a little  
4 more of the details of what it involves.

5 But basically, it's an agency  
6 initiative that covers all regions, all  
7 recreational fisheries, and we're trying to  
8 improve the way we collect, use, and analyze  
9 recreational data.

10 So, for -- particularly for this  
11 group, the -- what I want to focus on is the  
12 highly migratory species working group. Which  
13 is a part of MRIP and which I'm the Chair.

14 We've got five projects currently,  
15 that are funded and up and running for this  
16 fiscal year.

17 And so, I just want to briefly  
18 touch on those, give you a, you know, real  
19 quick status update. And as Paul said, you  
20 know, feel free to -- either today if there's  
21 time or -- just contact me at any point if you  
22 have additional questions.

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1 I want to start first with, we have  
2 two projects in Florida. Which I have to give  
3 a lot of credit to Florida Fish and Wildlife  
4 Commission. Particularly Dave McGowen, who's  
5 doing a real bang-up job, just getting geared  
6 up for some major survey work. We were  
7 a little delayed and that's largely in part to  
8 when our budget came in. So, we didn't get  
9 our budget till, well into the second quarter.

10 Which prevented us from being able to start  
11 this March 1st. Which was what we were  
12 hoping.

13 So, I talked to Dave yesterday and  
14 he's ready to start both the dockside portion  
15 of that for charter boats. As well as, we  
16 have phone surveys for charter boats and for  
17 the private boats; angling and general  
18 categories. Which are going to start April  
19 28th.

20 So we will have data, you know,  
21 from that point on. And we're going to still  
22 run it for a full year.

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1           So, just the fact that we started  
2 late, doesn't mean we're going to cut the  
3 project short. It's going to run till the  
4 following April, 2009.

5           Not much more I can say about that.

6           But I also want to thank Ron Coddington for  
7 all his work. And he's volunteered his time  
8 on those Florida projects. And he's working  
9 closely with Dave McGowen.

10           So thanks, Ron.

11           As far as the rest of the, you  
12 know, South Atlantic and Gulf, since we  
13 currently don't, you know, large pelagic  
14 survey only extends from Maine through  
15 Virginia. So, we -- one of the charges to the  
16 HMS working group was to look at expanding  
17 data collection for HMS where needed for  
18 management and stock assessment purposes.

19           And so, in the rest of the South  
20 Atlantic and Gulf, we are -- currently I've  
21 got RFQ for a contractor to do telephone  
22 survey of -- we're going to attempt a census

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1 of all permit holders in the angling and  
2 general categories.

3 So, it's a lot of calls. But  
4 basically, we're just doing a onetime  
5 characterization survey to get some general  
6 information about fishing activities, how  
7 often people fish, what species do they  
8 target, where do they leave from and return  
9 to, what times of day.

10 And all this information is really  
11 useful if we take the next step. Which is to  
12 develop a full-blown catch and effort survey.

13 Similar to LPS or maybe it could be  
14 completely different. But some sort of  
15 specialized effort for HMS.

16 So that~~as~~ the goal for this year.

17 The fourth project is similar. But  
18 this is focusing in Puerto Rico.

19 And I'm working with Puerto Rico,  
20 DNER, to look at ways that we can improve our  
21 recreational landings. Particularly for non-  
22 tournaments.

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1           Because Puerto Rico DNER does try  
2 to sample every HMS tournament that they have  
3 there. And they feel like they have a pretty  
4 good database on that. But non-tournament  
5 landings.

6           If you look at the -- what's  
7 actually being reported through the call in  
8 system. It's, you know, one or two fish a  
9 year. I'm talking about blue marlin.

10           So, we are working with the DNER  
11 and for this year, same kind of thing, we're  
12 going to do a characterization survey of all  
13 angling and, I guess there's not that many  
14 general category. But basically the angling  
15 category permit holders in Puerto Rico. And  
16 also we have some funding to do outreach  
17 projects.

18           So we're working with the  
19 Sport/Fishing Association down there. And you  
20 know, trying to get them involved so they can  
21 tell us, what will work for you, as far as  
22 reporting.

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1           And the last project I wanted to  
2 mention is looking at how we sample HMS  
3 tournaments in the Northeast. Because  
4 tournaments are included as part of the large  
5 pelagic survey. But it's -- they're randomly  
6 selected, like we select any other random site  
7 day combination.

8           And so, we're taking a close look  
9 at, are we sampling tournaments in proportion  
10 and representative of their occurrence and  
11 their contribution to the overall catch.

12           And for this project, I also want  
13 to thank Rick Weber and Steve James.

14           Steve James is with the Boston Big  
15 Game Fishing Club. Both of them have  
16 contributed their time to the project and I  
17 appreciate that.

18           We had a meeting a couple weeks  
19 ago. Just a kickoff meeting. Actually just  
20 last week, for this project. And we are  
21 looking at ways that we can possibly do a  
22 complete census of HMS tournaments. And then

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1 have that to compare with large pelagic survey  
2 data, for tournaments.

3 And so, we're sort of looking at  
4 what would be the best approach moving forward  
5 to sampling HMS tournaments.

6 And I think -- I don't know if  
7 that's five minutes. But, if it's not, I can  
8 answer maybe one question now. Or, do you  
9 want to just --

10 (Off the record comments.)

11 PARTICIPANT: Yes, so, well, we're  
12 getting loaded up. What we've done again this  
13 time, if you recall at the last meeting, we  
14 did a summary presentation. It's done in real  
15 time. Obviously what we've heard over the  
16 last two-and-a-half days.

17 So, it's not intended to be the  
18 comprehensive summary. That will come out in  
19 hopefully a couple of weeks.

20 But, just in something for you to  
21 take away, highlight what we heard, and to  
22 just clarify this, you know, some folks have

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1 drifted in and out. If your point is not  
2 captured, if something -- we missed something,  
3 please let use know. And it's kind of the big  
4 picture stuff that we've heard to date.

5 And so, it's a continuing trial, I  
6 guess is my point. And so, if people don't  
7 like it, if it's not capturing the essence of  
8 the meeting, we can just stick with the  
9 official summaries as well.

10 So, always interested in feedback  
11 on how things are going.

12 So, just a further caveat. I  
13 haven't seen this at all. So, staff has been  
14 busy working on this. So, this is as new to  
15 me as it is to you.

16 So, just a list of upcoming  
17 actions, things that we touched on.

18 Scoping for small coastal  
19 amendments, Amendment 3. Should be coming, I  
20 think, this summer.

21 Proposed rules. As we just talked  
22 about, the greenstick proposed rule should be

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1 publishing in a couple of weeks. I would -- I  
2 really appreciate the conversation and  
3 comments so far. Please do take a look at it.

4 And the actual written text. And we look  
5 forward to more of your comments.

6 As well as the EFH Amendment 1,  
7 rule making, that should be coming out before  
8 the next meeting.

9 Public hearings, also the pelagic  
10 longline. Workshop rule, those hearings. And  
11 the ITP rule have already been scheduled.  
12 Greenstick will follow a little bit further.

13 And the final rule, again after the  
14 30 day NEPA period, the final rule will follow  
15 as soon as we can with the target for  
16 midsummer.

17 Pelagic longline research underway,  
18 continuing.

19 The permit reform actions, as we  
20 mentioned during the session. We're looking  
21 to the next meeting, to have a very dedicated  
22 session, maybe have some speakers come in,

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1 talk about their experiences on permit reform,  
2 as we continue to mull over all of the  
3 suggestions that you've got. We -- I'm not  
4 sure at this point, if we'll try and take on  
5 anything in the meantime or how far we'll get.

6 But we're certainly going to take a long hard  
7 look at that.

8 And then Caribbean amendments, some  
9 of the scoping, probably about the time of the  
10 next meeting.

11 Some of the things that I've been  
12 keeping track of from a to-do list  
13 perspective. Some folks had expressed  
14 interest on council training. So, I'll again  
15 make sure that those specific individuals get  
16 that. But I thought I'd just send it out for  
17 everybody in case, you know, you think about  
18 it and want to participate.

19 Like I said, as AP members, we can  
20 pay for your travel to attend. So it is  
21 available.

22 Put all the presentations up on the

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1 Website. So we can do that pretty quickly.  
2 And send the compliance guide to all permit  
3 holders, with a comment that came in that's  
4 especially important for charter head boat and  
5 commercial permit holders.

6 So, you know, if that's something  
7 that we can try and do again, that there are  
8 resources associated with all of this. So,  
9 we'll see what we can do.

10 And then, a few other things  
11 specific to issues in following slides --  
12 okay, so that's -- keep reading.

13 Amendment 2 issues. I think that  
14 we were noting additional clarification would  
15 be helpful. Things that AP members talked a  
16 lot about.

17 Closure likelihood and the non  
18 sandbar fishery, overall reduction in quotas,  
19 possibly looking at regions and small  
20 coastal's, the state prohibition of duskies  
21 for EFPs, the amount of quota taken in state  
22 waters, and research fishery applications,

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1 ability to fish, all of that sort of process  
2 type stuff -- needing new assessments using  
3 all available data. I think that's a  
4 continuing thing.

5 And then, mixed comments on the FPI  
6 preferred alternative for (inaudible) as well  
7 as the fins attached requirements. Lots of  
8 continuing discussion of that obviously.

9 On the pelagic longline research  
10 update, wanting frequent yet quality  
11 controlled updates on the research.

12 And so, those are slightly opposed.  
13 They're -- the frequent and quality control  
14 often don't work well together. So, we'll  
15 take a look and see what we can do.

16 I appreciate peoples interest.  
17 Wanting to get the information out. We've  
18 talked about, that we would do that. But  
19 wanting also to only put out information that  
20 we're comfortable with won't be changing.

21 So, we understand both points.

22 Some of the concerns, that given

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1 some of the delays with contracting and  
2 observer coverage, we might not get as many  
3 sets as we had planned. Possibly consider  
4 more vessels to participate. Particularly as  
5 we move forward and see how things go.

6 The observer coverage. You know,  
7 one point I think that maybe didn't come out  
8 so much. You know, we talked about our  
9 resources being stretched. There's multiple  
10 high priority actions right now for the  
11 agency. And, you know, the number of  
12 qualified observers can also be limiting.  
13 Even if we had all the money in the world.

14 So, we're doing the best we can.  
15 And some of those constraints will ease up a  
16 bit after the bluefin spawning ground  
17 coverage.

18 So, I think we're in a short-term  
19 getting off the ground kind of phase. And I  
20 don't expect it to be a long-term problem.

21 Some of the hook size and research,  
22 not necessarily being applied throughout the

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1 fleet. That concern coming up. And then  
2 tracking days at sea. I'm not sure what we  
3 mean by tracking days at sea.

4 So, there it is.

5 (Laughter.)

6 PARTICIPANT: Some of the results  
7 comparing inside and outside. As well as, I  
8 think, the standard of comparison. What are  
9 we actually looking at this data relative to?  
10 Is it pre-closure is it current conditions in  
11 the out -- the rest of the fishery. Just all  
12 of those issues. I think we'll look at all of  
13 it.

14 More interest in the we cook  
15 (phonetic) study. That's something that we  
16 could provide probably an update at the next  
17 meeting.

18 Just comments that more turtles  
19 seem to be out there. So an increasing  
20 interaction rate might be a result of that.

21 Communicating the regs.  
22 Particularly, I think the Vietnamese community

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1 in the Gulf. As well as this would also apply  
2 and possibly Caribbean for Spanish speakers.

3 And then some of the fishing around  
4 oil rigs and some of the developments there.

5 For the tuna longline work -- shark  
6 dealer workshop proposed rule. For and  
7 against some of the permitting issues in this  
8 really -- some of this discussion, I think  
9 crossed the specifics for this rule, as well  
10 as some of the larger permit reform issues.  
11 And -- and what we're hearing about  
12 implications that permit changes can have, can  
13 be large. Significant monetary, as well an  
14 inherent value.

15 And so, I think, you know, a big  
16 take away for me, is that these -- this is a  
17 big deal. And we want to do it right. And so  
18 what -- we'll be looking a lot at that.

19 So some of those concerns. I'm not  
20 going to read them all.

21 So, and we have put this up on the  
22 Web as well. So, you'll -- you can have this.

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1                   Concern about the impact on the  
2 shark I.D. workshop issue and the ability of  
3 dealers to sell or buy from an open region to  
4 a closed region. I think this is primarily a  
5 Florida issue. But is a consistent -- a  
6 persistent one.

7                   And then again, a lot of the issues  
8 linked to permit reform.

9                   Definitely not going to read this.

10                  (Laughter.)

11                  PARTICIPANT:           Confusion with  
12 permits. I think one of the overriding  
13 concerns we heard consistently from all the  
14 tables, the permit issuance, the different  
15 processes, different data collection, timing,  
16 leads to confusion on the public. And has  
17 created some mismatches within the agency.

18                  And so, looking to either a central  
19 location or some standardization uniformity in  
20 the permit issuance. I think, and agree,  
21 would go a long way.

22                  So, some of that is -- we've

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1 touched on at different points. There's  
2 multiple partners that we work with for our  
3 permitting and reporting. And so we'll need  
4 to talk with some of them.

5 And again, I think this will be  
6 something that we can make some headway on.  
7 I'll look at some of our options and see where  
8 we are at the next meeting. But, I think we  
9 heard you loud and clear on this one.

10 And then, the long list of issues  
11 relative to salt fish quota, permanent reform,  
12 the value and changes there.

13 Again, we'll get this to you. So  
14 you've got all of that.

15 Some of the international trade  
16 permits issues. New changes, confusing  
17 acronyms, fin traders. The suggestion that  
18 they should report as well, not just be  
19 permitted.

20 Concern about re-exporters. Having  
21 to increase some of the paperwork associated  
22 with their activities, relative to status quo.

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1 We hear that as well. We're glad you heard  
2 that, because that is something coming out of  
3 (inaudible) recommendation. We want to make  
4 sure everybody knows what U.S. obligations  
5 are.

6 And then, the possibility to extend  
7 comment period and have some more hearings for  
8 some of these issues. Something we can look  
9 at as well.

10 On the Caribbean, working on  
11 outreach. Outreach, particularly sale of  
12 marlin, enforcement aspects of some of the  
13 regulations on the books now. As -- and then  
14 the interplay with mainland vessels that are  
15 operating in the Caribbean or possibly not.

16 But just some of that consistency  
17 and equity and all of that. Fad issues, I  
18 think, a growing issue. Some of the  
19 discussions and intent of Caribbean folks down  
20 there, to have more and what that means for  
21 HMS fisheries and stock. And just the data  
22 coming in. I think that's one of the drivers

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1 for the amendment itself, is getting a better  
2 handle on those fisheries and the landings  
3 associated with them.

4 And the dealers? Yes, we talked  
5 about that.

6 Tuna update. Lots of good  
7 discussion this morning on this. You know,  
8 the regulations hindering catches versus stock  
9 status. All of those things that we need to  
10 look at.

11 The debate on what is going on? Is  
12 it a distributional change? Is it abundance  
13 change? How do we -- how does management deal  
14 with this? How do we -- and one of the  
15 points, I think Mark was making, is that these  
16 changes are happening very quickly. And  
17 regulations and regulatory changes are not  
18 quick. And so, how do we see what's coming?  
19 See where we think we need to be and adapt as  
20 we go.

21 More real time, shorter turnaround  
22 kind of actions may be more appropriate. And

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1 we can look at the developing more of those.

2 When, where fish are at different  
3 places, permits, effort data. You know, I  
4 think maybe the next general meeting, we could  
5 ask Ron to also talk about the current program  
6 that LPS, in terms of how effort is  
7 calculated, relative to the permits.

8 A plug for conducting (inaudible)  
9 for research on conversion factors. So, if  
10 you can do that, that would be great.

11 Including dockside intercepts in  
12 the safe report. I think that's something we  
13 can do. We're working on a safe report right  
14 now.

15 Fishery independent data. There's  
16 not a lot for bluefin. And so maybe  
17 developing some more of that.

18 And then maybe not wanting to lose  
19 their quota. I think that obviously stands  
20 for all of the fisheries. And working on  
21 that.

22 And then again, I haven't seen this

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1 at all. Following the discussion this morning  
2 on the greenstick proposed rule, that should  
3 be coming out very shortly. Hook type and  
4 size, flexibility specifically for longline  
5 vessels, how to accommodate that.

6 Charter head boats -- or harpoon on  
7 charter head boats. Very mixed statements  
8 about that.

9 J hooks allowance. Some good  
10 comments on hook size so that would be good to  
11 continue to get your thoughts on that. More  
12 information on status of sea turtle bicatch.  
13 And, you know again, some support for and some  
14 votes against.

15 So, all good comments there. We  
16 look forward to more of that.

17 So this is a term, I think came up  
18 last time, on the -- from the enforcement  
19 folks, the BOLOs, I kind of like it. Nobody  
20 else remembers what it is. Be on the lookout.

21 The Marine Recreational Information  
22 Program. More is coming. I think those steps

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1 are going.

2 Several major things coming out as  
3 a result of the (inaudible) season  
4 reauthorization act. The proposed rules on  
5 ATO. National environmental lines. NEPA  
6 environmental review procedures. As well as  
7 IUU bicatch certification in the angler  
8 registry. Are all working their way through.

9 It will be a pretty busy summer for us. And  
10 all of our constituents.

11 So, these aren't things that are  
12 coming directly from our division, but we will  
13 be sure to let folks know over our list serve  
14 when they do come out. So all the HMS folks  
15 are aware. And all the ICAT stuff that's --  
16 it's a little early in the ICAT season, but  
17 things will still pick up through the summer  
18 and fall.

19 A couple of reminders. If you  
20 could please, please, please get your travel  
21 vouchers in. You want your money, we want to  
22 pay you. The quicker you get the receipts in,

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1 the quicker we can reimburse you and close the  
2 books.

3           Some of the comment periods  
4 currently. ITP, May 5th. Tuna longline, May  
5 12th. The comments on the EIS for the shark  
6 amendment, May 19th. Greenstick gear, late  
7 May. We might stretch that out. And I think  
8 we could still do that, to accommodate some of  
9 the comments here.

10           And then a big thank you to staff,  
11 for all the materials, putting everything  
12 together, presentations.

13           So, I hope you will join me in  
14 saying thank you to all the HMS's and non-  
15 HMS's that came.

16           (Applause.)

17           PARTICIPANT: And then, our turn to  
18 thank AP members. We know you're busy. And  
19 you know, that you're -- and you know, you  
20 take some time away from busy lives, jobs, to  
21 come and give us your input. We really do  
22 value it. We listen and we're trying to let

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1 you know more how we are listening and taking  
2 things into consideration.

3 So, please fill out the evaluation  
4 forms. We really do look at them. And  
5 hopefully you're seeing some of that iteration  
6 through time on how we're running the meetings  
7 or providing information.

8 So, the final thing is -- and  
9 looking at the Council schedule, as well as  
10 the tentative ICAT schedule. It looks like  
11 the last two weeks in September and possibly  
12 one week in October would be the options with  
13 --

14 Looks like the week of October --  
15 September 22nd and 29th, or October 20th, may  
16 be open at this point, for another AP meeting.

17 If you could let me know, if you  
18 know of conflicts with that, either of those  
19 times, or -- and I see Rich's hand going up.  
20 You know of one?

21 PARTICIPANT: Yes. It's not a  
22 conflict, but I think that's a totally

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1 inappropriate time to meet. I think the more  
2 valuable time would be after the ICAT advisory  
3 committee -- after the ICAT plenary meeting,  
4 when I think there could be significant  
5 changes in bluefin and swordfish that require  
6 domestic -- rapid domestic action on the part  
7 of the agency.

8 So I'm suggesting the AP should be  
9 after the ICAT meeting.

10 Early -- early December.

11 PARTICIPANT: Okay. We're not  
12 limited.

13 PARTICIPANT: What's the value --  
14 what would the value be in September when we  
15 don't know what's happened at ICAT?

16 PARTICIPANT: Well, remember this  
17 is the domestic panel. We have a lot of  
18 domestic issues, not purely ICAT. And so  
19 permit reform would be something that we could  
20 spend a lot of time on.

21 PARTICIPANT: Well, how are you  
22 going to get advice from the AP on how to

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1 implement potentially significant domestic  
2 changes in 2009, if we don't have a meeting in  
3 December?

4 PARTICIPANT: It's a good point. I  
5 think we are looking at some big changes.  
6 We're not limited. We could conceivably have  
7 a, you know, three. We used to have more.  
8 December's not a particularly good month, but  
9 possibly --

10 (Off the record comments.)

11 PARTICIPANT: Possibly January  
12 would be a little more time for us to digest  
13 what happened and not conflict with holidays.  
14 But it's a good point and we'll take that in  
15 consideration.

16 I would ask folks to at least  
17 pencil in those weeks. Take a look at them.  
18 See -- we do have other issues besides ICAT to  
19 talk about, too.

20 So, thank you very much. Have a  
21 great trip home.

22 (Whereupon, the above-entitled

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1 matter was concluded.)

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