

U.S. DEPARTMENT OF COMMERCE  
NATIONAL ATMOSPHERIC AND  
OCEANIC ADMINISTRATION

NATIONAL MARINE FISHERIES SERVICE

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HIGHLY MIGRATORY SPECIES ADVISORY PANEL

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MEETING

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THURSDAY  
MARCH 15, 2012

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The Advisory Panel met in the Lincoln Ballroom Room in the Crowne Plaza Hotel, 8777 Georgia Avenue, Silver Spring, Maryland, at 8:30 a.m., Margo Schulze-Haugen, Chief, Highly

Migratory Species Division, NOAA, presiding.

PANEL MEMBERS PRESENT:

PAMELA BAKER  
TERRI BEIDEMAN

RICK BELLAVANCE  
ANDRE BOUSTANY  
THOMAS DePERSIA  
SONJA FORDHAM  
WILLIAM GERENCER  
WALTER GOLET  
RUSSELL HUDSON

ROBERT HUETER  
GERALD LEAPE  
SHANA MILLER

VINCENT MONTELLA  
KENNEDY NEILL  
JEFF ODEN (proxy for Sam McKeon)  
TIM PALMER  
ELLEN PEEL  
RALPH PRATT  
RICHARD RUAIS  
MARK SAMPSON  
MARK TWINAM  
SCOTT VAETH  
RICK WEBER  
ROM WHITAKER

ICCAT REPRESENTATIVE:  
JOHN GRAVES

STATE REPRESENTATIVES:  
JASON ADRIANCE, Louisiana  
LISA GREGG, Florida  
RANDY GREGORY, North Carolina  
WALLACE JENKINS, South Carolina  
CARRIE KENNEDY, Maryland  
MARK LINGO, Texas

GREGORY SKOMAL, Massachusetts

COUNCIL REPRESENTATIVES:  
LARRY ABELE, GMFMC  
DAVID CUPKA, SAFMC

MARCOS HANKE, CFMC  
STEVE LINHARD, MAMC

FACILITATOR:  
SCOTT McCREARY

NOAA STAFF:

MARGO SCHULZE-HAUGEN

RANDY BLANKINSHIP

PETE COOPER

JEN CUDNEY

FORBES DARBY

KATIE DAVIS

GUILLERMO DIAZ

GREG FAIRCLOUGH

LeANN HOGAN

BRAD McHALE

SARAH McLAUGHLIN

RICHARD MERRICK

MAGGIE MILLER

MARTA NAMMACK

RICK PEARSON

ALAN RISENHOOVER

RON SALZ

ANGELA SOMMA

DIANNE STEPHAN

JENNI WALLACE

THOMAS WARREN

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Meeting Adjourned

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

8:43 a.m.

MR. McCREARY: So, as we start, a couple of reminders. There is an evaluation form in your packet. And before you leave today, would you please try to find time to fill that out and leave it at the front table?

The team definitely takes that advice to heart and uses it to shape the future AP meetings. And, also, a request to please try to check out at the break today.

All right. So, we have a sequence of presentations on recreational HMS issues. And Forbes Darby is up first, and then Ron Salz will follow.

MS. SCHULZE-HAUGEN: Yes. And before we hand it over to Forbes, I just wanted to note that Alan Risenhoover has joined us this morning for about an hour. He's over here by the door.

Alan has moved up to be the acting Deputy for Regulatory Programs. So, he's kind

1 of the new Sam, as Sam is the new Eric, the  
2 domino. So, I just wanted to let folks know  
3 that he's here, and he'll be here for about an  
4 hour.

5 MR. DARBY: Well, good morning,  
6 everybody. Thanks for having me here. Happy  
7 to kick off the homestretch.

8 I'm here to talk to you about the  
9 Marine Recreational Information Program.  
10 Specifically, our new method for catch  
11 estimation methodology. And I'll really be  
12 setting the stage for Ron Salz, who will be  
13 talking about some more HMS-specific projects  
14 after me, but I just wanted to update you on  
15 some progress we've made since we last briefed  
16 the advisory panel here.

17 So, I thought it would be helpful,  
18 and I know you probably can't read the details  
19 on that, but just to start with a brief  
20 overview of where we are. Obviously back in  
21 2006, the National Research Council took a  
22 look at our surveys and said there's some

1 things we need to do to improve them.

2 And so over the past several  
3 years, we've been working on that with pilot  
4 projects and culminating in 2012 with the  
5 first release of a major data product, which  
6 is this new catch estimation methodology which  
7 I'll talk about today.

8 If there's one thing that I can  
9 leave you with today, is that this new  
10 estimation methodology is simply the  
11 beginning. It is not an endpoint.

12 What it really does is it creates  
13 the solid scientific and statistical  
14 foundation that allows us to make other  
15 improvements that will improve the quality of  
16 our data. Improvements such as improving our  
17 timeliness, our precision, our dockside and  
18 effort surveys. And so, it really creates a  
19 solid foundation that we can build upon.

20 So, let's talk a little bit about  
21 what the National Research Council found in  
22 regards to this new estimation methodology.

1                   When they reviewed our surveys,  
2 they found that there was a mismatch in our  
3 surveys between the information we collected  
4 from anglers at the dock, and how we used  
5 those data to generate catch estimates.

6                   Now, that mismatch was the result  
7 of some assumptions we had and how we  
8 generated estimates from that information we  
9 collected from anglers.

10                  For example, we assumed that catch  
11 rates at high-activity sites and low-activity  
12 sites were the same. Probably not the case.

13                  We also assumed that fishing  
14 activity during different parts of the day was  
15 the same. Again, probably not the case.

16                  So, what this new methodology --  
17 or what I should also say is that the NRC  
18 found that these assumptions had the potential  
19 to introduce bias into our estimations.

20                  In other words, they had the  
21 potential to skew our estimates higher or  
22 lower than the true value what they should be.

1                   So, what the new estimation  
2 methodology does is it corrects for those  
3 assumptions mathematically by weighting the  
4 data. And as a result of eliminating those  
5 assumptions, those potentials for bias in our  
6 design, we believe that our numbers are more  
7 accurate now.

8                   And I should point out that what  
9 the estimation methodology does is, as I  
10 mentioned, corrects for these assumptions  
11 mathematically in our estimation design.  
12 We're also looking at correcting those  
13 assumptions at the source with a new  
14 methodology for how we conduct dockside  
15 surveys.

16                   We anticipate rolling that out,  
17 Wave 1, January 2013. I won't talk about that  
18 now, but just be aware that that's coming down  
19 the road.

20                   So, one thing this methodology  
21 allows us to do is obviously generate new  
22 estimates moving forward that are more

1 accurate, but it also allows us to look back  
2 and recalculate estimates going back to 2004.

3 We do have plans to go back a  
4 little bit farther to 1998, but there's a  
5 methodological change in 2003 that makes it a  
6 little bit more difficult to go back right  
7 away. So, right now we're just going back to  
8 2004.

9 And when we went back and we  
10 looked at these recalculated numbers, we found  
11 a couple of things.

12 First off, we found that there  
13 were no across-the-board trends in either  
14 direction or the size of the new MRIP  
15 estimates in relation to the old estimates we  
16 produced.

17 And so on a species-by-species  
18 basis, some estimates go up, some go down,  
19 some vary from wave to wave, and some remained  
20 just about the same.

21 But again because we've eliminated  
22 the potential for bias in our estimation

1 methodology, these numbers should be more  
2 accurate.

3 The other thing we found was that  
4 the precision appears lower with these new  
5 MRIP estimates. What we actually found was  
6 that our estimates or precision on our old  
7 numbers were actually just flat out wrong.

8 And so, you won't see any  
9 comparisons with the old MRFSS estimates of  
10 precision, but you will notice that the  
11 precision or the variance appears to be higher  
12 with these new MRIP estimates. And one thing  
13 we can do to address that, obviously, is  
14 increase sample size.

15 So, let's talk a little bit about  
16 some species results from this re-estimation.  
17 And, again, there's not a lot that we cover  
18 particularly in this re-estimation that are of  
19 interest to you guys, but there are a handful  
20 and I wanted to point those out.

21 One thing I did want to mention is  
22 that in addition to creating this new

1 estimation methodology and rolling it out,  
2 we've also created a new query tool on our  
3 website that allows for easier access to our  
4 data. And you can actually recreate graphs  
5 just like this one to compare the old  
6 estimation method -- or numbers generated  
7 using the old estimation methodology, and  
8 numbers generated using the new MRIP  
9 methodology.

10 And one thing that I did not  
11 include on these just to keep them a little  
12 bit more straightforward, is this graphing  
13 function that we've got. You're actually able  
14 to see graphically the measure of precision,  
15 the confidence we have in those estimates.

16 And I point that out only because  
17 when you look at shortfin mako here and you  
18 see there's a disparity there between the MRIP  
19 and MRFSS numbers, it's worth noting that the  
20 PSE, the percent standard error, or the  
21 confidence interval in this case on the graph,  
22 is pretty darn large.

1                   And so, what we want to try to get  
2 across is that while point estimates are  
3 obviously very important, we use point  
4 estimates, it's also important to look at our  
5 level of certainty in those particular point  
6 estimates.

7                   And in this case when we looked at  
8 the confidence interval surrounding those  
9 early shortfin mako numbers, I think we could  
10 confidently say that we'd be very unconfident  
11 in those numbers, that our PSEs are pretty  
12 high.

13                   So, just something to consider as  
14 you look through these numbers and again  
15 understanding that it's not just a point  
16 estimate, it's also the measure of precision  
17 surrounding that.

18                   And, again, you can access all  
19 these numbers at [CountMyFish.noaa.gov](http://CountMyFish.noaa.gov). And  
20 you can run these comparison charts yourself  
21 and take a look at the numbers. But, again,  
22 I think you can see that they closely parallel

1 the previous numbers with some slight  
2 differences, but no consistent trends across  
3 the board.

4 Just a couple of key take-aways to  
5 finish up. One, no matter whether the numbers  
6 go up or down or stay about the same, the  
7 numbers are more accurate. We've reduced that  
8 potential for bias in our estimation  
9 methodology, and that means we have more  
10 accurate numbers.

11 Also, you can see by looking at  
12 these couple of graphs that the management for  
13 the majority of these stocks isn't going to  
14 change very much, but certainly the  
15 understanding there will be some implications.

16 And so, one thing that we're doing  
17 in the short term to address that or help  
18 alleviate that is we're hosting what we're  
19 calling a calibration workshop.

20 This is going to be March 27th  
21 through 29th down in Raleigh, North Carolina.  
22 We're doing this in conjunction with SEDAR.

1 And the idea is to bring together our  
2 scientists and our managers to look at the  
3 impact of these new numbers on stock  
4 assessments, primarily.

5 We hope out of this workshop, to  
6 generate a methodology that will allow us to  
7 develop correction factors or a calibration  
8 factor so that we can look at those pre-2004  
9 numbers and compare them directly to the 2004  
10 moving forward numbers.

11 I should point out that the  
12 purpose of this workshop is not to generate  
13 these new numbers. It's simply to figure out  
14 whether we can design a methodology that will  
15 allow us to go back and hindcast.

16 And finally, I guess I'll just say  
17 I didn't get into much of the methodology, but  
18 we do have a number of outreach materials that  
19 are available on this. We've got a couple of  
20 videos that include some of the experts who  
21 put this together. We've got some fact  
22 sheets, we've got other brochures and

1 available materials on our website.

2 So, I urge you to take a look at  
3 those. And if there's any questions you have,  
4 please let me know. Or, obviously, Ron will  
5 be following me up here and he'll be able to  
6 answer some questions.

7 And with that, I guess I'll turn  
8 it over for questions, or just let Ron jump  
9 in.

10 MR. McCREARY: Probably let Ron  
11 jump in, because we have a whole flow of these  
12 that we need to keep going.

13 Great. Thanks. Great  
14 presentation. Thank you very much.

15 So, Ron is up next. And, Ron, you  
16 have kind of a sequence presentation. So, why  
17 don't you give folks a heads up as you begin.

18 MR. SALZ: Okay. Good morning.  
19 Thank you, Forbes, for setting the stage. As  
20 Forbes mentioned, I'm going to be talking  
21 about recreational data, but more specifically  
22 about the programs designed for HMS.

1                   And Forbes also mentioned high  
2                   PSEs, and that's one of the primary reasons  
3                   that we sometimes for some species in some  
4                   areas, some fisheries, we need to design  
5                   specialized data collection programs for HMS.  
6                   Because the data that we're getting from the  
7                   general surveys such as the former MRFSS, or  
8                   even the MRIP moving forward, may not be  
9                   precise enough to give us the level of  
10                  precision needed for management decisions and  
11                  for assessments.

12                  So, that's why we look at  
13                  designing these specialized programs. And  
14                  that's a lot what I'm going to be talking  
15                  about here today.

16                  So, I do have several projects I'm  
17                  going to talk about. First, I'm going to  
18                  touch upon a few of the current HMS MRIP  
19                  projects that are ongoing.

20                  Then, I'm going to talk about sort  
21                  of the sister project to what Forbes was  
22                  talking about, the re-estimation of the MRFSS.

1                   We're going to look at whether or  
2 not the LPS survey should be re-estimated.  
3 Whether there's something in the design that  
4 would require a similar evaluation and similar  
5 work. And so, that's something that's coming  
6 up this year.

7                   And then I don't know if time  
8 allows, but I do want to at least mention and  
9 put up the website. Forbes mentioned the new  
10 features that we have on the web query site.  
11 And one of the major new features is the  
12 ability now to query LPS and HMS catch card  
13 data.

14                   So, I want to at least put up the  
15 site. And maybe at the break if those are  
16 interested, I could go over that in a little  
17 more detail.

18                   Okay. So, as far as the current  
19 projects, the ongoing projects, we've got one  
20 dealing with the Large Pelagic Survey, the  
21 telephone survey. And this is where we  
22 primarily are interested in fishing effort.

1 That's where we get our fishing effort which  
2 we multiply by the catch rates that we get  
3 from the dockside surveys to come up with  
4 total catch.

5 The second project is a pilot  
6 we're doing in Massachusetts. I see Greg is  
7 here. So, we're partnering with Massachusetts  
8 Division of Marine Fisheries on this. And  
9 this was a project that was, as many of these  
10 MRIP projects have been, directly an outgrowth  
11 of some of the recommendations and suggestions  
12 from this advisory panel.

13 So, we very much see our work  
14 being in conjunction with the Advisory Panel.  
15 And on past projects and current projects,  
16 we've had panel members serve on the project  
17 teams and actually help with the project work.

18 The third project that I'm going  
19 to talk about is a pilot we did in Puerto Rico  
20 in 2011.

21 So, for starters, the LPTS, what  
22 we're going to be testing this year is a non-

1 response study. With any survey, you have  
2 some degree of non-response, and particularly  
3 on phone surveys. It's hard to get through to  
4 people, answering machines, people are  
5 screening their calls.

6           Considering all that, we do get,  
7 you know, for a telephone survey, we do get  
8 fairly high response rates. Up to 70 percent  
9 on the Large Pelagics Telephone Survey, but  
10 that still doesn't -- that doesn't tell you  
11 anything about the 30 percent that we're not  
12 contacting or that are not picking up their  
13 phone.

14           And so, we're going to make a  
15 concentrated effort to try to determine if  
16 those participants or if those, rather, non-  
17 respondents are different from the folks that  
18 are responding.

19           And when I say "are different,"  
20 I'm not talking about how they dress or how  
21 they look. We're talking about different in  
22 ways that matter to the survey, to the

1 estimates.

2 And in this case, do they fish --  
3 is their fishing avidity for large pelagics  
4 different?

5 So, we're going to start that in  
6 June and run it through November of this year.  
7 And we're looking at the private boat permit  
8 holders. So, the general and angling  
9 categories.

10 We have two design treatments.  
11 So, we're going to -- the initial contact or  
12 attempt is a phone survey. The first design  
13 is going to just keep calling them more often.  
14 Continue it throughout.

15 Currently, we call for a one-week  
16 period. So, we're going to extend that and  
17 just keep sort of barraging them, if you will,  
18 with phone calls.

19 The second approach is to change  
20 the method and try a mail survey. So, if  
21 they're not picking up the phone, maybe  
22 they'll respond to a mailing.

1                   And there has been in the  
2 literature, there's been some success with  
3 switching the method, but we want to try both  
4 to test them and also to see if there's  
5 differences in what we get from the two  
6 methods.

7                   Okay. Moving on to the  
8 Massachusetts pilot, this was -- this came out  
9 of concerns that the timeliness in particular  
10 of the bluefin recreational data was perhaps  
11 not as good as it could be for management  
12 purposes and there's currently a mandatory  
13 requirement for reporting all recreational  
14 landed bluefin. Some of you know it as the  
15 ALRS, or Automated Landings Reporting System.

16                   But from the indications that we  
17 have, compliance rates with that system are  
18 extremely low as to be almost not useable for  
19 management purposes.

20                   So, this project came about to try  
21 to improve on the data collection approach in  
22 particular in Massachusetts, which has become

1 one of the bigger recreational bluefin tuna  
2 states.

3 So, we put together a project team  
4 and we've finalized our data collection design  
5 elements at this point. We're going to be  
6 testing a landings tag not unlike what North  
7 Carolina and Maryland do, but there are going  
8 to be some differences between those programs.

9 In particular, we're going to try  
10 to make the tags available before the fishing  
11 trip. Before you actually catch the fish.  
12 And then we're going to try to account for all  
13 those tags at the end of the year. So, this  
14 is, you know, it's a pilot. We're testing it  
15 in one state.

16 We also launched just this week  
17 actually, I sent out an email to over 3,000  
18 permit holders as a pre-survey to try to  
19 understand what their reporting preferences  
20 might be whether it's phone, internet, what  
21 kind of -- do they have cell phones when they  
22 go fishing? Do they have smartphones?

1                   And, also, we asked them a few  
2                   very, I guess, candid questions or we were  
3                   looking for candid responses to questions  
4                   about why they have not reported their bluefin  
5                   tuna in the past.

6                   And I haven't analyzed the data  
7                   yet, but we are getting a lot of results and  
8                   some interesting comments, and some real  
9                   honest responses.

10                  One of the things we did assure  
11                  them was complete anonymity. So, there's no  
12                  way to link -- with Survey Monkey, we can  
13                  choose to not link their responses back to the  
14                  particular permit holder. So, I think that's  
15                  helped our response rates.

16                  We've got some outreach for this  
17                  pilot planned in April with a couple of the  
18                  charter boat associations, Stellwagen Bank and  
19                  the New England Charter Boat Association, as  
20                  well as the Green Harbor Tuna Club. And we're  
21                  looking to add some more outreach activities  
22                  before we actually start the project in June.

1                   We're going to select -- as I  
2 mentioned, it's a pilot. We're only doing it  
3 in Massachusetts. And we're also only doing  
4 it with a random sample of permit holders in  
5 Massachusetts. So, it's not going to be for  
6 the entire state.

7                   We're going to recruit folks from  
8 the angling and charter categories into the  
9 pilot. And then we're also going to try to  
10 census one particular marina to see what kind  
11 of interactions you might get amongst folks on  
12 the docks if everyone is part of the pilot.

13                   And we also have the benefit of  
14 having Steve James who is at Green Harbor  
15 Marina, he's on the project team. And Green  
16 Harbor is, of course, one of the major ports  
17 for recreational bluefin landing.

18                   So, we're going to attempt a  
19 census of the Green Harbor Marina bluefin  
20 anglers and captains.

21                   Okay. Moving on to the Puerto  
22 Rico study, this was a combined telephone and

1 internet pilot survey - actually, I should the  
2 Puerto Rico was two - there are two phases of  
3 this or two different studies.

4 One was this telephone and  
5 internet survey, and we partnered with Puerto  
6 Rico Sea Grant on this. So, they did the  
7 actual survey work. We provided technical  
8 support and, of course, MRIP funding.

9 We collected detailed information  
10 about their HMS fishing trips. And a lot of  
11 what was driving this of course is blue  
12 marlin, but there are other important HMS in  
13 Puerto Rico. So, we collected information on  
14 all of them.

15 And we also particularly for  
16 billfish, we asked some questions about the  
17 condition of the fish that were released and  
18 things like hook location, hook type, bleeding  
19 and so on.

20 So, we don't have the data yet,  
21 but it should be interesting to look at some  
22 of that.

1                   We called folks. It was a  
2                   biweekly survey. So, we were asking them  
3                   about their fishing activity for the previous  
4                   two weeks. And this was run almost for a full  
5                   year.

6                   We sampled approximately 14  
7                   percent of the angling category permit  
8                   holders. And a higher rate for the charter,  
9                   because there is so few charter boats that we  
10                  needed a decent sample size. So, we had to  
11                  sample them at a higher rate.

12                  This was really astonishing, the  
13                  completion rates. I talked about the non-  
14                  response study and on the LPTS we get, you  
15                  know, we have about a 30 percent non-response.

16                  Well, here non-response was  
17                  considerably less. In some cases, as low as  
18                  six percent across the weeks. And refusal  
19                  rate was only three percent.

20                  So, this was one of the real  
21                  successes, I think, of this project is just  
22                  the fact that we got such high response rates.

1                   And Puerto Rico Sea Grant really  
2                   did an excellent job, I think, with outreach  
3                   and with actually conducting the surveys and  
4                   sort of gaining the trust of the fishermen so  
5                   that they would answer their phone, they were  
6                   waiting for the call, they knew it was coming.  
7                   And, you know, this is really almost unheard  
8                   of for a telephone survey.

9                   As I mentioned, there was an  
10                  internet option for those who did not want to  
11                  do it over the phone.

12                  What's interesting about this is  
13                  when we did it a few years back, we did a  
14                  characterization study of Puerto Rico anglers  
15                  and about two-thirds of them said their  
16                  preferred reporting method would be internet.

17                  When we actually put this internet  
18                  option into effect, in reality only three  
19                  percent responded that way. So, very  
20                  interesting difference there.

21                  And if you think about it, the  
22                  internet -- to respond by internet, it's more

1 of an active -- you have to actively do it  
2 yourself. Whereas for the phone, you're just  
3 waiting for that phone call.

4 And I'm still not quite sure what  
5 caused this, but we ended up dropping the  
6 internet option because it was being used so  
7 infrequently.

8 Okay. So, as I said, the data has  
9 not been analyzed. We're still cleaning it,  
10 processing it, but we hope to come out with a  
11 final report sometime middle of this year.

12 The second part of the Puerto Rico  
13 pilot was an attempted Catch Card Landings  
14 Program. And this one was modeled against the  
15 North Carolina and the Maryland catch card  
16 programs that have been in place for over a  
17 decade.

18 So, it was very similar to that  
19 one, but we wanted to test it to see if it  
20 would work in Puerto Rico. So, we tried it  
21 last year.

22 Puerto Rico Sea Grant folks did an

1       excellent job again with outreach. They  
2       produced brochures, posters, websites. There  
3       was a Facebook group for this pilot. And so,  
4       they really got the word out.

5               They also established 16 reporting  
6       stations throughout the island. So, these are  
7       places where folks would come and fill out  
8       their catch cards and get tags which would  
9       have to go on the fish at the time of landing.

10              So, there is an example of some of  
11       the outreach materials. And you can see the  
12       tag with the catch card.

13              I think it definitely helped that  
14       everything they produced was in Spanish. And  
15       so, they produced this. This is like a little  
16       cartoon showing the process of filling out  
17       your catch card, getting your landings tag,  
18       putting it on the fish. So, we got a lot of  
19       good outreach materials.

20              There's the map showing the  
21       reporting stations. So, they are widely  
22       distributed throughout the island hopefully

1 covering the majority of ports where bluefin -  
2 - or not bluefin. I've got bluefin on the  
3 brain. Where marlin may come in or other HMS.

4 So, what did we get? Well, after  
5 all that outreach and all that background  
6 work, we got four fish reported.

7 I guess optimistically you can  
8 look at this and say, this is actually four  
9 times the amount that were reported through  
10 the existing programs being the RBS for  
11 tournaments and the non-tournament reporting  
12 system totaled one fish. So, that's being  
13 very optimistic.

14 But we also know from the phone  
15 survey which I talked about earlier, that more  
16 people were telling us on the phone that they  
17 landed blue marlin than through the census  
18 program.

19 So, what does this tell you? It's  
20 kind of perplexing, but these are folks who  
21 have gotten the permit. And when you call  
22 them and ask them, they'll tell you they

1 landed a fish.

2 And I'm not talking about hundreds  
3 of fish. With marlin, we have a 250 fish  
4 limit. So, really maybe we're talking about  
5 tens of fish that we were getting over the  
6 phone.

7 But it's kind of interesting that  
8 they were being candid and honest with us over  
9 the phone, but just not participating in the  
10 catch card program.

11 And so, I think this is something  
12 to follow up on if we're going to continue to  
13 pursue this idea, because it seems like there  
14 is a willingness to report, again, when you  
15 call them and ask them specifically, did you  
16 land any fish.

17 Anecdotally, we also heard that  
18 there's probably a lot of folks out there  
19 without permits. And there's folks who may be  
20 even selling their marlin on the black market  
21 commercially.

22 And I feel like that's a different

1 category from the folks that we were calling  
2 on the phone. Because we were calling guys  
3 with the permits, again, who were answering  
4 their phone for the survey. We got almost 90  
5 percent response rate. And who were also  
6 telling us that they landed fish.

7 So, I think there's different  
8 categories of noncompliance here, and one may  
9 have more to do with the need for enforcement  
10 and that sort of thing rather than developing  
11 a better data collection program or something  
12 that folks are more likely to participate in.

13 Some of the issues again we heard  
14 about as a pilot, I guess one of the difficult  
15 things about running a pilot of an existing  
16 mandatory program or with an existing  
17 mandatory program in place is the pilot cannot  
18 be mandatory. And so, that might have had an  
19 affect on our compliance rates.

20 We also heard that in some cases,  
21 a few of those reporting stations were not  
22 open all the time or at times when fish might

1 have been coming in. Some of them were only  
2 open on weekends, for example. Others might  
3 have closed too early in the day. And so,  
4 maybe tags or catch cards and tags were not  
5 available.

6           There was also an issue with the  
7 size of the tags which apparently were too  
8 small to put around the tail of the marlin.  
9 So, they had to be sort of inventive in coming  
10 up with ways to get them around the fish, but  
11 that seems like a minor issue.

12           So, the final report should be  
13 coming out soon, and there will be some  
14 recommendations. And then we're really going  
15 to have to give this some thought and talk to  
16 Margo and her folks and see where we want to  
17 go with this.

18           Do we want to continue to pursue  
19 this in Puerto Rico? I mean, I think there's  
20 some positives certainly came out of it. The  
21 reporting stations, the fact that we got 16  
22 marinas or tackle shops to participate as

1 reporting stations, the outreach work that was  
2 done.

3 And so, I think there are some  
4 positives, but certainly we had hoped for a  
5 higher compliance rate.

6 Okay. And so, now switching gears  
7 a little bit to projects that are coming up  
8 this year. And Forbes went through some of  
9 the re-estimation for what was formerly the  
10 MRFSS survey.

11 As I mentioned, we're going to be  
12 looking at the Large Pelagic Survey and  
13 evaluating whether or not we need to consider  
14 re-estimation and also consider redesign of  
15 the survey moving forward.

16 So, last fall I talked about the  
17 NRC review and some of the differences between  
18 LPS and MRFSS. So, I think it's encouraging,  
19 as Forbes said, that the MRFSS numbers and the  
20 new MRIP numbers are not that different in  
21 most cases.

22 That's encouraging for what we

1 might find with LPS, but again there are  
2 differences between the two survey designs and  
3 between the estimation. And so, we need to  
4 look at that more closely.

5 So, really the next step is to  
6 convene some of the folks involved with the  
7 MRFSS evaluation and some of our outside  
8 consultants, our expert consultants who worked  
9 on that, as well as folks from the fishing  
10 industry and management and assessment, and  
11 hold a workshop to really look at the LPS and  
12 think about where we need to go with the LPS  
13 estimation and design moving forward.

14 Okay. So, I guess I'll do a time  
15 check with Scott at this point.

16 (Off-mic comment.)

17 MR. SALZ: You want to go through  
18 it. Okay.

19 So, I mentioned the new web query  
20 features. We have Large Pelagic Survey data  
21 now available. You can query catch, length  
22 frequencies or effort.

1                   And we also have posted the  
2 Maryland and North Carolina catch card data  
3 online.

4                   And if I can switch gears here -  
5                   (Pause in the proceedings.)

6                   MR. SALZ: Okay. So, there are  
7 several ways you can actually get into our web  
8 query sites, but probably the easiest is  
9 through the CountMyFish site.

10                  And then right there in the middle  
11 on the top you've got query, catch and trip  
12 statistics.

13                  And I guess I can take some  
14 questions as we wait for this bar to move.

15                  MR. McCREARY: Yes. So, Ron  
16 actually walked through three different  
17 topics, Mass. bluefin, Puerto Rico catch card  
18 and LPS re-estimation. And we want to just  
19 pause briefly and see if there are comments or  
20 questions on any of these.

21                  Marcos.

22                  MR. HANKE: A couple of comments.

1                   We still are dealing with some ID  
2                   problems during the interview. This is on the  
3                   dock ones, the guys visit us. They are doing  
4                   a much better job. They are proud of their  
5                   knowledge that they got from you guys and from  
6                   other trainings, but still there is a need for  
7                   more to keep it up with that.

8                   And I don't know what guys do if  
9                   they don't know how to identify positively  
10                  something and how it goes on the form, but  
11                  something should be created to address that.

12                  For example, to give them good  
13                  cameras and with a procedure how to take the  
14                  images from the fish to have all the elements  
15                  you need to identify later when you get at  
16                  home and/or, which would be even better, an  
17                  expert available that can get those images and  
18                  help them identify onsite.

19                  Because if they need something on  
20                  identification, the expert can help them on  
21                  different cases for different fishes.

22                  I'm not talking about HMS only

1 now. I'm talking about the previous  
2 presentation, too, for other fishes.

3 And on the survey because there  
4 are so few charters in Puerto Rico, was called  
5 very many times and I think it's a good idea.

6 The only problem is this, with  
7 charter more than any other industry or group,  
8 on the season I am out on the water every day  
9 from five o'clock in the morning until eight  
10 o'clock at night.

11 And when the guy ask me, what do  
12 you caught this week, it's very hard to  
13 remember, you know, and the specifics of it.  
14 The time range and the -- for the charters in  
15 my case even though I want to give the best  
16 information, it's too far back, you know.

17 And even worse because I have to  
18 give the answer on the moment, I'm driving  
19 home or doing something or fixing the boat or  
20 putting gas or whatever. I don't have time to  
21 go to my agenda to, you know, to help me with  
22 my memory and so on, which is -- I think we

1 have to consider that.

2 And in terms of the internet and  
3 the phone, probably the difference is that  
4 people maybe are willing -- they wish they  
5 will be able to sit down in their house to  
6 deal with the internet. And if they don't  
7 have the time, they don't do it.

8 Over the phone, we just get them  
9 there and they have that five, ten minutes to  
10 help you. They will help you.

11 And if there is no enforcement,  
12 they don't feel the need to sit down on the  
13 internet to cooperate or to fill the internet  
14 forms.

15 And this method really address the  
16 good guys. The people that are doing anything  
17 illegal either because they don't have the HMS  
18 permits or any other permit or they are doing  
19 something illegal even with the permit, they  
20 will not call you, they will not be available  
21 and so on, you know.

22 This is really addressing the good

1 guys and it's good and important information,  
2 but we need to find a way together with  
3 enforcement to address the little group of  
4 people that are damaging what we do in Puerto  
5 Rico or what we pretend to do in Puerto Rico.

6 And the idea of the report  
7 stations, again, will address -- will be  
8 directly to the people that are willing to  
9 help, are willing to report.

10 And those outreach stations is not  
11 just the possibility of having the report and  
12 getting the tag and making the system designed  
13 to work, but is a great outreach mechanism.  
14 Because over time if the enforcement go up,  
15 those areas will start to work even better.  
16 It's very direct related.

17 If you don't have enforcement, you  
18 don't have the voice running around, maybe the  
19 volume and the way it work doesn't work as  
20 well. But if you have much enforcement,  
21 people try to respond more to that.

22 Those are my comments.

1 MR. McCREARY: Thank you. I have  
2 Tom DePersia, Rick and Ellen.

3 Tom.

4 MR. DePERSIA: Thank you. Tom  
5 DePersia. I've got several questions here.

6 For some reason or other the catch  
7 card system still isn't for North Carolina,  
8 for Maryland for 2011, still isn't on the  
9 system. I wasn't able to bring it up as late  
10 as last week.

11 And so, how do you get that? When  
12 are they going to be on, and is there any way  
13 to get that to happen more quickly?

14 MR. SALZ: Yes. Actually, that's  
15 something that I'm looking back at Rebecca who  
16 works with me and that's something we were  
17 just trying to work on this week.

18 Because this is all new, we're  
19 still working on the procedures to actually  
20 load the data once we get it from the states.  
21 We get it from North Carolina or Maryland.  
22 And so, that is just temporary.

1                   In future years, you will have  
2 much faster access to that information. So,  
3 thanks for the feedback on that.

4                   MR. DePERSIA: Also, I don't  
5 believe that system has any effort  
6 calculations. Am I correct in that, or is  
7 there any way to get that kind of data from  
8 North Carolina/Maryland?

9                   MR. SALZ: Right. Well, that's one  
10 of the limitations with these types of catch  
11 card programs is that you're only requiring  
12 folks to report when they've landed something.

13                   And so, we don't have a way  
14 currently the way those programs are designed,  
15 to assess the effort, you know, the trips  
16 particularly that did not land anything. And  
17 that's one of the main reasons that we still  
18 feel like even when you have catch card  
19 programs in place, you need to supplement them  
20 with a survey where you can get not only  
21 effort, but a lot of additional information  
22 which you can't get through the limited catch

1 card.

2 MR. DePERSIA: One more comment.

3 Is there any way to include North  
4 Carolina in the LPS system? I believe  
5 Maryland is already on. If I'm not mistaken,  
6 Maryland is part of the LPS system even though  
7 they have a catch card program, but could we  
8 get North Carolina on there? Then you have at  
9 least the LPS data to look at when we're  
10 trying to make comparisons.

11 MR. SALZ: Yes, that's definitely  
12 on the table being evaluated, I would say. As  
13 well as not only that, but possibly spreading  
14 an LPS-type survey even further south for  
15 other species.

16 We did a few years back, we did  
17 some MRIP characterization studies of the  
18 fisheries in Florida, in the Gulf, south  
19 Atlantic. And so, we really need to evaluate  
20 whether or not the general survey, which is  
21 MRIP moving forward, can provide us with the  
22 precision and accuracy that we need for these

1 particular HMS species.

2 And in the case of North Carolina  
3 if we feel like there's information that we're  
4 not getting about bluefin just from the catch  
5 card and from the MRIP, then a specialized  
6 program such as LPS would be certainly under  
7 consideration.

8 MR. McCREARY: Good. Thank you.  
9 So, I have Rick, Ellen, Ron, Stephen and Mark.  
10 And we do need to step through our agenda, so  
11 I encourage you each to be brief.

12 Rick.

13 MR. BELLAVANCE: Thanks, Ron. I  
14 appreciate all the work you guys are doing to  
15 try to improve the recreational landings catch  
16 and effort data. It's important to us as  
17 charter boat guys to get that as accurate as  
18 possible.

19 I guess I'm just kind of wondering  
20 if there's a better place for angler self-  
21 reporting programs to come into play.

22 I just went to a workshop with the

1 Mid-Atlantic Council and I kind of understand  
2 the statistical part of it, but I just don't  
3 know if there's any way to try to work towards  
4 outreach to folks to get them to understand  
5 the importance of reporting and spend a little  
6 time with that so that the angling community  
7 understands they do need to participate in  
8 letting everybody know what they catch and  
9 release and if self-reporting programs might  
10 be something to supplement the work you guys  
11 are doing with the surveys.

12 MR. McCREARY: Thank you. Ellen.

13 MS. PEEL: Margo, don't you have  
14 identification guides, those wonderful little  
15 books with the spiral bound that perhaps could  
16 be shared as Marcos was talking about, at  
17 least for the HMS species?

18 MS. SCHULZE-HAUGEN: Yes, those  
19 guides are in production. They are available  
20 for sale by Rhode Island Sea Grants. They're  
21 costly enough to produce that that's not  
22 something that we are able to fund

1 continuously.

2 We did an initial print run  
3 several years ago and because they are sold,  
4 the proceeds from the sales go into a fund to  
5 fund additional print runs so they're  
6 continuously available, but it's not a free  
7 publication.

8 MS. PEEL: Okay. That's  
9 unfortunate. That might have been helpful.

10 Do you remember when Hogarth was  
11 here, Ron, I know you said four was four more  
12 than what you had, but I remember our crisis  
13 of a number of years back where the estimate  
14 showed 10,000 marlin had been landed in Puerto  
15 Rico.

16 John, do you remember that before  
17 one of the ICCAT meetings in --

18 DR. GRAVES: It was a large number.

19 MR. SALZ: Yes, and I'm guessing  
20 that came out of the old MRFSS data, which was  
21 all that was available. And that really  
22 points to the need for these specialized

1 programs. Because obviously the precision on  
2 that estimate, it might have ranged  
3 statistically from zero to 20,000 if you had  
4 a confidence interval around that.

5 So, I think there were some  
6 approaches that were tried in earlier years to  
7 scale the MRFSS data or to average over across  
8 years to get at that number. But really  
9 because it is such a rare event and it's even  
10 a rare event on a specialized survey such as  
11 LPS, landing a marlin is just such a rare  
12 event that we feel like a census program is  
13 needed. And to do it right, you need high  
14 compliance rates and enforcement and so on.

15 MS. PEEL: And lastly, Marcos made  
16 some comment about -- and I understand coming  
17 in so late trying to keep up, would a survey  
18 logbook be helpful for them to give each of  
19 you on the boat, Marcos?

20 MR. HANKE: Yes, and I proposed  
21 that for the charter. I think it is the best  
22 tool, but they made - the local government

1 made up a pilot project with that, and for  
2 some reason they stopped doing it and I was  
3 the only one turning back.

4 MR. McCREARY: Okay. Thank you.  
5 So, we have Ron, Stephen, Mark and Kennedy.  
6 And then we'll shift the agenda back over to  
7 Margo for some other items.

8 Ron.

9 MR. WHITAKER: Okay. It's Rom,  
10 Romulus, just for correction. I know it's  
11 kind of a funny name, but my dad liked it and  
12 he passed it on.

13 But at any rate, Ron, I thank you  
14 for all your efforts and certainly the  
15 recreational data is very important to my  
16 industry. And the more accurate we get it,  
17 the better off we are, I feel.

18 And of course I understand you  
19 saying the MRIP numbers are more or less close  
20 to the MRFSS numbers, but I'm attributing that  
21 to information in is information out.

22 And hopefully our information in

1 from here on out is going to be much better  
2 than what we've had in the past, because some  
3 of it has truly been very inaccurate.

4 My next comment as far as the LPS  
5 survey and to continue to call somebody, I  
6 mean, if a telemarketer calls me once or twice  
7 and I don't answer it, well, I'm surely not  
8 going to answer it the fifth or sixth time.

9 So, I really feel like you just  
10 have to take what you get and be satisfied  
11 with it. I mean, we're smarter than that. I  
12 think you're just going to make people more  
13 opposed to answering anything.

14 Catch cards, I think as long as  
15 it's a pilot program, you're going to get, you  
16 know, some people are going to do it, some  
17 aren't. You come to the dock, you're taking  
18 pictures, you're talking to your party.

19 If it's not required by law, then  
20 you're probably going to say, well, I'll do it  
21 next time. So, I think to get a true - to  
22 make that program really work, it has to be

1 required by law and there has to be, at some  
2 point, enforcement involved.

3 And then my last comment, and it  
4 was just in regards to the LPS and for Tom's  
5 information, I think North Carolina has great  
6 records of large pelagics that you can access  
7 on the internet right now.

8 So, that might help you with some  
9 of what's going on with the catches. Thank  
10 you.

11 MR. McCREARY: Good. Thanks very  
12 much.

13 Stephen, or is it Steve?

14 MR. LINHARD: It's Steve or Rom.

15 (Laughter.)

16 MR. LINHARD: Just a quick comment  
17 on the internet-based reporting.

18 I'm not sure if it was -- how it  
19 was set up. But if it was just told that this  
20 is the tool, go out and go there when you  
21 should versus maybe a weekly reminder with a  
22 link and then they're just a click away and

1 they're already at their computer reading  
2 their email, maybe that would improve the  
3 response rate.

4 MR. McCREARY: Good. Thank you.

5 Mark.

6 MR. SAMPSON: Yes, this is sort of  
7 following a little bit what Marcos was  
8 referring to also as far as the telephone  
9 surveys.

10 I know that I'll get the call  
11 every few weeks during our season, and they'll  
12 be asking about a week that occurred two or  
13 three weeks prior.

14 Probably for fishermen who only  
15 get out maybe on the weekends or one or two  
16 days a week, it might be easy just to pull  
17 that information, the catch date, out of your  
18 head as to what you had, but I'm being asked  
19 over a week's period, what was our catch.

20 And if I'm not mistaken, a lot of  
21 times they'll also ask our departure times and  
22 return times and number of people on board and

1 all that. And I always - the calls normally  
2 come in the evening when I'm at home, and my  
3 logbooks are on the boat.

4 And so, I just have to apologize  
5 to whoever is doing the surveying that I'm  
6 sorry. I just can't provide you that  
7 information.

8 And we try to work out a time when  
9 they can call me. I tell them if you call me  
10 at a certain hour, I'm usually still down at  
11 the boat, I have my logs available or  
12 whatever. And I think sometimes that works  
13 out, they do call back later or something, but  
14 it's just - it just, you know, I want to give  
15 them the right info, but it just usually  
16 doesn't work out that well.

17 And similarly, we will often get a  
18 call from somebody I guess as a checkup, on  
19 your dockside intercept people. They'll call  
20 and say, on such and such a date - and, again,  
21 usually this date is weeks and weeks prior -  
22 we have a report that so and so interviewed

1 you on the dock.

2 And I'll say, probably, you know.

3 That sounds about right.

4 And they'll say, do you, you know

5 -- and they sort of ask to confirm what we

6 gave the dockside interviewer. And, again,

7 usually I don't know, you know. It was so

8 long ago.

9 We want to give good information,

10 but it just - something's not quite right

11 there. So, I mean, it's not a problem with

12 me. But if you guys are trying to get good

13 data, you might want to rethink that a little

14 bit.

15 MR. SALZ: Yes, just to respond to

16 the second point, that's what we call our

17 validation calls. And while I understand that

18 it may be difficult sometimes to remember the

19 specifics especially if you're interviewed a

20 lot, we have found that through some of those

21 validation calls, we actually do uncover

22 problems that we're having with an

1 interviewer.

2           And that's part of what we're  
3 trying to do, is to confirm that the interview  
4 took place and we occasionally, I mean, we  
5 hire interviewers, we train them, we send them  
6 out there and 99.9 percent of the time they're  
7 doing the right thing.

8           But if they are not at the right  
9 location or they're saying they're  
10 interviewing and they're not, or they're not  
11 interviewing the right folks, then we need to  
12 find out about that. And the validation calls  
13 do help us improve the accuracy of the survey  
14 in that respect.

15           Also, I just wanted to follow up  
16 on your comment about the ability to provide  
17 accurate information from your charters, which  
18 kind of sounds like what Marcos was saying.

19           We are pilot testing. We've done  
20 some testing down in the Gulf with electronic  
21 logbooks for charter boats. We're also moving  
22 towards electronic logbooks with the Southeast

1 Headboat Survey.

2           And so it's still sort of up in  
3 the air as to what direction we're going to  
4 head. We're waiting for that report to come  
5 out. There's going to be some  
6 recommendations. But a lot of folks are  
7 seriously looking at logbooks as a way to  
8 collect data from the for-hire fishery which  
9 would either take the place of having to do  
10 the surveys, or at least provide us with some  
11 additional information that we can get in a  
12 more timely manner and that will be,  
13 hopefully, more accurate.

14           MR. McCREARY: Okay. Thanks.

15           MR. SAMPSON: Can I respond to that  
16 one second?

17           MR. McCREARY: Just very briefly.

18           MR. SAMPSON: Very briefly. We  
19 have a lot of logbooks that we're required to  
20 keep, and some that we keep voluntarily. I  
21 would only hope, if you put on the for-hire  
22 people or whoever, more logbooks, more

1 required reporting, somehow it's integrated  
2 with other stuff that we're already required  
3 to report, because all - I keep about four  
4 different logs for every trip we run now. The  
5 thought of having a fifth one, you know, it  
6 doesn't sound good.

7 MR. McCREARY: Thanks. We have  
8 Kennedy and Lisa. Then we're going back to  
9 Margo for the next agenda item.

10 Kennedy.

11 MR. NEILL: Most people just call  
12 me "Ken," but Kennedy is fine, too. It's  
13 another Romulus or something like that.

14 All right. We're required to  
15 report all recreational bluefin tuna landed.  
16 And your assessment is the compliance of that  
17 is so poor, it's basically unuseable data and  
18 you're using this LPS system to come up with  
19 our catch rates.

20 Have you compared the LPS data to  
21 where you have hard numbers, like compared to  
22 Maryland catches? What's the LPS data show

1 compared to Maryland catches? How good is  
2 this survey system, and so you can actually  
3 check?

4 MR. SALZ: Yes, we have compared  
5 those numbers. Maryland is the only state  
6 where we can make that direct comparison,  
7 because we don't do the LPS in North Carolina.

8 If you look at the - I don't have  
9 the graph right on me, but I can certainly get  
10 it to everyone. The numbers track very well.

11 So, in other words, the trends  
12 when LPS goes up, the catch cards go up, when  
13 LPS goes down, the catch cards go down. They  
14 track very well.

15 What's also fairly consistent is  
16 that the LPS is a little bit higher than the  
17 catch cards. And it could range from anywhere  
18 20, 30 percent higher than the catch cards.

19 And so you can look at that a  
20 couple of ways, but one thing we know, even  
21 though the Maryland catch card is a very good  
22 program and we feel like we're getting high

1 compliance rates, we know it's not a hundred  
2 percent.

3 We've tested actual individual  
4 fish that were interviewed on LPS assignments  
5 versus fish that were reported and tried to  
6 match them. And from those matches, we know  
7 that there's still some noncompliance.

8 And so I think the bottom line is  
9 that we do feel like the numbers are in line  
10 with each other, but with any census program  
11 I think it's going to be difficult to get that  
12 hundred percent mark. And so, you need to  
13 either adjust for what you're missing, or  
14 somehow account for that noncompliance when  
15 you do your assessment and management.

16 MR. NEILL: All right. Now, the  
17 compliance part is what I have a real problem  
18 with.

19 We have a regulation. By law, I  
20 have to report my tuna. But if I don't report  
21 my tuna, nothing happens. And if we don't  
22 enforce it, then why have it?

1                   And if we're not going to use the  
2                   data, just get rid of it, get rid of the  
3                   requirement to report. But that's not what  
4                   I'm suggesting. I'm suggesting that you  
5                   should be able to get much higher compliance  
6                   very simply.

7                   I can tell you in 2012 in the  
8                   angling category in Virginia, we've landed 109  
9                   bluefin tuna. The smallest was a hundred  
10                  pounds. Largest was 321 pounds. I can tell  
11                  you each individual fish, who caught it and I  
12                  bet you'll have that data, but I'm not -- you  
13                  know, this is the internet. Everything is  
14                  reported. I can tell you what Rom did last  
15                  week, because he reports it.

16                  And we spend all kind of money  
17                  trying to enforce other regulations. We have  
18                  Coast Guard cutters trying to keep striped  
19                  bass fishermen from going over the three-mile  
20                  line.

21                  When we take somebody on the  
22                  internet, I can see that Gabe Sava on January

1 7th weighed in a 305 bluefin tuna and I've got  
2 all his information. Was it reported to you?

3 Now, I know that one was on my  
4 boat and I reported it, but I don't know if  
5 the 226-pound eight-ounce tuna caught by  
6 Michael Young on January 9th, was that  
7 reported to you?

8 But you should know and it's right  
9 here. And if you didn't report it, then John  
10 suggests a letter of concern. I suggest this  
11 is a stoplight camera. Send them a ticket and  
12 it would not take much.

13 You send them a hundred dollar  
14 ticket and they either pay the fine, or they  
15 can contest it, fight it, but it would take  
16 very few of that.

17 And if you gave one Virginia Beach  
18 captain a ticket for not reporting, we would  
19 all report.

20 In the outlay, the financial  
21 outlay to enforce that regulation, a reporting  
22 regulation and to get us to comply is

1 negligible, and it just seems like a simple  
2 thing to do.

3 MS. PEEL: Even a warning.

4 MS. SCHULZE-HAUGEN: Yes, I mean,  
5 to this, I mean, we do watch the internet.  
6 We're on chat boards, we see things, and we do  
7 forward things to enforcement.

8 I have to say we haven't always  
9 had the resources to pursue a lot of this, but  
10 it is under active discussion and there have  
11 been some recent increases in efforts to  
12 address some of these issues.

13 I think they're early enough in  
14 the process that they didn't have anything to  
15 report out on, but there is increased efforts  
16 in this direction.

17 So, I think it's a valid point.  
18 It is something that we watch as well.

19 MR. McCREARY: Good. Thanks.

20 Lisa.

21 MS. GREGG: Hi. I just want -- a  
22 couple of things. One, I want to applaud you

1 for - well, HMS staff for taking these  
2 processes to the NRC and having the review  
3 done. It's very nice to see you guys doing  
4 that voluntarily and nobody is making you do  
5 it. So, I want to applaud you for doing that.

6 Another thing I just wanted to - I  
7 was just curious about what is the feasibility  
8 of using texting for gathering data?

9 I mean, I can see one of the  
10 charter captains getting a text and they can  
11 hang onto that. And they can say, oh, when I  
12 get back to a logbook or, oh, when I get home,  
13 you know, I can respond to that and it doesn't  
14 have to be responded to right away.

15 I don't know what the feasibility  
16 is or how to, you know, whether it's even  
17 something you could utilize to collect data,  
18 but it would just seem to be easier for a lot  
19 of folks.

20 MR. SALZ: Yes, thanks, Lisa.  
21 There's actually been some work done at North  
22 Carolina Sea Grant on text messaging.

1           Scott Baker has been doing some of  
2           that research. And actually Scott is on our  
3           Massachusetts Bluefin Pilot Project Team. So  
4           it's definitely one of the options, the  
5           reporting options that we're looking into.

6           I think when we get the results  
7           from our pre-survey, that will tell us what  
8           percent say they would prefer it to text  
9           message as their reporting method. But at  
10          this point, we're just looking for trying to  
11          make it as easy as possible to report.

12          And we're getting some responses  
13          that we should develop an iPhone app or make  
14          the website mobile so it's easier to access.

15          So I think all those options will  
16          be on the table, especially if we decide to  
17          move forward with this beyond the pilot stage.

18          MS. SCHULZE-HAUGEN: Thank you,  
19          Ron. And I think Ron can stick around over  
20          the break for folks that want to walk through  
21          the reporting tool. It's really pretty neat.  
22          I think it can provide a lot of information

1 fairly quickly, answer your questions, let you  
2 get in and poke around to your own  
3 satisfaction.

4 So, I'll ask him to do that over  
5 the break for those of you that are  
6 interested.

7 So I think maybe we'll ask Jason  
8 to come up. And while he's doing that, I'll  
9 give you just a couple of quick updates.

10 The HMS Recreational Action Plan  
11 was released last November. We contacted many  
12 of you just to let you know that it's out.

13 This is something that will be a  
14 living document and will be updated  
15 periodically, particularly as we complete  
16 milestones or have new projects underway.

17 So, you can look for that to be  
18 updated and I think we'll check in with you  
19 periodically on how that's going and if  
20 there's things that we should be including in  
21 that as well.

22 So, at this point I want to hand

1 it over to Jason who's going to give us an  
2 update on some of the state permitting and  
3 reporting efforts.

4 MR. ADRIANCE: Thanks, and good  
5 morning. And I'm glad I get to discuss  
6 something other than our commercial fisheries.

7 Before I start, I'm going to  
8 mention that this is all still in the design  
9 phase. We have a series of public meetings  
10 all next week where we'll get some public  
11 input and some of this may change.

12 And the website that's noted in  
13 the presentation is just a placeholder. It's  
14 not the actual website yet.

15 So we received some legislative  
16 authority in 2011 to have an offshore permit.  
17 And our Wildlife and Fisheries Commission  
18 passed some rules in December - well, they  
19 went out for Notice of Intent and they were  
20 ratified recently.

21 So now we set up this offshore  
22 recreational permit, and it is a free permit.

1 And it's any person possessing any of the  
2 following highly migratories: tunas, billfish  
3 and swordfish. And you'll have to have the  
4 permit in your possession. And our exempted  
5 seniors for licenses will also have to have  
6 that.

7 And why? Well, you saw some of  
8 the why this morning. We want to get a better  
9 idea of the universe of anglers that fish  
10 beyond our state waters, and especially for  
11 highly migratories, we want that for reference  
12 data with the new MRIP protocols, and we want  
13 to get some reliable recreational figures.

14 We have a lot of recreational  
15 activity for yellowfin and some of the numbers  
16 just don't seem right.

17 How can you get it? We'll have  
18 these permits available online, by phone. You  
19 can come into one of our offices. We'll get  
20 on the computer with you, get your permit. It  
21 will match your saltwater license number when  
22 you do get the permit. Exempted seniors will

1 receive a separate number.

2 And hopefully we'll establish it  
3 annually in conjunction with our license year,  
4 which is July to June.

5 When? We hope to implement this  
6 with the new license year. Hopefully  
7 somewhere around June 15th - or July 15th -  
8 June 15th, all right.

9 Along with this permit, we  
10 established some reporting requirements and  
11 right now it's just for yellowfin, and that's  
12 to produce some more accurate harvest figures.  
13 And you saw some of this in the presentations  
14 this morning.

15 Just with the current design  
16 there's low intercepts, and we're just not  
17 getting a good idea of catch rates. And we'll  
18 share that with National Marine Fisheries and  
19 this will give us a database of every  
20 yellowfin tuna harvested, hopefully.

21 Every yellowfin that's brought on  
22 board a vessel is going to have to have a

1 harvest report, and I'll have an example of  
2 one of the harvest reports in a few slides or  
3 in the next slide.

4 That form, you can use that form,  
5 but you don't have to use that form. You can  
6 keep your own logbook, it can be a piece of  
7 paper, but you just have to have the data we  
8 request on the vessel.

9 And the responsibility will be the  
10 person catching the fish, or the captain of a  
11 charter vessel, or the parent of a minor, or  
12 guardian.

13 This - well, it's not too hard to  
14 see, but we're going to ask for date, time,  
15 trip type, whether it's private or charter,  
16 location is - we're looking to get an OCS  
17 block right now. And for those of you not  
18 familiar with that, that's the leasing blocks  
19 on the Gulf of Mexico that, I guess it's BOMAR  
20 now, uses.

21 Curved fork length, the  
22 authorization number for that tuna, which I'll

1 get to in a little bit, and then hopefully the  
2 HMS angling permit number.

3 This is just an example of the OCS  
4 blocks offshore, and this is offshore of  
5 Venice and the delta.

6 All right. Any recreationally-  
7 caught yellowfin will have to be validated.  
8 And for non-charter, for private anglers, that  
9 will be prior to offloading your tuna. So,  
10 before it comes off the vessel.

11 And you can get this validation  
12 number either online, by calling in, and we're  
13 also in the process of designing an app to do  
14 that as well. And you'll have to place that  
15 number on the validation report.

16 And something I had skipped over,  
17 failure to do all this is a Class 1 violation  
18 for a lot of these cases. So, there is a  
19 little bit of teeth behind it.

20 And that Class 1 violation, I  
21 think for the first offense, is somewhere  
22 around a hundred dollars. I can get the

1       specifics and get it to anyone.

2                   And it could result in us taking  
3       away your offshore permit, and then you won't  
4       be able to fish for those highly migratories.

5                   Okay. So, charter operations are  
6       going to work a little differently. Their  
7       validation is going to be through some issued  
8       tags. And these are going to be similar to  
9       the tags they use in the northeast for the  
10      commercial bluefin.

11                   They're essentially like the zip  
12      ties you see. They're plastic safety seals.  
13      We're hoping to get some that have about a ten  
14      to 12-inch working circumference. So, it  
15      should fit around all the caudal peduncles we  
16      see.

17                   And that validation number will be  
18      unique to each tag. You can't alter the tag.  
19      No at-sea transfer. And then the charter  
20      captains will be able to place that number on  
21      their reporting form so that they don't have  
22      to deal with calling in. It can just be done

1 on the boat so it doesn't slow down the  
2 operation.

3 And then captains will have to  
4 submit their harvest reports online by the  
5 10th of the following month.

6 Also, any unused tags at the end  
7 of the year will have to be returned. And if  
8 you still have, as a charter captain,  
9 outstanding tags or your records aren't up to  
10 date, we won't issue any new tags or won't  
11 renew the permit.

12 So, that's - I tried to blow  
13 through that quickly. So, I'll take any  
14 questions.

15 MR. McCREARY: Okay. A couple of  
16 questions quickly.

17 Ellen.

18 MS. PEEL: Jason, as the tournament  
19 season in the Gulf is drawing near, how are  
20 you going to handle - or how is it for all the  
21 anglers from Alabama, Mississippi and  
22 northwest Florida that fish off your rigs, how

1 are you going to get that data and what should  
2 we share with the tournament directors in  
3 clubs?

4 MR. ADRIANCE: I'm not sure that  
5 we've discussed tournaments yet. I can get  
6 back to you on that.

7 MR. McCREARY: Walter.

8 DR. GOLET: Hi. Real quick, I  
9 heard both Ron and Jason mention smartphones.  
10 You might want to just give the New England  
11 Aquarium a call, Jim Goldstein. I believe  
12 they have a prototype for a bluefin iPhone app  
13 in production right now.

14 Maybe just worth a call. Might be  
15 expandable to both your program and perhaps  
16 federal level as well.

17 MR. McCREARY: Good. Thanks.  
18 Rick?

19 MR. BELLAVANCE: Just a quick  
20 comment in regards to using the OCS blocks as  
21 statistical areas. That's a great idea, I  
22 think.

1                   One of the big things we're  
2 struggling as we work towards marine spatial  
3 planning is the fishing community trying to  
4 come up with a way to define where we fish.  
5 And some of the statistical areas that we fill  
6 out in the northeast, anyway, on our VTRs are  
7 expansive and I'll pick a point somewhere in  
8 the middle of it and throw that down as my  
9 starting spot for the day.

10                   But if you try to go through that  
11 data and try to capture where I fish, it's not  
12 really reflective of where I've been for the  
13 day. As they try to site different industries  
14 in our areas, it's hard for us to validate  
15 where we've been.

16                   So I think that's something that  
17 could be explored even beyond what your  
18 project here. That's a pretty good idea, I  
19 think. Thanks.

20                   MR. McCREARY: All right. Margo,  
21 you have several other points, and Katie has  
22 a presentation.

1 MS. SCHULZE-HAUGEN: Yes, I thought  
2 I had one.

3 MR. McCREARY: Okay.

4 MS. SCHULZE-HAUGEN: So if Katie  
5 can come up. While she is coming up, this is  
6 Katie Davis who works in our southeast office  
7 and is going to do a quick demo of some of the  
8 registration for tournament processes and  
9 materials that are available.

10 While she's coming up, the other  
11 topic that we had included was to discuss some  
12 of the yellowfin tuna recreational landings  
13 issues. And this was stemming I think most  
14 recently, this has been that issue for some  
15 time in the past, although it has been more  
16 quiet recently, but coming out of the ICCAT  
17 meeting some concern about if the  
18 international community is going to  
19 allocations, we want to make sure that our  
20 recreational and all of our yellowfin tuna  
21 data is as solid as it can possibly be.

22 And so just looking at the time,

1 I'm seeing the discussion so far and wondering  
2 whether the best way at this point, if we  
3 could have a quick discussion or if we need to  
4 find some additional time possibly at another  
5 meeting or schedule a - we could do a  
6 conference call if there are additional issues  
7 that people really want to dig into.

8 So, looking for kind of a read of  
9 the room on the best way, given where we're at  
10 right now, to proceed.

11 MS. PEEL: Maybe -- I think your  
12 suggestion on a conference call between this  
13 meeting and the ICCAT meeting, you've got some  
14 information available that we could help  
15 distribute unless there are others that want  
16 to do it today.

17 What do you think, John?

18 DR. GRAVES: Agreed.

19 MS. PEEL: And certainly some of  
20 the folks who have been most vocal are not in  
21 the room. And I think if we can help gear  
22 them up for you before the ICCAT meeting and

1 get them a phone conference call, maybe that  
2 would be more productive use of everyone's  
3 time.

4 MS. SCHULZE-HAUGEN: Can I clarify,  
5 do you mean the ICCAT Advisory Committee  
6 meeting in May, or do you mean the ICCAT  
7 meeting in November?

8 MS. PEEL: No, before the May  
9 meeting. Between now and May.

10 MS. SCHULTZ-HAUGEN: Okay. I'm not  
11 seeing any objections to that. I think we can  
12 do that.

13 For us to call a conference call,  
14 we'll be putting together a Federal Register  
15 Notice so that it's publicly noticed. So,  
16 we'll work on doing that.

17 I would ask maybe specific topics  
18 from folks so that we can give some structure  
19 to that and people know what it will be about.  
20 So, thank you.

21 All right, Katie.

22 MS. DAVIS: Hey, everyone. I'm

1 Katie Davis. I work in the St. Petersburg,  
2 Florida HMS office.

3 I'm going to give you a brief  
4 overview of the HMS tournaments registration  
5 process and some modifications we've made this  
6 year. The goal is to improve registration  
7 reporting compliance rates, and I'm looking  
8 for any feedback that could help us in that  
9 effort.

10 This is a basic overview of the  
11 requirements. I process registrations and  
12 communicate the information to the science  
13 centers who select tournaments for catch  
14 reporting. Currently, all billfish  
15 tournaments are selected for catch reporting.

16 This is an overview of the  
17 registration history since 2003. It's the  
18 same information that is published in the 2011  
19 SAFE Report this year.

20 As you can see and would have  
21 probably assumed, Florida is the location for  
22 the greatest percentage of tournaments each

1 year. And 2007 was the year in which the  
2 greatest number of tournaments registered  
3 overall.

4 Studies and dockside interviews,  
5 however, suggest that compliance rates are low  
6 based on a comparison with dockside surveys of  
7 61 boats returning from tournaments. 20 of  
8 those 61 tournaments had not registered in  
9 2011, and 12 had never registered before at  
10 all, which is 20 percent of the overall  
11 tournaments never having registered with HMS  
12 in the past.

13 As part of an ongoing effort to  
14 improve the registration and reporting  
15 compliance rates, a tournaments page was added  
16 to the HMS website in 2011.

17 The tournaments web page can be  
18 accessed one of three ways. From the HMS main  
19 page on the right-hand side, as you can see,  
20 there's a green circle here. This is the  
21 tournaments link.

22 You can also copy and past the web

1 address in your browser. And you can also  
2 search for HMS tournaments via Google or Bing  
3 or Yahoo. It will be one of the first links  
4 that pop up.

5 The tournaments website has four  
6 main components. I've circled them in green  
7 down here at the bottom. They're represented  
8 by the four gray tabs.

9 The first is registration, the  
10 second is registered tournaments, the third is  
11 regulations and the fourth is catch reporting.  
12 The remainder of the slides will be a partial  
13 screen shot of the gray tabs and the highlight  
14 of their contents.

15 Under the registration tab there's  
16 a link to the registration form. On the form,  
17 operators provide their contact information,  
18 as well as location, dates and HMS for which  
19 points or prizes will be awarded in the  
20 tournament. There are three ways of  
21 submitting the form. That's fax, email and  
22 mail.

1                   We've been working to get the word  
2 out about the HMS tournament registry email  
3 that's typed down at the bottom of the corner  
4 there. It's the fastest way to register and  
5 it requires less paper and postage. And as of  
6 today, nearly 40 percent of the 2012  
7 tournaments have registered via email. So,  
8 that's pretty exciting.

9                   Once the registration is  
10 processed, a unique confirmation number is  
11 produced and sent to the tournament operator  
12 on a postcard via USPS. Or if the  
13 registration was sent via email, I've been  
14 sending the confirmation via email as well.

15                   Registration isn't officially  
16 complete until the operators receive this  
17 number. So, we've put an example card on the  
18 website to show operators what they should  
19 expect to receive in the mail and where to  
20 find the number once they've received it.

21                   Under the tournament website's  
22 second tab labeled "Registered Tournaments,"

1 you'll find a drop-down box from which you can  
2 select a tournament year.

3           Upon selection, a PDF list of  
4 tournaments that have registered will appear  
5 including tournament name, dates, location and  
6 target species.

7           The list is updated weekly and  
8 it's intended to promote compliance with  
9 tournament registration and participant  
10 permitting requirements.

11           With this list, anglers and other  
12 attendees can check to confirm that they're  
13 participating in a registered HMS tournament.

14           At the bottom of the registration  
15 form, operators can select to have HMS  
16 recreational compliance guides and other  
17 outreach materials sent to them. In 2011,  
18 outreach materials were sent to over a hundred  
19 tournaments requesting a total of about 12,000  
20 units. Forty-five of the 79 tournaments that  
21 have registered this year have already  
22 requested outreach.

1                   The website's regulations tab, the  
2                   second to the right, outlines permit  
3                   requirements and billfish tournament  
4                   information for directors and participants.

5                   At the bottom of the page, there  
6                   are links to both federal regulations and  
7                   outreach materials, which are all down here,  
8                   and that includes excerpts from the North  
9                   Carolina Sea Grant circle hook video, careful  
10                  catch brochures, HMS compliance guides and  
11                  shark identification placards.

12                  The NMFS Southeast Fisheries  
13                  Science Center sends forms and instructions  
14                  for catch reporting to tournaments that are  
15                  selected for reporting. Instructions and  
16                  forms are also available on the web page under  
17                  our catch reporting tab on the right.

18                  Along with website renovations, we  
19                  have developed a reminder flyer that's sent  
20                  out two months in advance of the tournament's  
21                  start date from the previous year. Prior to  
22                  2012, we sent a single letter in December to

1 all of the previous year's tournament  
2 operators to remind them to register. Now,  
3 this is more frequent and more relevant to the  
4 start date of the tournament.

5 The flyer includes all of our  
6 contact information and address to the web  
7 page, and is sent with a copy of the  
8 registration form.

9 So, these changes have been made  
10 in an effort to improve the compliance rates  
11 and to make compliance less burdensome. The  
12 information is readily available and easily  
13 transmitted.

14 We're currently working on a brief  
15 tournament operator satisfaction survey to be  
16 sent out with registration confirmations and  
17 to get it out really however we can to the  
18 operators, but I'd like to hear any and all  
19 suggestions for improvement, including  
20 registration process and better advertisement  
21 to get the word out about compliance.

22 So, please feel free to send your

1        comments to me at katie.davis@noaa.gov, and I  
2        look forward to hearing from you. Thank you.

3                    MR. McCREARY: Great. Thanks.

4        Excellent presentation, and we will take all  
5        these suggestions you may have offline. So,  
6        we'll take a break now.

7                    You're encouraged to check out.  
8        We'll reconvene in about 15 minutes and  
9        complete our program. Thank you. Great job.

10                   (Whereupon, the above-entitled  
11        matter went off the record at 10:02 a.m. and  
12        resumed at 10:21 a.m.)

13                   MS. SCHULZE-HAUGEN: I'll try and  
14        find Scott, but we'll go ahead and get  
15        started. We've got one more official  
16        presentation, and then we'll have a short  
17        public comment if there's anyone from the  
18        public that wants to comment, and then move to  
19        the overview.

20                   If you remember, that's something  
21        that I see with you all. Something that staff  
22        put together based on the discussions, some

1 high-level take-aways, things to look for in  
2 the next couple of months, dates and things  
3 like that.

4 So, we'll get to that, and with  
5 any success we might actually finish a little  
6 early, which would be fun. We could go enjoy  
7 the beautiful day and flowering trees.

8 So, let me introduce - we have  
9 Margaret Miller and Marta Nammack from our  
10 Office of Protected Resources here to give us  
11 update on two petitions under the Endangered  
12 Species Act. So, take it away.

13 MS. MILLER: Thanks. So, as Margo  
14 said, we're going to - I'm going to give you  
15 a brief outline of the ESA Listing Process,  
16 and then we'll talk about the Scalloped  
17 Hammerhead Petition and White Marlin Petition.

18 So, the Endangered Species Act  
19 provides for the conservation of species that  
20 are threatened or endangered, as well as the  
21 conservation of the ecosystems on which they  
22 depend.

1                   And National Marine Fisheries  
2           Service and US Fish and Wildlife share  
3           responsibility for implementing the ESA, and  
4           generally the US Fish and Wildlife manages  
5           land and freshwater species, while NMFS  
6           manages the marine and anadromous species.

7                   Currently there are approximately  
8           1,990 total species listed under the ESA.  
9           NMFS has jurisdiction over 87 of them, 78 of  
10          which are domestic, and nine which are  
11          foreign. And then of that total 87 number, 41  
12          of the species are listed as threatened and 46  
13          are endangered.

14                   Of note is that the ESA defines  
15          "species" to include subspecies and distinct  
16          population segments, or DPSs. So, that total  
17          number of endangered and threatened species,  
18          that 87 number from the previous slide, also  
19          includes listed DPSs such as the multiple  
20          populations of salmon, which go by ESUs, and  
21          some other species like the southern DPS of  
22          the spotted seal.

1                   Now, what does it mean to be  
2                   endangered or threatened? Well, an endangered  
3                   species is any species in danger of extinction  
4                   throughout all or a significant portion of its  
5                   range, while a threatened species is any  
6                   species likely to become endangered within the  
7                   foreseeable future.

8                   So when do we list a species as  
9                   endangered or threatened? A species must be  
10                  listed if it is threatened or endangered due  
11                  to any of these following five ESA causal  
12                  factors. So if it's endangered or threatened  
13                  due to the present destruction of its habitat,  
14                  overutilization, disease or predation, the  
15                  inadequacy of existing regulatory mechanisms,  
16                  or other natural factors affecting its  
17                  continued existence such as biological or  
18                  behavioral traits that increases its  
19                  susceptibility to extinction.

20                  And there's no quantitative  
21                  definition. It's based on the best available  
22                  scientific and commercial information.

1                   Currently we have seven species  
2                   that have been proposed for listing under the  
3                   ESA. Which means that after we've completed  
4                   a status review and considered other  
5                   protective conservation measures, we have  
6                   found that these seven species warrant listing  
7                   and officially proposed them as either  
8                   threatened or endangered in the FR, Federal  
9                   Register.

10                   We also have 94 candidate species  
11                   which are those petitioned species that are  
12                   actively being considered for listing, as well  
13                   as those which NMFS has initiated in ESA  
14                   status review.

15                   And so the scalloped hammerhead  
16                   shark is considered a candidate species,  
17                   because we are petitioned and are currently  
18                   conducting a status review on it.

19                   And just a side note. The reason  
20                   that number is so high is because recently we  
21                   were petitioned to list 82 species of corals,  
22                   and we're currently conducting status review

1 on those coral species.

2 And finally we have 37 species  
3 that NMFS has concerns about regarding the  
4 status and threats. And they're on our  
5 Species of Concern list, but for which  
6 insufficient information is available to  
7 indicate a need to list them under the ESA.

8 So, for example, the Atlantic  
9 bluefin tuna is on our Species of Concern  
10 list. However, this listing status does not  
11 carry any protections under the ESA.

12 So how does a species make it to  
13 the Endangered and Threatened list? Well,  
14 through the ESA listing process, and below are  
15 the steps and I'll go into a little bit more  
16 detail about each of them.

17 In order to trigger the listing  
18 process, NMFS may receive a petition to list  
19 a species from the public, or NMFS may self-  
20 initiate the process to look at a species.

21 If it's self-initiated, NMFS  
22 begins a status review of the species. And

1 statutory deadlines only apply when we are  
2 petitioned.

3 So in the case that we are  
4 petitioned a list of species, we review the  
5 petition to determine whether it presents  
6 substantial information indicating that the  
7 listing action may be warranted.

8 When we review the petition, we do  
9 not conduct additional research and we do not  
10 solicit information from parties outside of  
11 the Agency to help us in evaluating the  
12 petition.

13 We accept the petitioner's sources  
14 and characterizations of the information if it  
15 appears to be based on accepted scientific  
16 principles, unless we have specific  
17 information in our files that indicates it's  
18 incorrect or obsolete or irrelevant.

19 So if the petition does not  
20 present substantial information that listing  
21 is warranted, we publish - may be warranted --  
22 we publish what's called a negative 90-day

1 finding denying the petition. And that marks  
2 the end of the listing process for that  
3 petition.

4 If, however, the petition does  
5 present substantial information that the  
6 action may be warranted, we publish what's  
7 called a positive 90-day finding in the FR and  
8 we initiate a status review and continue the  
9 listing process.

10 And the reason it's called a 90-  
11 day finding is because these must be made to  
12 the maximum extent practicable within 90 days  
13 from the receipt of the petition.

14 So, in the case of a positive 90-  
15 day finding, this initiates the status review  
16 process. And a status review is basically a  
17 collection of all the best available  
18 scientific information out there on the  
19 species, including population structure,  
20 abundance, population trends, genetics, and we  
21 look at threats to the continued existence of  
22 the species and we conduct an extinction risk

1 analysis. And our status reviews are peer  
2 reviewed.

3 So then based on the status review  
4 and after considering any ongoing conservation  
5 efforts, NMFS determines whether or not the  
6 species should be listed. And this is  
7 referred to as the 12-month finding and is  
8 announced in the FR.

9 And, again, it's called a 12-month  
10 finding because it's made within 12 months of  
11 the receipt of the petition.

12 So if NMFS determines that the  
13 petition action is not warranted, in other  
14 words, the species does not warrant listing,  
15 then they publish a 12-month finding in the FR  
16 stating that and the reasons for it, and that  
17 marks the end of the listing process for that  
18 petition.

19 However, if NMFS determines that  
20 the species does warrant listing, then they  
21 publish a 12-month finding in the proposed  
22 rules section of the FR along with language of

1 the proposed rule, which will identify whether  
2 the species should be listed as threatened or  
3 endangered, and have the complete text of the  
4 proposed rule and a summary of the data on  
5 which it's based.

6 In addition, actual notice of the  
7 proposed rule is given to those entities that  
8 may be affected by the rule, and there is  
9 usually a 60-day public comment period, as  
10 well as public hearings may be requested.

11 And within one year of the  
12 publication of that proposed rule, NMFS must  
13 publish a final rule to implement the proposed  
14 rule addressing the public comments and making  
15 any necessary edits to the rule based off of  
16 those comments.

17 They may also publish a notice  
18 withdrawing the proposed rule, or if there is  
19 substantial disagreement among scientists  
20 about the threat to the species, then they may  
21 also be granted a six-month extension.

22 Critical habitat, which are

1 geographical areas that are essential for the  
2 conservation of the species, must also be  
3 designated at the time of final listing as  
4 long as it's prudent and is determinable.

5 If it's not determinable at that  
6 time, then an extension can be granted, but  
7 critical habitat must be designated no later  
8 than a year after the final listing. And  
9 economic impacts must be considered when  
10 designating critical habitat.

11 So, that was a rather fast process  
12 of listings, how listings happen under the ESA  
13 where they go from petition to a 90-day  
14 finding, we conduct a status review, publish  
15 a 12-month finding, promulgate a final rule  
16 and designate critical habitat.

17 So, just a few more things about  
18 the ESA. When a species is listed as  
19 endangered under the ESA, it's illegal for any  
20 person subject to the jurisdiction of the  
21 United States to import it, possess it, sell  
22 it, take it within the US waters or upon the

1 high seas, sell or offer the species for sale.

2 But, really, the ultimate goal of  
3 the ESA is to recover species so that they are  
4 no longer at risk of extinction. And to do  
5 this, NMFS develops and implements recovery  
6 plans, they work with states and stakeholders  
7 since recovery is a long-term challenge and  
8 stakeholder involvement is essential in  
9 implementing recovery actions.

10 Once a species is listed, we are  
11 required to review them every five years to  
12 ensure that it's listed appropriately.

13 If we determine that a species has  
14 recovered to the point where it no longer  
15 needs ESA protection, then we may propose a  
16 rule to delist it. In addition, we may be  
17 petitioned to delist a species.

18 Either way, we go through the same  
19 ESA listing process of conducting a status  
20 review, proposing a rule to delist it and then  
21 promulgating a final rule.

22 Once a species is recovered and

1 removed from the list, we are required to  
2 monitor it for at least five years to make  
3 sure it's still on the recovery track and not  
4 at risk of extinction.

5 Okay. So, that's the end of the  
6 ESA listing process. And now I'm going to  
7 talk about two of our recent petitions, and  
8 I'm going to start off with the scalloped  
9 hammerhead shark.

10 So, here's some biological  
11 characteristics of the shark. It's found in  
12 coastal warm, temperate and tropical seas.  
13 It's a large, long-lived and late-maturing  
14 species. It's found worldwide.

15 And on April 28th, as you know, it  
16 was determined that the northwestern Atlantic  
17 scalloped hammerhead shark stock was  
18 overfished and that overfishing was occurring.

19 A few months later we were  
20 petitioned to list the scalloped hammerhead  
21 shark as threatened or endangered throughout  
22 its entire range, or to delineate the species

1       into five DPSs. And the petition contends  
2       that three of the five ESA factors are putting  
3       the scalloped hammerhead at risk of extinction  
4       with exploitation or overutilization as the  
5       primary threats. Also, they had concerns  
6       about the ongoing practice of finning.

7               So, we reviewed the petition and  
8       determined that it did present substantial  
9       scientific or commercial information  
10      indicating that the petition action may be  
11      warranted, and published a positive 90-day  
12      finding in the FR on November 28th.

13              This initiated the status review  
14      and there was a public comment period which  
15      ended on January 27th.

16              So, where are we now? We're  
17      currently in the status review phase of the  
18      process. So, we're collecting all the best  
19      available information that's out there on the  
20      scalloped hammerhead in all of its regions.

21              We will consider ongoing  
22      conservation efforts, but the ESA prohibits

1 the consideration of economic impacts in  
2 making species listing determinations.

3 So, once we complete the status  
4 review, we will announce a 12-month finding on  
5 whether or not to propose a threatened or  
6 endangered listing for the scalloped  
7 hammerhead based on the status review results  
8 and information. And that should come out  
9 around August or so.

10 And now, on to the white marlin  
11 petition. There is the white marlin. They  
12 spawn during the spring, March through June,  
13 in northwestern Atlantic tropic and  
14 subtropical waters. It's recognized as a  
15 single species throughout the Atlantic ocean.

16 And a little bit of the history of  
17 the white marlin in the ESA listing process.  
18 In September of 2001, we were petitioned by  
19 the Biodiversity Legal Foundation and James  
20 Chambers to list the Atlantic white marlin as  
21 threatened or endangered throughout its range.

22 In December of 2001, NMFS

1 determined that the petition action may be  
2 warranted and announced a positive 90-day  
3 finding and initiated a status review.

4 That status review finalized in  
5 2002, concluded that the white marlin stock  
6 had not declined to levels at which it was  
7 then in danger of extinction, but noted that  
8 the stock could decline to a level that would  
9 warrant ESA protection if fishing mortality  
10 was not reduced significantly and relatively  
11 quickly.

12 So, then based on that status  
13 review, in September of 2002 NMFS announced a  
14 12-month finding that listing was not  
15 warranted at that time, but did add the  
16 Atlantic white marlin to its Species of  
17 Concern list with plans to reevaluate its  
18 status in 2007.

19 And then following that listing  
20 decision, the Center for Biological Diversity  
21 and Turtle Island Restoration Network filed a  
22 complaint and a settlement agreement was

1 reached where NMFS would revisit the status  
2 following the 2006 ICCAT stock assessment.

3           So, then following the completion  
4 of the ICCAT stock assessment, in December of  
5 2006 NMFS initiated a new status review. And  
6 the 2006 ICCAT stock assessment showed that  
7 the population had increased since 2002 likely  
8 due to improved compliance with ICCAT  
9 requirements to reduce catch, and that total  
10 landings from longline fishing had declined  
11 annually between 2000 and 2004.

12           So, then given the ICCAT stock  
13 assessment and the status review examination  
14 on the ESA's five causal listing factors, in  
15 January of 2008 NMFS announced the finding  
16 that listing the Atlantic white marlin was not  
17 warranted. And in May 2008, they removed it  
18 from its Species of Concern list.

19           So, where are we now? Last month  
20 we were petitioned by James Chambers to  
21 reconsider listing the Atlantic white marlin  
22 given new information.

1           So, we're currently reviewing the  
2           petition to determine whether it presents  
3           substantial scientific or commercial  
4           information that the petition action may be  
5           warranted and we will be publishing a 90-day  
6           finding to the maximum extent practicable  
7           within 90 days of receipt of the petition.

8           So, for further information, these  
9           websites have the FR notices and the petitions  
10          -- actually, I'm not sure the white --  
11          Atlantic white marlin petition might not be up  
12          yet, but the scalloped hammerhead does have  
13          the petition there and the FR notices.

14          I think that the Atlantic white  
15          marlin has the past, the history of it in the  
16          ESA listing process.

17                 So, questions?

18                 MR. McCREARY: Thanks very much.

19                 Rusty.

20                 MR. HUDSON: Rusty Hudson, Directed  
21          Sustainable Fisheries. Thank you for your  
22          presentation.

1                   If it's possible, can you go back  
2 to Slide Number 24?

3                   MS. MILLER: I'm not sure which one  
4 that is.

5                   MR. HUDSON: That's the one.

6                   MS. MILLER: Oh, okay.

7                   MR. HUDSON: Okay. The very last  
8 line, I believe the word "or" was supposed to  
9 be "of."

10                  MS. MILLER: Yes.

11                  MR. HUDSON: So, that with the  
12 ongoing practice of finning of particular  
13 concern.

14                  MS. MILLER: Yes.

15                  MR. HUDSON: Now, finning's been  
16 against the law in the area that we're  
17 fishing, since 1993.

18                  If you drop back one more slide to  
19 23, you have proposed the five DPSs. And the  
20 one that says northwest and western central  
21 Atlantic as far as the US component of that  
22 and the territories, like I said, shark

1 finning has been against the law. So, really  
2 that's not a concern in our area.

3 Now, if you're in the high seas  
4 outside of our EEZ, you're in a different  
5 world. Because where you had your map  
6 previous on Slide 22, as you can see you don't  
7 have fill in some of those areas where the  
8 international fleets are.

9 So, that whole situation of the  
10 termination of our area was based on a recent  
11 assessment that was accepted by NMFS. But in  
12 that trends analysis, as I call it, it was  
13 driven by a couple of early years of the MRFSS  
14 data that you may have heard in the  
15 presentation is going through some changes.

16 And the terminal year in that was  
17 2005. So, it's rather dated at the same time  
18 and there wasn't really much commercial input  
19 into those numbers.

20 And so, I'd like to see all that  
21 reexamined at some date as far as the science,  
22 but internally you're having to review the

1 science for our area, as well as all these  
2 other potential DPS areas.

3           And so, I guess what I'm saying is  
4 with scalloped hammerhead and the lookalike  
5 issue with smooth hammerhead, and then we've  
6 got some work being done with what looks like  
7 a scalloped hammerhead, but it's a little bit  
8 smaller, they call it a cryptic hammerhead, it  
9 was originally discovered off South Carolina.  
10 I had to deal with it back in the '90s as far  
11 as my shark fin trade. And then recently it  
12 was discovered off of South America.

13           So, you've got a couple of  
14 distinct populations and I believe a minimum  
15 size kind of handles that idea of reducing  
16 confusion and reducing any potential landings.

17           Now, with the hammerheads, of  
18 course, you have a high rate, 90 something  
19 percent, of mortality any time there's an  
20 extended lactic acid buildup for those  
21 animals. It can even be a big lactic acid  
22 buildup with a rod and reel and causes the

1 issue.

2                   So, I guess basically my final  
3 message to you is that I'm hoping that you  
4 review the science, that you take in the US  
5 position of having banned finning since July  
6 1993 when it was implemented, and that our  
7 fishermen, a very limited fleet, a very  
8 mosquito fleet, if you want to call it that,  
9 and so we have a sustainable approach to  
10 everything and we would like to be able to  
11 utilize our product as we have traditionally  
12 for decades.

13                   Again, just please look at the  
14 science for what it is. And then whenever you  
15 make your determinations and I guess we get a  
16 chance to comment on it again?

17                   MS. MILLER: Yes, it will be  
18 published in the FR. And if it is a listed --  
19 if we decide to go forward with a listing,  
20 then, yes, there will be a public comment  
21 period.

22                   MR. McCREARY: Thanks, Rusty.

1                   John Graves, did you have a  
2                   comment? Pass?

3                   Ellen.

4                   MS. PEEL: A question.

5                   Wasn't blue marlin also covered in  
6                   the petition filed by Chambers?

7                   MS. MILLER: Well, he mentions blue  
8                   marlin, but the petition states that he's  
9                   requesting us to look at the -- reconsider the  
10                  Atlantic white marlin listing decision.

11                  MS. NAMMACK: And with petitions,  
12                  we need to be very careful about what they  
13                  request. And he didn't specifically ask us to  
14                  look at blue marlin.

15                  DR. GRAVES: Is the petition  
16                  online?

17                  MS. NAMMACK: Not yet. We'll get  
18                  it out there soon.

19                  DR. GRAVES: I do have just a  
20                  procedural question. There are at least --  
21                  there are two people in this room that  
22                  participated in the 2002 status review team of

1 the white marlin, but there was a decision by  
2 general counsel that now all status review  
3 teams have to be agency personnel.

4 And the reason for that?

5 MS. NAMMACK: Federal employees.

6 DR. GRAVES: Federal, okay.

7 MS. NAMMACK: They need to be  
8 federal employees because of the Federal  
9 Advisory Committee Act.

10 But our commerce lawyers came up  
11 with a determination that states can be on  
12 these teams if they represent their state in  
13 an official capacity.

14 And we've chosen for the most  
15 part, not to put states on there because we're  
16 not sure what that means, represent a state in  
17 an official capacity.

18 Does that mean they need to  
19 present the state's views on the thing, which  
20 really would look bad. In some cases, we  
21 don't have that problem.

22 For instance, the coral review we

1 just did, a lot of the people who happen to be  
2 at our NMFS lab happen to be state employees  
3 because we couldn't hire them and we still  
4 didn't put them on there. We used them though  
5 for a lot of help on the status review and  
6 presenting information or organizing things  
7 for us, but they just could not be part of  
8 doing it. But we certainly want all the state  
9 employees, I mean, everybody, we want to get  
10 information from wherever we can.

11 And that's where Commerce is so  
12 far. We might be able to change it, but I  
13 don't know.

14 MR. McCREARY: Okay. Other  
15 questions?

16 Yes, go ahead.

17 MR. LEAPE: Just a very quick one.

18 A couple months ago there was much  
19 fanfare and I think people outside of D.C.  
20 took this more seriously than those of us  
21 inside, where the President announced he was  
22 going to roll many of NOAA's responsibilities

1 into Interior. And many of us know that a lot  
2 of that takes congressional action.

3 I was wondering if there are any  
4 sort of -- if you've noticed any change in  
5 responsibilities under ESA that were able to  
6 be done through Executive Order or other non-  
7 congressional action.

8 MS. NAMMACK: I have not seen any  
9 changes to our ESA requirements based on any  
10 legislation. We've had a hard time getting  
11 any changes to the law for improvement alone.

12 Recently there was a state  
13 legislature attempt to -- I think it was  
14 prohibiting the Hawaiian monk seal from  
15 getting critical habitat, which we're looking  
16 at right now.

17 And they got so much flak from  
18 that from the public, they withdrew that. And  
19 that's just state legislature.

20 There have been many attempts, as  
21 you know, to revise the ESA and I don't think  
22 that can happen easily, but you never say

1 never.

2                   So, and as far as going under  
3 Interior, yeah, I mean, there's been a lot of  
4 talk of that many times. The reason we're  
5 where we are is because the Bureau of  
6 Commercial Fisheries was taken out of Interior  
7 back in 1970 and we were given commercial  
8 responsibilities under the ESA, commercial  
9 fishing -- commercial fish and other species  
10 that are commercial came under us.

11                   MR. LEAPE: Some of us are not  
12 worried about you going anywhere.

13                   MS. NAMMACK: Oh, good.

14                   MR. McCREARY: Lisa.

15                   MS. GREGG: John, I just want to  
16 address the issue that you had brought up.  
17 Actually, it's been here within the last month  
18 or so that both US Fish and Wildlife Service  
19 and National Marine Fisheries Service have  
20 approached all the states with regards to the  
21 listing process.

22                   And the states are right now all

1       undergoing a review of what type of  
2       participation we want to have in that process,  
3       but we know that there are certain -- we do  
4       have a lot of limitations.

5               Like she had mentioned, it's  
6       difficult putting state in positions, you  
7       know, to support a listing, a species when you  
8       know your own state government may not exactly  
9       support it also.

10              So, you had to be very careful  
11       with participation just with how the state  
12       position is being represented, but there's  
13       another issue especially -- it's mainly an  
14       issue in Florida, is -- has to do with public  
15       information requests.

16              Once the state, the Fish and  
17       Wildlife Commission in Florida gets anything,  
18       it's automatically public record. So, there's  
19       a lot of that especially with the initial 90-  
20       day determination that we know that we can't  
21       be a part or likely cannot be a part of  
22       because of public information requests. And

1       there are certain types of information that  
2       NMFS or US Fish and Wildlife Service can't  
3       get, you know, get out to the public.

4               So, there's been a lot of -- a lot  
5       of work with US Fish and Wildlife Service and  
6       NMFS and the states to try and figure out how  
7       we're going to be more -- the states are going  
8       to be more involved in these processes.

9               MR. McCREARY: Rusty.

10              MR. HUDSON: A quick thought that I  
11       forgot to mention.

12              Recent years, highly migs has made  
13       it so that we have to keep our fins naturally  
14       attached to the carcass. So, there is on  
15       finning going on at that point. Finning is  
16       discarding of the carcass.

17              So, we have to bring our stuff in  
18       at that point and then have to be able to have  
19       a paper trail that goes with it. So, we're an  
20       example to the rest of the world if they're  
21       willing to follow that procedure.

22              MR. McCREARY: Good. Any other

1       comments or questions following the ESA  
2       presentation?

3                       (No response.)

4                       MR. McCREARY: Apparently not.

5                       Well, next on our agenda is to go  
6       to public comment. So, let's see if there are  
7       any members of the public that would like to  
8       address the Advisory Panel.

9                       (No response.)

10                      MR. McCREARY: I don't see any.

11       All right. I think we're ready for panel  
12       priorities and next steps from you, Margo. Do  
13       you want to switch over here?

14                      MS. SCHULZE-HAUGEN: While we are  
15       loading this, as I mentioned before, I'm  
16       seeing this with you. So, we'll be equally  
17       surprised, perhaps.

18                      But one of the things we try and  
19       do is do kind of a high-level takeaway that  
20       you all can remember and share with your folks  
21       back home. Also, try to include dates, things  
22       to look for in the next couple of months

1 between this meeting and the next.

2 We've got some indication of when  
3 the next meeting might be that we'll get into  
4 as well, but by no means is this intended to  
5 be the full transcript of the meeting. That's  
6 what we have the transcripts for.

7 So, we're not trying to say  
8 everything that's been said, but still give  
9 you some sense of what we talked about and  
10 where we're headed.

11 I would encourage you if we've  
12 missed a major topic, if we've  
13 mischaracterized something and we want to get  
14 that right here, and we'll modify this and  
15 then post this as well.

16 So, and I guess I would encourage  
17 you, too, I think we've tried particularly  
18 this meeting, with posting things  
19 electronically, reducing paper, fact checking,  
20 you know, feedback on the forms or in person  
21 on some of the specific things we've done for  
22 this meeting whether you liked them, more of

1 same, less, something different, I'm always  
2 open to suggestions.

3           So, here we go. So, stepping  
4 through the agenda Monday -- or Tuesday  
5 starting with bluefin quota specs. Major  
6 takeaway, if a substantial quota remains late  
7 in the year, do not reduce the bag limits.  
8 Allow retention of small mediums for all or a  
9 portion of the season. 2010 and '11 dead  
10 discard estimates may not be the best proxies  
11 for 2012. I think that was coming some of the  
12 information particularly from the Gulf.

13           Looks like our comment period will  
14 close April 16th, and we will be working on  
15 public hearing notices as soon as we get back  
16 to the office. So, that will come separately,  
17 but very soon.

18           For our white paper, we heard  
19 general support for the breadth of the  
20 measures and looking at multiple approaches.  
21 We are going to try and turn around -- convert  
22 this to the actual scoping document fairly

1 quickly, but try and avoid peak fishing. It  
2 says longline. I think we'll also try and  
3 avoid other peak fishing time periods as best  
4 we can.

5 It's not always possible to reduce  
6 the peaks overlaps, but we will certainly do  
7 our best.

8 We should prioritize overall and  
9 by region with the key goal of staying within  
10 US quota while maximizing benefits to all  
11 categories.

12 Some things that we would add to  
13 the scoping documents based on the comments,  
14 an option to expand weak hook use beyond the  
15 Gulf of Mexico, reduce pelagic longline  
16 lengths during a specific time or area. So,  
17 I think that's an embellishment of one thing  
18 we have already.

19 And as well as the alternate gear  
20 transition to be more specific in calling out  
21 that approach to addressing some of the  
22 discard issues looking specifically at green-

1 stick and buoy gears, alternative gears.

2 Some of the considerations, a lot  
3 of discards are regulatory and we want to  
4 focus on reducing that waste.

5 Gulf of Mexico is unique spawning  
6 grounds, also, higher mortality rate due to  
7 the temperatures.

8 Data collection takes time and  
9 money. So, we talked a lot about what can we  
10 realistically achieve with the resources that  
11 we have.

12 Need to stay within our ICCAT  
13 requirements. It's been an overarching goal  
14 of ours for a long time.

15 Also, want this process to be  
16 fair, consistent. One example is have gear  
17 restrictions be comparable for all the  
18 categories.

19 Support that all groups should  
20 take responsibility for their actions and  
21 their impacts, but we need to find the right  
22 balance.

1                   Finding a catch cap without  
2                   affecting our important fisheries for  
3                   swordfish and yellowfin is quite a balancing  
4                   act that we're looking for. And allocation  
5                   changes are possible as well.

6                   Lots of comments on using the  
7                   unique early restoration opportunities with  
8                   the BP oil spill money and not letting that  
9                   opportunity go.

10                  Consider multiple types of data  
11                  showing catch-per-unit efforts. Maybe it  
12                  tells a different story. The numbers, I think  
13                  numbers also are part of the equation.

14                  So, I think we'll have quite a lot  
15                  of more detailed analyses when we go back  
16                  looking at affects of catch rates versus  
17                  numbers, versus target catch, versus  
18                  incidental, for a whole mix of things. A lot  
19                  of these analyses can be quite involved.

20                  Consider regs that time existing  
21                  time area closures were established.  
22                  Certainly how regulations are at a time can

1 affect landings and catch information as well.  
2 And consider Gulf vessel holding capacity and  
3 target catch requirements.

4 All right. Moving on to Amendment  
5 5, Atlantic Shark Rebuilding --

6 MR. RUAIS: Excuse me, could we go  
7 and discuss that before we move on, or did you  
8 want to stop --

9 MS. SCHULZE-HAUGEN: I don't know.  
10 How many slides do I have?

11 (Discussion off the record.)

12 MS. SCHULZE-HAUGEN: Well, I do  
13 want to do justice to the whole meeting. So,  
14 can we come back? All right. Thank you.  
15 Thank you.

16 For Atlantic shark rebuilding,  
17 remember we were at the pre-draft stage here.  
18 So, next step for us is proposed rule.

19 This is one of the ones that has a  
20 statutory clock ticking for getting a  
21 rebuilding plan in place within two years.  
22 So, this one will move.

1                    Looking at soak time, gear tending  
2                    measures being unenforceable, less  
3                    enforceable. And for the restrictive, I think  
4                    micro manage came up quite a bit.

5                    Hook measures can be problematic  
6                    particularly when you're fishing for other  
7                    species. There are economic impacts of that.

8                    Support for splitting the  
9                    blacknose stock, and use catch percentage to  
10                    set the Gulf of Mexico TAC.

11                    Support to unlinked blacknose and  
12                    non-blacknose small coastals. Fishermen are  
13                    successfully avoiding blacknose sharks.

14                    Support to manage hammerheads as a  
15                    complex though. Kind of the opposite there.  
16                    Consider no recreational retention. Also,  
17                    allow recreational retention and not eliminate  
18                    the opportunity to land trophies.

19                    Looking at setting a commercial  
20                    scalloped hammerhead quota, but not  
21                    necessarily a trip limit per se.

22                    Looking at support for status quo

1 for sandbar and the need to rationalize the  
2 straddling stocks scenario for both sandbar  
3 and dusky.

4 Look at effort when considering  
5 time area closures, how do the current  
6 closures affect effort and what would be the  
7 consequence of any effort shifts.

8 Look at the time frame of dusky  
9 shark interactions. Consider US and  
10 international. I think that's an important  
11 point, because we can't lose sight of the fact  
12 that we still have to take action  
13 domestically.

14 Looking at the maps of dusky  
15 interactions off of Hatteras, but not seeing  
16 them on the water. So, trying to get to the  
17 root of maybe sometimes the mismatch between  
18 what people see versus data that's coming into  
19 us and what can be behind that.

20 Not support for backstopping the  
21 35 fathom reef fish closure. Not effective  
22 for sharks.

1                   And then don't micro manage, but  
2                   continue to consider catch shares or some form  
3                   of that kind of management.

4                   So, nice segue into A6. Catch  
5                   shares could solve some of the issues that  
6                   we're seeing in A5. Fishery micro management  
7                   can lend support to a different kind of  
8                   approach such as catch shares, but we need to  
9                   get management structures in place and improve  
10                  science first, is one comment.

11                  Operational issues need to be  
12                  considered. Quotas need to be distributed on  
13                  a state-by-state basis. Another approach.

14                  We should have a catch share team  
15                  or working group. That's something that we  
16                  can certainly look into.

17                  And a referendum is important and  
18                  should include all of the directed permit  
19                  holders on - I think there were - one of the  
20                  things we've heard is the variety of comment  
21                  on who should be involved in a referendum.

22                  Turning to Carribean, some of the

1 NMFS considerations. Consequences of issuing  
2 open access permits such as displacement of  
3 effort from the mainland to the Carribean.  
4 Retention limits per day versus per trip.  
5 Look at potentially a minimum size for sharks  
6 in the Carribean even though there may not be  
7 one in other places, and look also at  
8 horsepower restrictions in conjunction with  
9 vessel size restrictions.

10 This will be one as well that  
11 we'll be working on public hearings as soon as  
12 we get back to the office. So, look for  
13 another notice from us with those. A slightly  
14 longer comment period here. I think we're  
15 looking at mid-June.

16 For commercial access on Amendment  
17 8, again we were at a pre-draft stage. So,  
18 next stage would be proposed rulemaking  
19 depending on how things shake out.

20 Recommendations, support for  
21 regional management measures. I think that  
22 came through pretty loud and clear.

1 Support also for a separate permit  
2 for a number of reasons. Support to allow  
3 sale to authorized dealers. Mixed support on  
4 the retention limit. Some folks thinking high  
5 is good. Others thinking low is better.

6 Consider historical participation,  
7 and relieve restrictions on existing user  
8 groups. Notably, the longline fishery.

9 Some of the concerns, impacts to  
10 the value of existing limited access permit  
11 holders. I think that's something we've been  
12 cognizant of trying to figure out as we move  
13 forward.

14 A lot of concerns still as we've  
15 heard all along about increased effort off  
16 south Florida. I think this links to the  
17 regional approach.

18 And some overall concerns, I  
19 think, on not overshooting. That we have  
20 quota available, but we could end up if all of  
21 these things add up, with an over capitalized  
22 fishery and available quota issues. So, need

1 to keep that in mind as we move forward.

2 For the swordfish 2012 quotas,  
3 minimum sizes, this proposed rule will be  
4 coming out relatively soon. It's in process.

5 We should definitely implement the  
6 new CK measurements. A lot of support for  
7 that.

8 Also, consider keeping lower jaw  
9 for the recreational fisheries, but also some  
10 support to not keeping the lower jaw. Just go  
11 with CK as a simplified way of doing it.

12 Interest in reimplementing the 33  
13 limit. I think some idea that the lower CK  
14 could help address some of the issues there  
15 and that we should estimate the amount of  
16 additional landed swordfish due to the CK  
17 minimum size changes as part of this analysis.  
18 I think that's something we'll look into.

19 And looking ahead, wow. Is that a  
20 picture from this meeting? Wow. Okay.  
21 Realtime.

22 So, things you'll see from us.

1 Bluefin tuna specs hearings, Carribean A4  
2 hearings, bluefin A7 scoping meetings and  
3 notice of intent, the official kickoff of  
4 scoping, our bluefin tuna angling charter  
5 headboat retention limits, I see Tom has  
6 already left, silky shark proposed rule to  
7 implement the ICCAT measure, as well as the  
8 swordfish quotas proposed rule.

9 I would add that there's also a  
10 trade rule to lift trade sanctions on two  
11 countries coming out of ICCAT that's a little  
12 bit further down the list, but will be coming  
13 out.

14 And then some of the dates that we  
15 know. So Friday, tomorrow, two rules  
16 published. The bluefin specs, and A4.  
17 Looking for comments from you all by the end  
18 of the month on the white paper for bluefin,  
19 as well as that's when A6 scoping technically  
20 ends.

21 Mid-April if we could have  
22 comments on A5 pre-draft, again this one is on

1 a faster track because of the clocks ticking.  
2 Mid-April bluefin specs comment period closes.  
3 And then June 14th would be when A4 closes.

4 We have some late-breaking news.  
5 We have been looking at council schedules for  
6 the next fall AP meeting dates combined with  
7 Rosh Hashanah and Yom Kippur. Had thought  
8 that maybe October 1st, the first week in  
9 October would be good.

10 We did a quick check-in back home  
11 with the budget people, and they said, heck  
12 no, budget reasons that would be really,  
13 really bad.

14 So, I think we're going to listen  
15 to them. And I think where that leaves us is  
16 the week of September 9th is the South  
17 Atlantic Council meeting. The week of  
18 September 23rd is New England, which would  
19 leave the week of September 17th.

20 I'm looking at Sonja, who's doing  
21 exactly what I was hoping she wouldn't do.

22 It's also Rosh Hashanah, which is

1       problematic for some as well, but I am not  
2       sure pushing earlier will be very feasible for  
3       us either.

4                       So, I don't know.  If you've got  
5       comments, thoughts, ideas.  Rich, I know  
6       you're waiting in the wings.  Is that on the  
7       dates, or back on the issues?

8                       MR. RUAIS: I'll start with the  
9       dates.

10                      MS. SCHULZE-HAUGEN: Start with the  
11       dates.  Let me just see what's left.  Oh,  
12       travel forms.  Get them in, please.

13                      One of the things that we are  
14       going to have to be doing is doing a real  
15       close monitoring of how much this meeting cost  
16       us again because of travel limitations, to see  
17       what other travel we can do for hearings,  
18       scoping meetings, things like that.

19                      So, please, please, please help  
20       us.  Get your receipts in so we have a better  
21       sense of what we have left and what else we  
22       can do.  And that is that.

1                   So, maybe let's - could we take a  
2                   minute or two on dates? Any particular  
3                   feedback on dates? Rich, just dates for now?

4                   MR. RUAIS: First of all, on the  
5                   white paper comments due by the 31st, you mean  
6                   just by the AP, the Advisory Panel members,  
7                   not public comments coming back at that point  
8                   in time?

9                   MS. SCHULZE-HAUGEN: Right. And  
10                  remember that we will be going to formal  
11                  scoping. So, that is a very public process.  
12                  We'll get the public comment coming in through  
13                  that in separate meetings as well.

14                  See, it would be more initial AP  
15                  comments looking specifically for things that  
16                  may be missing, things to call out and add so  
17                  that we have the full breadth of issues before  
18                  the public and formal scoping.

19                  MR. RUAIS: All right. And the  
20                  white paper is now a public document. It's on  
21                  your website. Okay. So, the public will have  
22                  it and they'll know - they'll know that

1 they're not bound by a deadline right now  
2 until you announce when you're going to have  
3 your scoping meetings on the white paper.

4 MS. SCHULZE-HAUGEN: Right. So,  
5 all of the documents that you have seen this  
6 week are posted, or will be. This one is  
7 probably not up yet. So, everything that you  
8 have is in the public domain.

9 When we go to formal scoping,  
10 there will be Federal Register notice, meeting  
11 dates, standalone documents with an associated  
12 comment period.

13 Does that answer your question?

14 MR. RUAIS: Okay. Well, just a  
15 general comment I'd make is that that is an  
16 awful lot to digest on the part of the bluefin  
17 community in particular. And I might add, you  
18 know, recreational, commercial and longline  
19 community as well, including when you're  
20 talking about the specs coming out and public  
21 hearings on the specs.

22 And you intend that the public

1       hearings on the specifications would not  
2       overlap and certainly wouldn't be handled at  
3       the same time as the discussion on the white  
4       paper.  Those would be separate.  The scoping  
5       meetings would be separate from the public  
6       hearings on the proposed specs.

7                   MS. SCHULZE-HAUGEN:  Yes.  So, one  
8       of the things I mentioned before was that we  
9       may need to for travel cost purposes, combine  
10      meetings, be efficient where we can.

11                   Some of the timing is not always  
12      going to support that.  And in this particular  
13      case, we will not be able to because specs are  
14      out now.  We'll be moving forward with those  
15      separately, but we may combine them with  
16      something else that's going later with the  
17      white paper.

18                   Is that clear?  So, bluefin quotas  
19      specs hearings will not be combined with  
20      bluefin A7 scoping meetings, but A7 scoping  
21      meetings may have something else associated  
22      with them if that works in time later.

1 MR. RUAIS: Okay. But both  
2 occurring before the - both the scoping  
3 hearings and the spec hearings occurring  
4 before the start of the fishery on June 1?

5 MS. SCHULZE-HAUGEN: Well, so with  
6 the comment period closing April 16th, public  
7 comment and hearings will be within that time  
8 frame in the next month.

9 Whether we will be able to get  
10 scoping completed before June, I'm less  
11 optimistic about that. There may be some  
12 meetings further into the summer. We'll do  
13 our best to try and minimize overlap with  
14 fishing, but we're not always able to do that.

15 MR. RUAIS: Just so you're aware,  
16 I'm not as concerned about the quota specs  
17 comments. I don't think that's going to be  
18 anything startling.

19 But the white paper is going to be  
20 very, very controversial no matter how you  
21 look at it.

22 In fact, I want to go over a

1 couple of things specifically after we finish  
2 the dates, and you'll get the standard  
3 complaint from all of us in the commercial  
4 fishery about scheduling those scoping  
5 meetings on such a controversial matter, range  
6 of matters, during the season, obviously.

7           And I know you have a hard time  
8 around that, but that leads me to my general  
9 comment about the dates, including one of the  
10 comments on the back of the white paper is the  
11 entire schedule for Amendment Number 7, it's  
12 expedited, clearly, and maybe not realistic at  
13 all to think you're going to complete the  
14 scoping meetings and then move into a pre-  
15 draft by the fall of 2012, and proposed rule  
16 in the spring of 2013.

17           I mean, it's awful fast for the  
18 full range of issues that you have in there,  
19 which I think you already know are going to be  
20 exceptionally controversial.

21           You got a small flavor of it here.  
22 You take it to the radicals that are out

1       there, I'm the moderate person in the whole  
2       crowd.

3                       (Laughter.)

4                       MS. SCHULZE-HAUGEN: Really?

5                       MR. RUAIS: Yeah. Once you open  
6       this up to the radicals, you know, you're  
7       really in for it.

8                       MS. SCHULZE-HAUGEN: Yes, that's a  
9       good point. I mean, as my staff know, I'm  
10      quite ambitious in what I think we can get  
11      done. I can hear some chuckles.

12                      MR. RUAIS: I suggest staff needs  
13      to have more influence on the boss.

14                      MS. SCHULZE-HAUGEN: Well, there is  
15      that. And, yes, I think we have a lot of  
16      issues on the table. Absolutely. I don't  
17      expect it to be easy, but I think we have -  
18      I'll just leave it that I'm ambitious, but  
19      noted comments. Thank you.

20                      MR. RUAIS: You'll want a vacation  
21      sometime.

22                      MS. SCHULZE-HAUGEN: Yes, I'll get

1 that in.

2 What else on dates? Any -  
3 particularly fall meeting. If we're looking  
4 at September 17th apart from NAFO, other  
5 conflicts?

6 So, it's not set in stone, but  
7 maybe put that in pencil on your calendars if  
8 you can. We do try and avoid the council  
9 meetings as much as possible. So, that is  
10 unfortunate that that seems to shake out that  
11 way.

12 Okay. So, let's go back to  
13 comments on the overview. I see Rich is  
14 first. So, which one did you want?

15 MR. McCREARY: Let's see if someone  
16 else has a comment.

17 (No response.)

18 MR. McCREARY: Rich, there's a  
19 vacuum here. You can fill it.

20 MR. RUAIS: If you wouldn't mind  
21 putting up one of the first pages on the white  
22 paper - there. There you go. Support breadth

1 of measures and use of multiple approaches.

2 I'd like to see that qualified  
3 somehow. I'm not sure that, I mean, the way  
4 I would interpret that is if there is - there  
5 was support for the breadth of the measures,  
6 and I was not supported. And I don't think  
7 ABTA will be supportive of any of the - any of  
8 the options that were provided that had  
9 advanced ten percent or 20 percent reductions  
10 of quotas as a measure for consideration in  
11 the scoping document.

12 I mean, I don't mean to nitpick it  
13 now, but I also have - I've got a press  
14 release that's going to be out probably by  
15 five o'clock that already talks about some of  
16 these. And we'll have one on the  
17 specifications either by tonight or tomorrow  
18 as well.

19 So, people are going to be aware  
20 of that, and we're not indicating in our press  
21 release that ABTA is going to be supporting a  
22 third of that document. We're just going to

1 say it's not even negotiable. It's not even  
2 up for discussion as far as we're concerned.

3 I'm sorry to relay that to you  
4 harshly what that is, but that's the reality  
5 of how we're approaching this issue. It's not  
6 the direction we've been moving in the last  
7 few years. We think it's just over the top.

8 So, if you can find a way to  
9 qualify that, fine. If you can't, then so be  
10 it.

11 And, again, I'd stress that  
12 overall when you combine the white paper with  
13 the specs and then moving from the white paper  
14 to scoping, to pre-draft, it's just too fast  
15 for too much to be considered in a proper  
16 fashion for the type of very dramatic changes  
17 to the fishery you're proposing. Some of  
18 which we support.

19 MS. SCHULZE-HAUGEN: Well, so I  
20 would put it to the group. When we talked  
21 about the white paper, I did not hear apart  
22 from the first 22 pages, that things should

1       come off the table. Which is, I think, where  
2       this statement of support of breadth of  
3       measures is coming from.

4                     Rom.

5                     MR. WHITAKER: Well, I probably  
6       should have responded earlier, but it's in  
7       reference to the endangered species and the  
8       petition that lists white marlin again. And  
9       it's a little bit disturbing to me that they  
10      said that - I think John brought out that some  
11      Advisory Panel members were involved in the  
12      process.

13                    It's a little disturbing to me  
14      that I think our states should be involved.  
15      I mean, we probably have scientists that know  
16      the species maybe better than a federal  
17      employee. And that these species are so  
18      important to our states, I mean, not just  
19      North Carolina, Maryland, anybody on the east  
20      coast, that we should be involved in this  
21      process. Somebody from our state or somebody  
22      other than, you know, just agency people. I

1 think we should have people that have been in  
2 it all along still involved. Thank you.

3 MS. SCHULZE-HAUGEN: Maybe I can  
4 work with Randy on North Carolina  
5 specifically. I think there is potential for  
6 state reps based on what Marta said. I don't  
7 honestly know the details of all that, but we  
8 can follow up.

9 So, does the Panel think we should  
10 ditch the first 22 pages of the white paper?

11 MR. McCREARY: Rick.

12 MS. SCHULZE-HAUGEN: Thank you,  
13 Rick.

14 MR. WEBER: I'll give you what  
15 you're looking for, Margo. It is a scoping  
16 document, you know.

17 MR. NEILL: Pre-scoping.

18 MR. WEBER: Pre-scoping, you know.  
19 It is something that is floating around out  
20 there. It will draw the negative comments,  
21 Rich. I agree with you. It will, you know.  
22 I mean, no more than when they throw options

1 out sometimes on the billfish. There's this,  
2 well, maybe we should consider landing none,  
3 and the whole rec industry jumps.

4 But it's there every time, they  
5 throw it out there. We know, you know, for  
6 the most part, I really want to believe the -  
7 every time I read it, I just bring myself back  
8 down and presume that cooler heads will  
9 prevail. But they need to scope it, because  
10 someone out there wants it. But I don't -  
11 that's my feeling.

12 It is an idea. It is there to be  
13 scoped. I think you know what a lot of us are  
14 going to say, and that's not saying that I'm -  
15 contrary to Rich, I'm very much with Rich in  
16 many of these opinions, but it is an idea to  
17 be out there to be scoped to get opinions.

18 MR. McCREARY: Randy.

19 MR. GREGORY: I agree with Rick. I  
20 mean, everything should be on the table right  
21 now and we should - it's our chance to go and  
22 look at all these things. They're all

1 connected.

2 MR. McCREARY: Again, the spirit of  
3 pre-scoping.

4 MS. SCHULZE-HAUGEN: I see nods.

5 What I could offer on this would  
6 be to insert qualified, qualified support for  
7 breadth of measures.

8 Okay. Anything else?

9 MR. JENKINS: I just wanted to say  
10 something about the catch shares for sharks.  
11 Don't forget that in states like mine in  
12 Louisiana, less than ten percent of the shark  
13 fishermen are federally permitted.

14 So, if you start having a  
15 referendum, we outnumber the federally  
16 permitted shark fishermen probably three to  
17 four to one.

18 So, those people can't be left out  
19 of the discussion.

20 MS. SCHULTZ-HAUGEN: Okay. Thank  
21 you.

22 So, that would be a five - no, a

1 six. So, is the - so, it's to the last point,  
2 the referendum, or are you more at the quotas  
3 distributed on a state-by-state basis?

4 MR. JENKINS: It's both. We just  
5 have to consider those state permitted  
6 fishermen who are in the shark fishery when we  
7 start dividing up the quotas. And if you have  
8 a referendum of the federally permitted  
9 people, you're missing a large number of the  
10 actual participants in the fishery.

11 MR. McCREARY: Thank you.

12 John.

13 DR. GRAVES: Well, as we are  
14 winding down, I just wanted to thank Margo and  
15 the entire HMS staff.

16 The presentations at this meeting  
17 were done very well. They were obviously  
18 practiced.

19 You consider the number of  
20 presentations that we've heard. That's a hell  
21 of a lot of work that was put in, and I think  
22 they were very informative and I think it was

1 a real professional job.

2 So, I know how much work it takes  
3 to set up meetings like this, and I'm just -  
4 I think from my point, you should be  
5 congratulated on a job well done.

6 (Applause.)

7 MS. SCHULZE-HAUGEN: Thank you, and  
8 I will do the same. HMSers, take your turn  
9 here.

10 I push all them, but they're the  
11 ones doing the work. So, thank you, John.  
12 Gerry.

13 MR. LEAPE: I like the fact of the  
14 materials online. Very easy to use, and hope  
15 we continue that. I actually am going to  
16 suggest it to some other meetings I'm in  
17 outside the government.

18 Are those presentations going to  
19 remain online?

20 MS. SCHULZE-HAUGEN: Yes.

21 MR. LEAPE: Okay. Thank you.

22 MS. SCHULZE-HAUGEN: It's been

1 pointed out to me that this - as I remember  
2 now, this is Lisa Gregg's last meeting with  
3 us. So, I'd like to thank her for her  
4 dedication in representing the state of  
5 Florida. You've been a very productive member  
6 of the Panel. So, thank you and we hope to  
7 stay in touch.

8 I don't know if I've missed anyone  
9 else. Is this anyone else's last meeting?  
10 Okay. So, we get to see you all again.

11 Well, thank you very much. I think  
12 we obviously have a lot of work to do. I have,  
13 as I mentioned, a quite ambitious schedule.

14 And we will certainly, you know,  
15 any and all feedback is always appreciated.  
16 Please don't hesitate to get in touch with any  
17 of us. Email, phone, mail, you name it. It's  
18 all good and we want to hear from you.

19 So, thank you, and I'm sure I'll  
20 be seeing you around. Have a great trip home.

21 (Whereupon, the meeting was  
22 adjourned at 11:22 o'clock a.m.)

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C E R T I F I C A T E

This is to certify that the foregoing transcript

In the matter of: Highly Migratory Species  
Advisory Panel

Before: DOC/NOAA

Date: 03-15-12

Place: Silver Spring, MD

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