

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION
NATIONAL MARINE FISHERIES SERVICE
OFFICE OF SUSTAINABLE FISHERIES
HIGHLY MIGRATORY SPECIES DIVISION

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ATLANTIC HIGHLY MIGRATORY SPECIES
ADVISORY PANEL

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SPRING 2015 MEETING

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TUESDAY
MARCH 10, 2015

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The Panel met in the Grand Ballroom A-B,
DoubleTree by Hilton, 8120 Wisconsin Avenue,
Bethesda, Maryland, at 10:30 a.m., Suzanne Lea,
Facilitator, presiding.

PRESENT

SUZANNE LEA, Facilitator
JASON ADRIANCE, Louisiana Department of Wildlife
and Fisheries
PATRICK AUGUSTINE, Recreational Sector
TERRI BEIDEMAN, Commercial Sector
RICK BELLAVANCE, Recreational Sector
ANDRE BOUSTANY, Academic Sector
ANDREW COX, Recreational Sector
JACK COX, Commercial Sector
PAMELA DANA, Gulf of Mexico Fishery Management
Council
MARTIN FISHER, Commercial Sector
SONJA FORDHAM, Environmental Sector
ERNIE FOSTER (for ROMULUS WHITAKER),
Recreational Sector
WILLIAM GERENCER, Commercial Sector
WALTER GOLET, Academic Sector
LISA GREGG (for MARTHA BADEMAN), Florida Fish
and Wildlife Conservation Commission
RANDY GREGORY, North Carolina Division of Marine
Fisheries
RUSSELL HUDSON, Commercial Sector
ROBERT HUETER, Academic Sector
STEPHEN IWICKI, Recreational Sector
WALLACE JENKINS, South Carolina Department of
Natural Resources
SHAWN JOYCE, Recreational Sector
AMANDA KELEDJIAN, Environmental Sector
MICHAEL KELLY, Recreational Sector*
DAVID KERSTETTER, Academic Sector
MARK LINGO, Texas Parks and Wildlife Department
STEPHEN LINHARD, Mid Atlantic Fishery Management
Council
SHANA MILLER, Environmental Sector
VALERIE MILLER, Environmental Sector
JEFF ODEN, Commercial Sector
TIM PICKETT, Commercial Sector
GEORGE PURMONT, Commercial Sector
RICHARD RUAIS, Commercial Sector
MARTIN SCANLON, Commercial Sector
MICHAEL SISSEWINE, New England Fishery
Management Council

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PRESENT (CONTINUED)

DAVID STILLER, Commercial Sector
SCOTT TAYLOR, Commercial Sector
RICK WEBER, Recreational Sector
ANGEL WILEY (for CARRIE KENNEDY), Maryland
Department of Natural Resources
MELISSA YUEN (for ROBERT BEAL), Atlantic States
Marine Fisheries Commission*

ALSO PRESENT

KARYL BREWSTER-GEISZ
CRAIG COCKRELL
PETER COOPER
JEN CUDNEY
STEVE DURKEE
BRAD MCHALE
DANIELLE RIOUX
MARGO SCHULZE-HAUGEN
TOM WARREN

*present by teleconference

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

(10:35 a.m.)

1
2
3 FACILITATOR LEA: All right. Looks
4 like everyone has gotten settled in.

5 Welcome. I know a lot of you have
6 traveled from far away to be here. We are glad to
7 have you here. It is good to see everyone again.

8 My name is Suzanne Lea. I will be the
9 facilitator here. I, as a practice, facilitate
10 dialogs on policy issues, regulation, focus types
11 of issues. And so, I am excited to be here with
12 you guys again.

13 A couple of just basic announcements.
14 There is a lunch order form floating around. They
15 are going to bring lunch, if you want to put an order
16 in, at noon. We should be pretty much on the mark
17 with the schedule up until noon. So, we are
18 expecting lunch at noon. If you didn't get a form
19 or if you want a form, there are some floating
20 around.

21 And also, there is information on how
22 to connect to the wireless internet. There are
23 log-in passes. Those forms are around as well.
24 So, if you don't have one, look around. Probably
25 your neighbor has one.

26 Let's see. So, we are going to do a
27 quick go-round with introductions. You know,
28 there are several members. So, they can get to
29 know some of the folks that are here. We also ask,
30 if you are a proxy, if you could let us know who
31 you are as a proxy for, that would be really
32 helpful.

33 And so, as we go around, the
34 microphones, you have to press it to be heard. I
35 will turn my microphone off, and then, whoever is
36 pressing it will be heard.

37 MEMBER JOYCE: Shawn Joyce,
38 recreational, New Hampshire.

39 MEMBER IWICKI: Steve Iwicki,
40 recreational, Mid-Atlantic.

41 MEMBER A. COX: Andrew Cox, Marlin
42 Magazine.

43 MEMBER FOSTER: I'm Ernie Foster, and
44 I'm a proxy for Rom Whitaker from Hatteras.

45 MEMBER RUAIS: Rich Ruais, American
46 Bluefin Tuna Association.

47 MEMBER BOUSTANY: Andre Boustany, Duke
48 University.

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1 MEMBER WILEY: Angel Wiley, Maryland
2 Department of Natural Resources, proxy for Carrie
3 Kennedy.
4 MEMBER DANA: Pam Dana, Gulf Council.
5 MEMBER FISHER: Martin Fisher,
6 commercial fisherman, Florida.
7 MEMBER PURMONT: George Purmont,
8 commercial fish spotter.
9 MEMBER GOLET: Walt Golet, University
10 of Maine, Gulf of Maine Research Institute.
11 MEMBER ODEN: Jeff Oden, commercial
12 longliner, North Carolina.
13 MEMBER BEIDEMAN: Terri Beideman, on
14 behalf of Blue Water Fishermen's Association.
15 MEMBER AUGUSTINE: Pat Augustine,
16 recreational, formerly ASMFC, Mid-Atlantic
17 Council, New York.
18 MEMBER SCANLON: Martin Scanlon,
19 commercial, pelagic longliner.
20 MEMBER J. COX: Jack Cox, South
21 Atlantic, commercial rep for North Carolina.
22 MEMBER HUDSON: Rusty Hudson, Florida,
23 commercial.
24 MEMBER GREGG: Lisa Gregg, Florida
25 Fish and Wildlife Commission and proxy for Martha
26 Bademan.
27 MEMBER GERENCER: Bill Gerencer.
28 MEMBER SISSEWINE: Mike Sissenwine,
29 representing the Northeast, the New England
30 Fishery Management Council and, also, with the
31 Woods Hole Oceanographic Institution.
32 MEMBER LINGO: Mark Lingo, Texas Parks
33 and Wildlife Department.
34 MEMBER MILLER: Valerie Miller,
35 Environmental Defense Fund.
36 MEMBER HUETER: Bob Hueter, Mote
37 Marine Lab, academic.
38 MEMBER FORDHAM: Sonja Fordham, Shark
39 Advocates International.
40 MEMBER WEBER: Rick Weber, South
41 Jersey Marina and Tournaments.
42 MEMBER KELEDJIAN: Amanda Keledjian,
43 Oceana.
44 MEMBER PICKETT: Tim Pickett,
45 Lindgren-Pitman.
46 MEMBER TAYLOR: Scott Taylor,
47 commercial, Dayboat Seafood.
48 MEMBER STILLER: Dave Stiller,

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1 commercial, Alabama.

2 MEMBER ADRIANCE: Jason Adriance,
3 Louisiana Wildlife and Fisheries.

4 MEMBER JENKINS: Wallace Jenkins,
5 South Carolina Department of Natural Resources.

6 MEMBER KERSTETTER: David Kerstetter,
7 Nova Southeastern University.

8 MS. SCHULZE-HAUGEN: We have Michael
9 Kelly from the Billfish Foundation who is on the
10 webinar. At least we were hoping he would be on
11 the webinar.

12 Michael, are you with us?

13 (No response.)

14 Maybe not.

15 MR. COOPER: Hey, Michael.

16 MR. KELLY: Hi. How are you?

17 MR. COOPER: Good.

18 Do you mind introducing yourself to the
19 group?

20 MR. KELLY: Michael Kelly, Billfish
21 Foundation.

22 MR. COOPER: Okay, great. Thank you.

23 FACILITATOR LEA: All right. Well,
24 thank you for the introductions.

25 We will begin now. We are going to
26 start off with overview of recent activities.
27 Margo is going to provide that.

28 Just a couple of reminders and I am
29 going to steal a little bit from Margo's 101
30 presentation. So, some of you just heard this, but
31 always good reminders.

32 We want people to be engaged, to feel
33 free to debate, but in a civil, respectful way, and
34 really share your advice, your experience, your
35 expertise. That is really going to help the HMS
36 folks a lot to implement good policy.

37 So, with that, I will turn it over to
38 Margo.

39 MS. SCHULZE-HAUGEN: All right,
40 everybody. Thank you for coming.

41 As I have mentioned to a couple of
42 folks, I am very glad that we accurately predicted
43 the weather forecast for this week as opposed to
44 last week in D.C. I don't know what we would have
45 done for this if this was last week.

46 For those of you that come in from the
47 South, thank you for bringing the warmer sunshine
48 weather. I appreciate that.

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1 And I have made the mental note that I
2 think AP meetings should be no earlier than
3 mid-March for D.C. weather reasons.

4 I want to take the chance to welcome
5 Rick Bellavance. Rick, thanks for coming in.

6 Okay. So, this is the overview of what
7 we have been doing since the last time we met. I
8 will not be going through things that we are going
9 to cover in more detail later in the agenda. So,
10 this is kind of the big picture and things that we
11 may not be covering elsewhere. But, then, if you
12 have things you want to talk about or questions,
13 feel free.

14 Some of our statistics. Since we met
15 in September, we published three Final Rules,
16 including the Final Rule for Amendment 7 on bluefin
17 tuna, our 2015 shark specifications, and an
18 ICCAT-monitoring measure Final Rule. We also
19 published two proposed rules on Shark Draft
20 Amendment 6. We will be talking about that
21 tomorrow in-depth, as well as our 2015 swordfish
22 specs. We are in comment period on both of those.

23 We published our Draft Essential Fish
24 Habitat Five-Year Review documents as well as the
25 Final HMS Management-Based Research Priorities.

26 We supported the International Office
27 at the ICCAT meeting last year in Genoa and oversaw
28 16 workshops for protected species handling and
29 release as well as shark identification.

30 And so far, in 2015, we have issued five
31 exempted fishing permits, scientific research
32 permits; issued seven shark research fishery
33 permits; registered 78 tournaments, and we have
34 about 5,000 folks receiving our electronic news.

35 So, last year at ICCAT there were
36 several measures to enhance combating IUU, which
37 is illegal, unreported, or unregulated fishing,
38 including cross-referencing lists where vessels
39 may have been put on another RFMO's bad list;
40 tightening up access agreements, VMS requirements,
41 things of that sort that didn't require domestic
42 implementation.

43 There were multi-year TAC levels
44 adopted for both eastern and western bluefin tuna.
45 That has been the first for a couple of years.

46 The Tropical Tunas Measure was amended
47 to incorporate skipjack. There was an assessment
48 for skipjack last year, as well as a working group

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1 on fish-aggregating devices. This is a big issue
2 in the Gulf of Guinea and the Eastern Atlantic.

3 For sharks, there were several
4 measures. For shortfin mako, the measure to
5 improve domestic data collection and submitting
6 information to ICCAT was adopted, even though a TAC
7 level was not set.

8 And then, porbeagle and fins attached,
9 which have been discussed for several years, there
10 was no consensus again.

11 There were terms of reference for the
12 second meeting of scientists and managers. Dialog
13 was adopted, and there was the decision to hold the
14 Third Western Bluefin Tuna Science Manager Dialog
15 meeting in conjunction the larger science manager
16 meeting. That will be held in June.

17 For western bluefin tuna, the TAC was
18 increased from 1750 to 2,000 metric tons. This is
19 a two-year measure for '15 and '16. So, the U.S.
20 share of that increased from 948.7 metric tons,
21 including the NED, to 1,083.8, also including the
22 NED.

23 We are working on that proposed rule.
24 We expect that out in the spring, with a target
25 implementation around June 1st, when most of the
26 fisheries begin.

27 For the Eastern Atlantic and
28 Mediterranean, the TAC is increasing over the next
29 three years. There is an assessment scheduled for
30 2016. So, the 2017 TAC level may be revisited, but
31 they did decide to schedule that for now.

32 Of note is that Turkey has objected.
33 And so, that is due to a longstanding allocation
34 issue, but there is some question on what they will
35 choose to do when they set what is called an
36 autonomous quota. So, if you are interested in
37 that, I can keep you posted as it progresses.

38 And then, there was continued
39 discussion and progress on the Electronic Bluefin
40 Tuna Catch Document System. That system was
41 scheduled to come online nine days ago. But, due
42 to continue issues with development and some of the
43 international testing, the Commission decided to
44 hold off on that until it has been developed more.

45 There have been a couple of
46 intersessionals dealing with that already this
47 year, one in January and one just a couple of weeks
48 ago. And there is another one scheduled for the

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1 end of this month. So, there is quite a bit of
2 effort continuing on the final policy decisions as
3 well as the technical aspects of this system. So,
4 we are participating in that and keeping a very
5 close eye on it.

6 For the ICCAT Monitoring Control Rule
7 that published last December, something we talked
8 about last September, this rule made some changes
9 to our regulatory language to align more closely
10 with ICCAT's language about transshipment at sea.
11 It also established an updated for U.S. vessels
12 that are visiting foreign ports what they might
13 expect from those foreign countries to inspect the
14 boat, according to ICCAT's Port Inspection Scheme.

15 And the other aspect here is that there
16 is a new requirement for vessels greater than 20
17 meters -- this is all commercial vessels -- to
18 obtain an International Maritime Organization, or
19 IMO, number, as of January 1st, 2016. So, this
20 affects about 140 boats right now that do not
21 already have that IMO number. This is largely used
22 for insurance purposes, but it is a unique number
23 that is internationally recognized. And so, ICCAT
24 adopted that as its standard. This is a measure
25 to combat IUU vessels from being able to get new
26 numbers.

27 The IMO numbers are free, but there is
28 information that needs to be submitted. This is
29 the form. We had thought about whether we could
30 apply for these numbers on behalf of these U.S.
31 boats, but, unfortunately, we do not have all of
32 the information that is necessary in order to do
33 that. And so, we are working on contacting the
34 vessels that would need to get this number on the
35 process to obtain it, the requirements, so that
36 they can get the number before the deadline. So,
37 some of those boats will be hearing from us shortly.

38 For our bluefin tuna, since September,
39 our General Category had a four-fish limit through
40 the end of December. And then, we published a
41 notice in December setting the limit for January
42 at three fish. That quota is available until the
43 end of March. And so, I have a slide on landings
44 for '14.

45 And then, the Angling Category limits
46 which were in effect through December, where
47 private vessels was one school plus one large
48 school, small-medium, and then, for

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1 charter/headboats it was two school plus one large
2 school.

3 Then, we recently, under the new
4 provisions of Amendment 7 and the annual
5 reallocation for pursuing, transferred 87.4 metric
6 tons from the Purse Seine Category 2 to Reserve.

7 A quick update on the purse seine
8 exempted fishing permit from last year. This was
9 a request to gather data regarding discards of
10 bluefin between 73 and 81 inches in the purse seine
11 fishery. If you recall, this category has
12 unlimited access to giants, which are greater than
13 81 inches, but have a tolerance between 73 and 81.
14 And so, the request was to exempt them from that
15 tolerance to see if discards could be reduced.

16 We had the public comment period on this
17 last summer, ended up issuing the permit for August
18 1st through December. The results, we had a very
19 similar amount of effort, about 40 tons total
20 catch, but in '14 without the tolerance 37.6 metric
21 tons was landed and 4.2 were discarded. This is
22 about 9.5 metric tons less discards than there had
23 been in 2013, again, similar effort. And we have
24 received the same condition request for 2015. So,
25 we are considering that now.

26 So, our 2014 fishing year summary of
27 landings by category, number of fish, as well as
28 by weight, the base quota versus the adjusted
29 quota. The only adjustment here was, again, a
30 transfer to the Harpoon Category. And then, what
31 the percentage of the base and adjusted quotas
32 were.

33 You can see total by landings in the
34 second-to-bottom row and, then, including the
35 discards. We are using at this point a proxy for
36 the pelagic longline fishery. We will be getting
37 those estimates for 2014 in a month or so, maybe
38 two months, and we have the observed discards. You
39 can see overall, and then, this is also posted if
40 you want to see more details.

41 Turning to sharks, our 2015
42 Specifications Final Rule published early
43 December. All of the shark management groups
44 except the aggregated large coastal and hammerhead
45 group in the Atlantic opened on January 1. The
46 Atlantic aggregated large coastal and hammerhead
47 group will open on July 1. That was a change from
48 the proposed rule based on public comment.

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1 We adjusted the Gulf of Mexico blacktip
2 quota, based on underharvest in '14, as well as
3 adjusted the Gulf of Mexico aggregated large
4 coastal, based on an overharvest from '14.

5 And we are continuing to adjust the
6 regional blacknose quotas over a five-year period.
7 I think we are in the third year of that five-year
8 timeframe, based on overharvest in 2012.

9 We also closed the aggregated large
10 coastal and hammerhead fisheries in the Atlantic
11 at the end of November and, then, also closed the
12 porbeagle shark fishery on December 17th. And
13 they were landing sufficient that we closed the
14 fishery for the year as well for 2015.

15 So, here's new information providing
16 landings for BAYS, which are the bigeye, albacore,
17 yellowfin, and skipjack, by month. Hopefully, the
18 colors come through. You can see dominant
19 landings of yellowfin in the summer and fall, a fair
20 amount of bigeye and albacore, not too much
21 skipjack. If folks want hard copies, we have this
22 as well.

23 Here are our recreational swordfish
24 landings. So, in the last several years we have
25 been about the same level, non-tournament landings
26 in the box on the right.

27 And then, here are our recreational
28 billfish landings. You can see a lot of white
29 marlin and blue marlin. We have been well within
30 our 250 blue and white marlin, also roundscale
31 spearfish now, annual landings limit under the
32 ICCAT measure.

33 And then, for tournaments, had a big
34 uptick last year for tournaments, 2014, which was
35 nice to see. It may be a sign of better economic
36 times. And then, we are at a good pace so far this
37 year with 78.

38 And then, the International Game Fish
39 Association hosted a tournament operator meeting
40 last September. This was after the last AP
41 meeting. We had a good discussion of
42 registration, reporting, permitting. Circle hook
43 requirements continue to be discussed in this
44 community. We also had a roundscale spearfish
45 identification demonstration, which was very
46 interesting, and discussed ideas with their
47 technical developers on online reporting.

48 We are continuing to work internally on

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1 online registration. We are very close to merging
2 our two internal datasets and our beta testing and
3 online registration portal. So, we are hopeful
4 that that will be online fairly soon and that will
5 ease the process for registering, make information
6 a little more available.

7 Looking at Endangered Species Act
8 updates, we had on August 27th about 20 species of
9 coral were listed as threatened or endangered, and
10 seven of these occur in the Atlantic, including the
11 Caribbean. And so, when a species is newly listed,
12 there is some potential interaction. We are
13 required to reinitiate consultation. And so, we
14 have done so for all of our fisheries. We have
15 reinitiated consultation for the pelagic longline
16 fishery in March due to take levels of sea turtles.
17 And so, now with corals for the rest of the
18 fisheries as well as scalloped hammerhead in the
19 Western and Central Atlantic, that DPS, or Distinct
20 Population Segment, is occurring in our Caribbean
21 also because of all of those reinitiations. All
22 of the HMS fisheries are currently ongoing in
23 consultation. So, we will keep you posted on how
24 that progresses.

25 And then, there have been a number of
26 petitions to list different shark species under the
27 ESA. Dusky sharks had been petitioned for the
28 Northwest Atlantic population a few years ago.
29 That process has now concluded with the 12-month
30 determination that that population does not
31 warrant listing under the ESA. And we will go into
32 more depth on that tomorrow.

33 Currently, common thresher sharks have
34 a positive 90-day finding. So that, at the 90-day
35 mark, the finding is whether the petition has
36 enough information to warrant a status review.
37 And so, the status review is where the agency staff
38 look at the records, look at the criteria for
39 listing, and make the decision, which is the
40 12-month decision on whether to list or not. And
41 if there is a decision to list, there is a proposed
42 rule that would be issued and public comment would
43 be taken. So, we are at the first step here for
44 common thresher, saying that the status review will
45 be conducted. So, that process has started.

46 For porbeagle sharks, there had been an
47 original negative 90-day finding, meaning that the
48 petition had not presented sufficient information.

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1 There was litigation on that, and the court
2 remanded that initial finding to the agency. And
3 so, we are in the process of redoing that 90-day
4 finding, and they expect to publish that -- this
5 is the Office of Protected Resources; that is the
6 lead -- to publish that this March. We will make
7 sure that we send that out over the listserv when
8 there is news.

9 Then, I wanted to give a quick update.
10 It has been a little while since we talked about
11 the Compendium. We had discussed this with you all
12 maybe a year or so ago, which is where we are looking
13 at pulling together a reference document that
14 starts at the beginning of time and tries to
15 synthesize and summarize in one place the history
16 of management measures.

17 We have got 15 different topics that we
18 are doing to provide some organization. But we
19 think this will be a very handy reference for you
20 all as well as for us and the general public.

21 If you are interested in well-winded,
22 we implement gear requirements. You know, you
23 would be able to go and find the history of that,
24 what the original rationale was, what the measures
25 are, and kind of track an issue through time.

26 We think as people come into the
27 fisheries that would be a handy reference.
28 Certainly, HMS management predates many of us and
29 maybe a few of you. So, it would be helpful for
30 you as well.

31 So, we are continuing to work on that.
32 Alexis Jackson is our point person on that. And
33 so, our next step would be to provide that draft
34 for you all to review before we finish it up. So,
35 hopefully, we will have that soon.

36 And then, on other operational aspects,
37 we continue coordination on Fishery Management
38 Plan amendments with Councils and Commissions,
39 working with the Atlantic States Commission on the
40 Interstate Shark Plan.

41 We are continuing the Louisiana
42 Greenstick Study through this year. It hasn't
43 moved as quickly as we had hoped, but we are
44 continuing to work with them.

45 We are continuing, also, to submit
46 monthly lists to ICCAT for a variety of purposes,
47 vessel lists, bigeye lists, as well as landings
48 updates.

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1 As I mentioned, on the Electronic
2 Bluefin Catch Document System we had initially
3 combined these measures for domestic
4 implementation in with another action on the
5 International Trade Data System. The two
6 timelines have diverged. And so, we have pulled
7 out the eBCD components of that from the ITDS.
8 That is moving. That should be coming out this
9 spring. We are continuing to see the development
10 of the Electronic System internationally and
11 thinking about the best way to implement that
12 domestically, so that we are in a good place; when
13 ICCAT implements the eBCD system, we are ready to
14 go as well.

15 We are continuing to look and work with
16 the Caribbean Council on some of the closure areas
17 that they are considering. That is on hold right
18 now until the next Council meeting.

19 And then, on our Electronic eDealer
20 System, we have about 450 active dealers that are
21 submitting weekly positive and negative reports.
22 We are doing weekly complaints checks, and some of
23 these weekly systems are how we are able to provide
24 more frequent landings updates than we have in
25 years past.

26 And then, also, we will talk a little
27 bit more this afternoon about the online individual
28 bluefin tuna quota system that we have worked with
29 the Southeast Regional Office on, updating their
30 ITQ system to build in the bluefin IBQ system.

31 And so, longline permit-holders as well
32 as tuna dealers have been issued passwords. That
33 system is up and operational, and people are using
34 it. So, we will have an update on that this
35 afternoon as well.

36 On national rulemaking, the news that
37 I have for you is that the National Vessel
38 Monitoring System Final Rule came out right before
39 Christmas. It is now in effect. It establishes
40 type-approval standards, specifications,
41 procedures, roles and responsibilities. And so,
42 all of the vendors now are going through a
43 type-approval review process. The Office of Law
44 Enforcement has the lead in all of that, and we are
45 hoping that this will be the process where a lot
46 of the issues that some of you have experience with
47 vessel monitoring systems will be resolved. So,
48 we are very happy that this rule is out and is now

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1 taking effect.

2 I do not have updates for you on the
3 Billfish Conservation Act or the Shark
4 Conservation Act, national fins-attached,
5 rulemakings at this point.

6 And so, looking ahead, we have the
7 spring ICCAT Advisory Committee meeting next
8 month.

9 In May there is also the Convention
10 Working Group meeting that will be in Miami. This
11 is the third and last of this Working Group, which
12 is revisiting the actual convention, looking at
13 issues of scope, procedures for decisionmaking,
14 and, basically, updating the ICCAT Convention. It
15 is one of the oldest ones that has been in existence
16 and it is outdated.

17 As I mentioned, also, there is the
18 science manager Dialog meetings that will be in
19 June.

20 And then, this year we have bigeye
21 assessments, blue shark assessments. So, likely,
22 ICCAT measures on those species, expecting
23 continued progress on eBCD, and there is always a
24 lot at ICCAT, but I can't always predict what it
25 will be, so likely other things as well.

26 Near-term things coming from the
27 Division include the bluefin tuna quota rule as
28 well as eBCD implementation rulemaking. And then,
29 looking ahead to final rules, we would have Shark
30 Amendment 6, the final that we are looking to have
31 in place mid-summer or early fall, as well as
32 Amendment 9 on smoothhounds, March 2015; swordfish
33 specs, and then, the Final Essential Fish Habitat
34 Review. So, we will be busy this spring and early
35 summer as well.

36 And then, finally, this is the same
37 slide I have had for a number of meetings, kind of
38 our goals, my goals for the meeting. These are no
39 surprises, where I want you all to be informed and
40 engaged, to know what we are doing, what the
41 rationale is, what kind of direction we are going,
42 and that we would also know what you are all
43 thinking, that we are engaged and it is an active
44 discussion.

45 I would not want to finalize something
46 and have missed a complete issue and have a big
47 problem on our hands. So, please share your
48 thoughts, engage in the dialog/debate.

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1 We also hope that you use this forum to,
2 then, go back and inform your constituents on what
3 the actions are that we are undertaking, what is
4 happening in HMS fisheries, and bring those views
5 back to us. We see you as a conduit for your
6 communities as well. We, obviously, ensure that
7 we are complying with all of the requirements,
8 domestic, international, and then, take your input
9 back as decisions are made, so that they are
10 informed as well.

11 So, we have got, I think, a fairly-full
12 agenda, a lot of ground that we are covering. Just
13 know that we are continuing to work pretty hard.
14 You will, I think, get a sense of that through the
15 meeting on all the things that we are looking at.

16 But, then, I will look forward to your
17 input, things that you have got to tell us, the
18 good, the bad, the ugly, as I mentioned this
19 morning, and everything in between.

20 So, at that point, that is what I have
21 got. If anyone has any questions, I am happy to
22 take them.

23 FACILITATOR LEA: Rich?

24 MEMBER RUAIS: Maybe just to start
25 things off with a little good. You did mention
26 that at ICCAT 2014 several additional measures were
27 taken to combat IUU fishing. I think it is
28 noteworthy that NOAA's focus on IUU fishing and
29 elevating it as a priority, working with the
30 European Union, that at least in the Atlantic -- I
31 wouldn't dare talk about the Pacific or anywhere
32 else -- but at least in the Atlantic IUU is becoming
33 a minor issue. In fact, the only mention in the
34 SERS report on bluefin east or west is that there
35 has been a tremendous decrease in what SERS can
36 identify from looking at trade statistics as
37 potential IUU fishing. So, NOAA has done a great
38 job on that.

39 I guess I will just mention a couple of
40 other things here in case anybody else is
41 interested.

42 I didn't attend the Panel 2
43 Intersessional meeting, but I did read the report
44 which was made available to everybody, and it was
45 pretty good, a pretty good report.

46 As Margo mentioned, Turkey objected to
47 their quota and is establishing an autonomous
48 quota. And the report did have the specific

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1 figures. Their quota was supposed to be 650 tons,
2 approximately, and they announced a quota of about
3 1100-and-some-odd tons, so, roughly, about a
4 500-ton increase. And that was a great source of
5 distress to a lot of other Panel 2 members because
6 there were a lot of compromises that went into this
7 two-year future ICCAT increase in quota for the
8 Eastern Atlantic and the increase in the Western
9 Atlantic, based on the overall improvement in the
10 2014 stock assessment.

11 But many countries are crying foul
12 against Turkey. I would say the European Union and
13 Japan seem to be, according to the report, leading
14 the pack. And the measures that they are
15 considering in response to that are fairly strict.
16 Japan is looking at banning imports of Turkey over
17 the established 2014 agreement, and the European
18 Union has said, well, if you object to the 2014
19 agreement, then, technically, you are subject to
20 the 2013 agreement and that means your rightful
21 share of the quota goes back to the quota that was
22 13,000 metric tons as opposed to 16,000, which
23 reduces Turkey's share considerably. And if Japan
24 agreed with that, then Turkish exports to Japan
25 could be even greatly diminished more.

26 Anyway, it was good to read in the
27 report that ICCAT was initially or Panel 2 was so
28 intensely concerned about Turkey issuing that. It
29 was good from the perspective that, initially, when
30 quotas were first set in the Eastern Atlantic, two
31 countries had filed objections, Morocco and
32 Turkey, and now we are down to only one country
33 filing an objection. So, we are making some
34 progress.

35 I have a lot of comments on the domestic
36 program, but I will save them for when the time
37 comes.

38 FACILITATOR LEA: Any other comments
39 or questions?

40 MEMBER HUDSON: Rusty Hudson,
41 commercial, from Florida.

42 The CITES agreement, I didn't see a real
43 update on that. But we are having to work with Fish
44 and Wildlife Service trying to be able to clear to
45 taking a part of an animal, the shark fin, and being
46 able to document it, and be able to ship it
47 overseas.

48 Right now, we are having to hold

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1 everything. I am in negotiations with FWS.
2 Hopefully, they might show up tomorrow here. And
3 at the same time, we are trying to finish up the
4 protocol in order to be able to take the hammerhead,
5 oceanic whitetip, whatever -- it is mainly a
6 hammerhead issue -- and be able to ship them from
7 the country.

8 And so, if you have any advice you can
9 give me this week on how you might be working with
10 the data-gathering effort for the CITES listing and
11 how we can expedite this situation, I mean, the rule
12 has been in place since last fall. And here we are
13 still trying to find out what all we have to do in
14 order to be able to complete the business circle.

15 Thank you.

16 MEMBER BEIDEMAN: All right. Kind of
17 on the same issue regarding the shark fin, since
18 we met last, there has been a series of letters from
19 the head of NMFS to various states regarding the
20 state initiatives for shark fin bans. It seems
21 that the policy was different, that you were kind
22 of going to bat for the fishermen and standing up
23 for your own FMP. And now, it appears that you are
24 kind of saying, "Oh, it's okay. As long as the
25 fishermen land them with the fins on, then they can
26 be taken directly to the dumpster."

27 And I don't think that is optimum yield.
28 So, I am kind of disappointed to see that direction.
29 I just wanted to kind of put that out there, that
30 I don't see any big benefit to landing sharks and
31 throwing their fins in the trash. It is economic
32 loss, but, besides that, it is just a ridiculous
33 waste for no reason.

34 So, I am a little disappointed to see
35 those letters coming out. I know you didn't sign
36 them, but I am sure you had input. I think you
37 should revisit that. I think we have good shark
38 management in the United States and that we should
39 stand up for our fishermen. They are
40 federally-managed. They shouldn't be managed by
41 the states in that way, anyway.

42 Thank you.

43 FACILITATOR LEA: Any other questions
44 or comments on this?

45 (No response.)

46 We are going to move over to the
47 recreational policy. All right. So, then, we
48 will go ahead and get started with the National

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1 Recreational Policy Overview. That will be
2 Danielle Rioux.

3 MS. RIOUX: Hi, everyone.

4 I am Danielle Rioux. The last couple
5 of letters on my name are tricky. They are just
6 for flare. And I am part of the Recreational
7 Fisheries Initiative duo. The other half and
8 leader is Russ Dunn, whom many of you I am sure have
9 met or know quite well.

10 I am here today to talk about our
11 Recreational Fisheries Policy that we just
12 released. I will go over the background of why we
13 did a policy, some of the contents of the policy,
14 as well as the next steps, what we are doing next,
15 and some recent highlights.

16 I have a few of them in here with me,
17 and there are more on the table outside. This is
18 not going to make it all the way around, and I am
19 not sure if the stack outside, either, but we will
20 make sure more get over here. Sorry about that.

21 So, the impetus for developing this
22 policy really came from a group called the
23 Morris-Deal Commission, which was sponsored by
24 Johnny Morris of Bass Pro Shops and Scott Deal of
25 Maverick Boats. They created a vision for
26 saltwater recreational fisheries, and in that
27 vision document they had their No. 1 recommendation
28 as developing a national policy on saltwater
29 recreational fishing.

30 We generally agreed with that
31 recommendation. At the National Saltwater
32 Recreational Fishing Summit that was held last
33 April that many of you attended, Eileen Sobeck, the
34 head of NMFS, committed to developing that policy.

35 For a period of about four or five
36 months we went out and did scoping before we wrote
37 anything down really. We did 34 public meetings.
38 We also had everything available on the web to get
39 input through the web as well as in English and in
40 Spanish, and we had a number of webinars seeking
41 input. We actually came here to this group to get
42 input before we started drafting as well.

43 We, then, put the Draft Policy out for
44 public comment in November. That was open for a
45 bit over a month. We just released the Final
46 Policy that is going around the room in February
47 at the Miami Boat Show. So, it was a little bit
48 symbolic that that was one year from the date the

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1 Morris-Deal Commission report was released at the
2 same venue. So, it was a call and answer one year
3 later.

4 Why did we develop the policy? It
5 really institutionalizes the commitment that has
6 been made over the past couple of years to engage
7 recreational anglers and consider their belief
8 systems and priorities in agency decision making.
9 Priorities and administrations can change, and
10 writing it down and putting it into a policy
11 document will, hopefully, keep us on the same
12 track.

13 The policy will guide agency actions
14 over the long-term. It doesn't tell us how to
15 answer questions. It doesn't say that all
16 decisions will now go in the favor of recreational
17 fishermen. It really creates the tenet of them
18 having a seat at the table, similar to recreational
19 fishermen having a seat at your table here.

20 And it also gives something for the
21 recreational community to hold the agency
22 accountable to. It gives a little bit of something
23 for them to lean on us with.

24 So, now onto what is in the policy. "It
25 is the policy of NMFS to foster support, enhance
26 a broadly-accessible and diverse array of
27 sustainable saltwater recreational fisheries for
28 the benefit and enjoyment of the nation." So, that
29 is our policy statement.

30 And then, we have three policy goals.
31 The first is support and maintain saltwater
32 recreational fishing resources. The second is
33 promoting saltwater recreational fishing for the
34 benefit of the nation. And the third is enabled
35 and varied participation in saltwater recreational
36 fishing through science-based conservation and
37 management.

38 So, these three goals sort of cover the
39 sustainability aspect, that we want the fish stocks
40 to be sustainable for generations in the future,
41 as well as the access component, by promoting the
42 fishing effort.

43 Then, to help us meet those goals, we
44 have guiding principles. I will try to go through
45 them somewhat quickly because you can read more
46 about them in the actual document.

47 The first is supporting ecosystem
48 conservation and enhancement. This is the bin

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1 that covers habitat restoration as well as
2 conservation and habitat enhancement such as
3 artificial reefs. It also covers best practices
4 and use for anglers.

5 Our second guiding principle is to
6 promote public access to quality recreational
7 fishing opportunities. The kind of activities
8 that we see helping us meet that guiding principle
9 are working on barotrauma and descending devices
10 and, then, incorporating those conservation gains
11 back into fisheries management, as well as
12 reoccurring evaluations of allocations.

13 The third is coordinate with state and
14 federal management entities. This is really
15 something that we have heard a lot from the
16 community, that the states do it better with regard
17 to not necessarily HMS, but in general shorefishing
18 and outreach. So, we are going to work with the
19 states and hope that they will partner with us, so
20 that we can learn from them on how they do business
21 and why it is better.

22 The fourth, advance innovative
23 solutions to evolving science management and
24 environmental challenges. This is the idea of
25 using electronic reporting and acoustic arrays for
26 surveying reef areas that you can't trawl over. It
27 is that sort of next-step, next-generation
28 science, as well as next-generation management.
29 How can we use our tools differently to increase
30 the satisfaction of anglers?

31 The fifth is provide
32 scientifically-sound and trusted social,
33 cultural, economic, and ecological information.
34 This is the idea of continually improving and
35 building upon our already world-class science, and
36 we like to do so in a cooperative way, continuing
37 the Cooperative Research Program as well as other
38 grants that go out to universities and other
39 constituents.

40 And the final guiding principle is to
41 communicate and engage with the recreational
42 fishing public. This is sort of what our little
43 initiative is all about. It is about going out and
44 talking to anglers and hearing their concerns,
45 trying to speak in plain English, communicating
46 regulations simply. And we are looking to engage
47 and expand our regional forces to do that as well.

48 So, next steps. That sort of summed-up

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1 the policy. It is not a long document.
2 Hopefully, you will have the opportunity to skim
3 through it at least. Although it doesn't say much,
4 what it says we mean. And to show that, we are
5 going to put out an Implementation Plan. When we
6 release the policy, Eileen Sobeck committed that
7 we would have an Implementation Plan out in 60 days.
8 So, we are working on developing that. That means
9 it will be out in April.

10 That Implementation Plan will be a
11 little bit more "nuts and bolts-y" of how we are
12 going to meet those guiding principles, what are
13 the kinds of projects we are going to do.

14 Then, next year there will be regional
15 implementation plans for each region of the country
16 as well as a highly-migratory-species-specific
17 plan.

18 And then, in 2017, we anticipate giving
19 us a status update, telling everyone where we are
20 with the projects that we have committed to.

21 Here are just some recent highlights
22 that sort of give a little bit of a tangible beat
23 to what we mean by changing the way the agency looks
24 at saltwater recreational fishing.

25 One is the Competitive Grant Program of
26 the SK Grants, which I am sure everyone is familiar
27 with. This year there was an opportunity for \$18
28 million in grants. They are all still in process,
29 I believe.

30 But this was the first year that
31 recreational fisheries was a priority area. So,
32 it was the first time that the angling community
33 had the opportunity to apply for any of those funds
34 to do research, and \$18 million is a lot of money
35 to all of a sudden have the door open to. So, that
36 is the kind of thing that we are working on
37 regularly, to open those doors.

38 Another one is the recreational
39 economic information. That is one that we are
40 always trying to build, both for commercial and
41 recreational, but we have a lot of voids in the
42 recreational side. One was just filled. The
43 results will be coming out early summer.

44 We did a bait and tackle shop survey.
45 For the first time, the economic impact of bait and
46 tackle stores has been assessed. So, that is
47 exciting and that is something that can go into our
48 models.

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1 With that, I am happy to answer any
2 questions. You can see that Russ' email is up
3 there. You are welcome to contact him as well.

4 MEMBER IWICKI: My thing flipped over
5 there, so I can't raise it on the table here.

6 FACILITATOR LEA: All right, Pat?

7 MEMBER AUGUSTINE: Thank you. A great
8 presentation.

9 As you all know, I was very critical of
10 this policy last year. I am a little different
11 critical now. I think it is a great step forward
12 that you have outlined where we are going and what
13 we are going to do with it.

14 I notice one of the plans is to
15 integrate or work with both state and federal. I
16 guess that assumes ASMFC on the Atlantic Coast and,
17 then, the Councils, all seven or eight of them that
18 affect recreational anglers.

19 I guess I am asking a question that is
20 out there that needs to be answered eventually.
21 Will you have a seat at the table, similar to Fish
22 and Wildlife, and/or is it the intention of this
23 organization, of this group, to actually supply
24 background, so a, quote/quote, "better decision"
25 is made by Councils and Commissions relative to
26 either, one, quota-setting or just giving
27 information to the Councils to look at as another
28 block of information that needs to be considered
29 at the table?

30 It is a lot of questions all wrapped up
31 in one. I am kind of looking forward to seeing how
32 this would fit into the existing system we have
33 where, when input around the table to the Technical
34 Committee and the groups that actually put together
35 the direction, we are going for quotas and that sort
36 of thing occur. So, can you help me with any of
37 those questions?

38 MS. RIOUX: Sure. I can try.

39 With regard to seats at the table, we
40 don't see any of that changing. But we have a seat,
41 NMFS has a seat at all those tables.

42 We are constantly trying to build the
43 body of information given to the SSCs. A little
44 highlight of what you may see in the Implementation
45 Plan is the creation of new training modules on
46 socioeconomic data specifically. We are working
47 on how to get that better integrated through the
48 Council process, as well as shifting the perception

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1 that it is not integrated at all to begin with,
2 because it is. But there is always room for
3 improvement on that.

4 We have had a number of calls recently
5 with Atlantic States Marine Fisheries Commission
6 to see how we can partner better. We are trying
7 to choose topics and areas to work with them
8 specifically to make the "how do we make this
9 better?" a little less daunting.

10 So, I think stay tuned. Definitely,
11 those are the arenas that we are looking at, how
12 do we make this better. We are happy to hear, if
13 you ever have any ideas, we are happy to hear them.

14 MEMBER AUGUSTINE: Thank you. That's
15 very helpful. I appreciate it.

16 FACILITATOR LEA: Okay. Steve? And
17 then, Mike.

18 MEMBER IWICKI: Steve Iwicki,
19 recreational.

20 First off, the rec community
21 appreciates the efforts and the chance to comment.
22 I know some of my personal comments were
23 incorporated into the final version. So, I saw
24 those changes.

25 Three questions and, then, a little
26 follow-up. Approximately how many responses did
27 you receive from the draft version? And what do
28 you feel was the most significant change, based
29 upon the comments you received?

30 MS. RIOUX: Okay. I think I read every
31 comment, and it was 100 pages of size 6 font.

32 (Laughter.)

33 But I didn't count them, and that is
34 something that I should have done. That would have
35 made me feel better about it, I'm sure.

36 The most significant change that we
37 made was we made it more specific. I think that
38 the Draft went out more with just the principles
39 and not with what we meant by that. We made an
40 effort to make it more specific and more
41 transparent about what exactly we were talking
42 about, so that everyone was on the same page.
43 Because we got a lot of feedback saying, "This seems
44 kind of vague." And we tried to make it more
45 specific.

46 MEMBER IWICKI: Okay. I was about
47 three pages of that.

48 With the Implementation Plan, will that

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1 be available for comment before it is released?
2 And can you give us an idea of what we will see in
3 it?

4 MS. RIOUX: It is not going to be
5 available for comment before release, but we are
6 certainly always open to ideas. Part of the 2017
7 report out on what we have done will also likely
8 to an incorporation of new things. So, there will
9 be that two-year period of like "What you have
10 outlined looks good, but you are really missing the
11 mark. We need work done here." That is when we
12 can incorporate that, but on a 60-day turnaround
13 it is not really feasible.

14 I think that I don't know that anyone
15 will be really surprised by the types of projects
16 that are going to be in it. I think that everyone
17 will be pleased. They are really tied to what is
18 outlined in the policy. Everything stems from
19 those guiding principles, and all of the offices
20 of NOAA Fisheries, not just the Rec Initiative,
21 have brainstormed and come up with and committed
22 to. It is not just projects the Initiative is
23 going to do, by any stretch.

24 MEMBER IWICKI: Okay. And then, the
25 last question. You know, communications was a big
26 part of what we want to see in it, and I think you
27 went the first couple of steps toward that. I
28 mean, how do you see this policy enabling better
29 communications with the recreational community to
30 overcome the mistrust, basically, on the health of
31 the fisheries?

32 MS. RIOUX: I think that by putting it
33 in a document as well as engaging more at the
34 regional level, our hope is that those
35 relationships will continue to build.

36 I feel as though we hear regularly that
37 at the national level the trust is starting to come
38 back. We are never going to agree on every
39 decision made everywhere, but at least people
40 think, I hear that people think we sort of have
41 their back and that we are considering them.

42 At the regional level we don't hear that
43 yet. So, our focus is going to be shifting a little
44 bit potentially to working more with the regions
45 and seeing how we can improve things at a more local
46 and regional level.

47 MEMBER IWICKI: Okay. Well, thanks.
48 You know, I'll tell you the general

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1 theme that I heard from the people I have talked
2 to that reviewed the Final Policy was you are still
3 talking at us, not listening to us. A lot of that
4 has to do, ties into the MRIP issues of the data
5 and things like vessel reports not being counted
6 towards the quota and not doing the mobile apps to
7 do catch reporting.

8 You know, the fact that MRIP said the
9 State of Maryland had 348 sea bass caught in all
10 of 2014, when one charter/headboat captain said,
11 "I've reported three trips I exceeded that, and all
12 of it was in my vessel reports."

13 There's a lot of stories like that I can
14 share with you offline. If you have got a chance
15 to sidebar over lunch, I would love to talk to you
16 in a little more detail and give you some data I
17 have collected as well.

18 MS. RIOUX: Sure.

19 FACILITATOR LEA: Thank you, Steve.

20 All right, Mike and, then, Bob.

21 MEMBER SISSEWINE: Yes, thank you,
22 and thanks for the overview of the policy.
23 Certainly, a policy is a positive thing.

24 But I have to admit that my reaction is
25 still it is not very specific, even if is more so
26 than the previous versions. And I am not saying
27 this because I am a recreational fish advocate or
28 a commercial advocate, or anything else. It is
29 just I'm reading it.

30 When I read the principles, most of them
31 apply equally to anything. I mean ecosystem
32 issues apply to commercial and rec and every other
33 interest. So do science issues, and so on. Those
34 that do specifically mention recreation, we could
35 substitute the word "commercial" and it would
36 probably equally apply.

37 So, they are all good principles, but
38 they don't really drive significant change, in my
39 view. I guess perhaps my reaction of some
40 skepticism is colored by a lot of experience.

41 I remember when I became the Director
42 of the Northeast Fishery Science Center 25 years
43 ago being told I needed to hire a recreational
44 fishing coordinator to address the policy that was
45 being developed at that time.

46 So, you really do need, if you are going
47 to get the confidence of people, to really have
48 something of substance that says what is going to

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1 be different.

2 I would like to make a comment that
3 might seem just totally preposterous in that
4 regard, but I do think it has some merit. My first
5 realization that the National Marine Fisheries
6 Service wasn't the old Bureau of Commercial
7 Fisheries -- I happen to be old enough to remember
8 when the transition occurred -- was when the
9 Magnuson Act was being implemented, again, 40 years
10 ago when I was a young scientist, believe it or not,
11 and several of us were involved in developing the
12 guidelines for how to implement the Magnuson Act.
13 The Recreational Fishing Coordinator of the agency
14 at that time, who happened to be Dick Stone, who
15 later became the head of HMS, came to us in Woods
16 Hole -- and pardon my language -- basically,
17 bitched about us ignoring recreational fishing in
18 developing the guidelines for the Magnuson Act.

19 The result of that was that there was
20 a quota put in place for codfish in the Northeast.
21 It is the first regulation under the Magnuson Act
22 about recreational fisheries, which isn't exactly
23 what anybody wanted to see happen.

24 My point of this story is that,
25 basically, recreational fisheries, marine
26 recreational fisheries in this country are managed
27 under an act that clearly no one who wrote really
28 envisioned was going to be widely applied to
29 recreational fisheries.

30 If somebody was writing an act to manage
31 the recreational fisheries in the Great Lakes, I
32 doubt it would look like the Magnuson Act. So, I
33 think the agency really should think pretty
34 carefully about what makes recreational fisheries
35 management and the science, the issues of
36 collecting recreational statistics, different
37 from commercial, and decide whether there is a path
38 that can actually in a positive way recognize some
39 of those differences, recognizing you are still
40 working within the same legal framework, but at
41 least address the issues from that perspective,
42 rather than what we did 40 years ago which said,
43 "Dick Stone, you're being a pain in the ass. We'll
44 just put a quota on codfish."

45 MS. RIOUX: Thanks for that.

46 FACILITATOR LEA: Thanks, Mike.

47 Bob?

48 MEMBER HUETER: Yes, thanks.

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1 Bob Hueter, Mote Marine Lab.

2 I am just curious about something in the
3 wording of this. I looked through the longer
4 document. I remember Pat's criticism at the last
5 meeting, and I think I remember him saying that the
6 one thing he didn't see anywhere at the last meeting
7 was education.

8 Although there are aspects of education
9 in this summary and the longer document, the word
10 is never used. Is there a reason for that?

11 MS. RIOUX: No. That is just version
12 control.

13 MEMBER HUETER: This isn't like a
14 Florida Governor says we can't use the words
15 "climate change," right?

16 (Laughter.)

17 MS. RIOUX: No. No, no, no.

18 MEMBER HUETER: But education is the
19 purview of another agency. It is just odd that the
20 word is never used. I have done a search and I
21 don't see it.

22 Certainly, as Pat pointed out the last
23 time, there is a huge need for educating the
24 recreational fishing public. You can look on
25 social media and see abuses all over the place.

26 So, I would encourage to be forthright
27 with that term and have that in the policy manual
28 and throughout the guiding principles as well as
29 the activities.

30 FACILITATOR LEA: Thanks, Bob.

31 Okay, Pam and, then, George.

32 MEMBER DANA: Thank you, and thank you
33 for the presentation.

34 My comments kind of follow along with
35 Michael's and the gentleman to my right over here.
36 You know, what we hear -- I sit on the Gulf Council
37 and I have a charter fishing boat operation; I also
38 do some commercial fishing, but, in general,
39 represent the recreational fishery -- we hear a lot
40 from the recreational folks about they really want
41 better data collection. I know that that
42 ultimately is the goal. However, I don't see in
43 the policy over the years that it gets presented.
44 I don't see it being specific about how do we better
45 collect the data.

46 Specifically, we are still doing
47 phonebook surveys. Some of the ways that the data,
48 the surveys are collected from the fishermen coming

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1 in, you know, we are doing it at public docks
2 perhaps or marinas, but what about the private guys
3 that are going back to their home docks?

4 You know, we haven't incorporated a lot
5 of the real ways to collect the data properly. It
6 would be nice if the policy itself concentrated on
7 more specifics on how we can refine that whole
8 process to get good data.

9 Thanks.

10 MS. RIOUX: Okay.

11 MEMBER DANA: Oh, and also, the mail-in
12 surveys, I mean, we are given two months for folks
13 to return those surveys, maybe a month. But,
14 anyway, a month after you went fishing, it is kind
15 of hard to remember the facts.

16 So, anyway, just more specifics, more
17 refinement.

18 MS. RIOUX: And I think that you will
19 see some of those specifics on the science side in
20 the Implementation Plan that is more
21 project-specific. I think the policy leans more
22 on the idea of innovation and that we are looking
23 to innovation and technology and mobile electronic
24 sort of ways.

25 And then, what we mean by that and what
26 specific projects and activities we are thinking
27 will be in the Implementation Plan. So,
28 hopefully, you will see what you are looking for
29 there.

30 FACILITATOR LEA: Thanks, Pam.

31 George?

32 MEMBER PURMONT: Yes, thank you very
33 much for your presentation.

34 Under your guiding principles, you say,
35 "Support ecosystem conservation and enhancement;
36 restoration, conservation, and enhancement of
37 habitat."

38 Under your definition of habitat, is it
39 inclusive of the food chain, such as bait fish,
40 squid, et cetera?

41 MS. RIOUX: I don't know if I am
42 comfortable talking about how we would define it.
43 But, within the context of that guiding principle,
44 we also do talk about hatcheries and bait fish, et
45 cetera. We also talk about the conservation of
46 forage fish. So, it is within it; it is just not
47 what was pulled out, I think, for the slide. It
48 is covered.

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1 FACILITATOR LEA: Thanks, George.
2 Any other questions or comments?
3 Steve?

4 MEMBER IWICKI: Yes, I think the one
5 last thing I would say from the community I have
6 been talking with is, if you can't solve a way to
7 let the for-hire captains and the recreational
8 anglers provide their data and let it count, you
9 are not going to succeed. You are not going to
10 rebuild the trust, and you are going to see
11 something like "save the flounder" all over again.
12 There are already talks of that movement starting
13 up again.

14 But there are some apps out there.
15 There is a captain up in Rhode Island who already
16 has a mobile app for catch reporting that they have
17 been using up there.

18 If you can't get past the hurdle of
19 their voice counts from the field, all those
20 fishermen out there are sensors for catch data.
21 That is how you get their trust going and get to
22 a better future for us. Because, right now, all
23 that does is fan the fire of we don't get a voice
24 in what is said.

25 We are the ones who are on the water
26 every day. We are the ones who can tell you how
27 many boats are out there, things like that. So,
28 I think that is the most key element of the
29 Implementation Plan.

30 And, honestly, I find it hard to
31 believe -- 60 days was a target somebody announced
32 to do the Implementation Plan -- but I find it hard
33 to believe you are going to hit a home run and
34 publish in 30 days from now, which is really where
35 your suspense is. So, I think you ought to really
36 consider taking a re-look at it and putting it out
37 for online comments.

38 MS. RIOUX: Thanks for that.

39 FACILITATOR LEA: Thanks, Steve.
40 Jeff?

41 MEMBER ODEN: As a commercial
42 fisherman, it is kind of viewing a few reallocation
43 initiatives, you know, through the various
44 Councils. It is kind of hard not to look on this
45 with a serious case of suspicion.

46 I would just like to make the point that
47 the consumer is involved in this, too, you know.
48 Essentially, I see in our case, in many cases of

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1 fisheries that I have been involved with, I am
2 seeing myself be diminished. The efforts of this
3 initiative, considering some of the players
4 involved, really do concern me and many of us in
5 the fishing community, commercial fishing
6 community.

7 I just want to comment one other thing.
8 A hundred percent of this nation is consumers, too.
9 Anyway, I just want to throw that out there.

10 MS. RIOUX: Sure. And I don't
11 necessarily think it will allay your fears by any
12 stretch, but the policy talks to revisiting the
13 allocation. It doesn't say which way any of the
14 revisitations should go.

15 MEMBER ODEN: Thank you.

16 FACILITATOR LEA: Thanks, Jeff.

17 We have Andrew and, then, Andre.

18 MEMBER A. COX: I know there is a little
19 bit of the recreational community that I have
20 talked to post-Miami-Boat-Show is a little let down
21 by this document. It is very brief, and I don't
22 know if you guys rushed it to try to hit that
23 one-year mark after the Morris-Deal report was last
24 year, just like you are trying to hit the 60-day
25 mark that was announced at this year's Miami Boat
26 Show.

27 But I encourage that with this
28 Implementation Plan that you do open it for public
29 comment because I feel that this is very general.
30 There is nothing in here that the recreational
31 community -- if I am looking at it as a recreational
32 guy who picked this up online or got handed at the
33 dock, there is nothing here that really says this
34 benefits me as recreational fisherman. It is
35 still really talking to the top of the trees.

36 As a consumer, I don't see them really
37 buying into it. As you guys are trying to gain more
38 trust in that community, personally, it is not
39 doing much.

40 I do hope that maybe you can get an
41 extension after this meeting or, if we need to rally
42 support to get an extension of that Implementation
43 Plan to get public comment on it, I think it is very
44 important.

45 And education of the recreational
46 anglers is important as well. It is echoed through
47 so many of the communications we have leading up
48 to that.

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1 And then, one question was, it is
2 implementation of communication. How are you guys
3 going to do that in the Goal 6? I mean, what is
4 your overarching? Is it going to be very broad,
5 like I don't know, we are going to publish an
6 advertisement in a magazine? Or how are you guys
7 aiming to communicate better and more effectively
8 with the recreational community?

9 MS. RIOUX: We are looking to do it
10 across the board. There are a number of offices
11 that are creating specific communication plans for
12 the recreational community. We are expanding,
13 potentially looking at expanding our online
14 presence for anglers, developing resources,
15 working in partnership with mobile developers.

16 There is sort of a large gamut of ideas
17 that are on the table right now. Where everything
18 will shuffle out by the time we publish a plan, I
19 don't know, but it is certainly one that is seen
20 as low-hanging fruit almost. Like it is pretty
21 easy to go out and talk about what you do. It is
22 more difficult to change what you do. So, I think
23 that you will, hopefully, see a change in the
24 future. It is something that we are working on.

25 FACILITATOR LEA: Thanks, Andrew.

26 We have Andre, Pat, and then, David.

27 MEMBER BOUSTANY: Several speakers
28 have mentioned the desire for better reporting and
29 better use of recreational fishing stats and
30 landings data. I just wanted to give the
31 scientific view of that, what that actually
32 entails.

33 Catch data alone, especially
34 incomplete catch data where not everyone reports
35 everything that they have landed, is of limited use
36 for scientific purposes, either in stock
37 assessments, which is the main use of these things,
38 or just general fisheries trends.

39 Which is why with the commercial data
40 we require logbooks and other things that are very
41 specific about how the fishing was done, where it
42 was done, whether or not you caught anything. So,
43 reporting effort in addition to catch, which is why
44 those data are used much more frequently in things
45 like the stock assessments.

46 So, just requesting that more
47 recreational data be used is not really an option
48 unless the amount of reporting, the reporting

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1 requirements, are really brought in line with what
2 we now require of the commercial fishing industry,
3 which I think you would have a rebellion on your
4 hands if you proposed something like that.

5 So, just to be aware of it is not that
6 people don't want to use recreational fishing data.
7 We would love to use it, especially in some of these
8 fisheries where recreational landings are the bulk
9 of the landings of the fishery. It is just very,
10 very hard to do from a scientific standpoint unless
11 the data are recorded and reported with a precision
12 that we currently require of the commercial fleets.

13 FACILITATOR LEA: Pat? And then,
14 David. And then, Rich, Terri, and then, Scott.

15 MEMBER AUGUSTINE: Thank you. I will
16 try not to step all over my tongue.

17 A lot of good comments were made around
18 the table. But I want to go back to the basics.
19 This is a what you want to do, what we should be
20 doing. There are a couple of points as to what is
21 being done in terms of interactive with other
22 organizations and looking at data, and so on.

23 The real question that has to be
24 answered is, how is it being done. The vessel trip
25 reports, I know in the State of New York they don't
26 have anybody to do it, review them.

27 We have got years and years and years
28 of books, guys diligently filling out these books,
29 and they sit there. We have tried to implement a
30 Saltwater Registry. Because it now is free,
31 people say, "Why do I have to register?"

32 So, in terms of getting more
33 information, it just seems to me we are faced with
34 two or three major dilemmas. One, people still
35 talk about the transition from MIRS to MRIP. By
36 and large, 90 percent out of 100 percent say it is
37 the same old garbage in, garbage out because they
38 don't believe that the basic formula for
39 calculating what the actual harvest is, and so on,
40 has really been updated. It is just a different
41 spin on some old data.

42 So, it just seems to me we have talked
43 about credibility, a very good point down at the
44 other end of the table there. How do you get the
45 credibility back? In general, if we are going to
46 have recreational effort and policy, should we not
47 be looking at more fish instead of less fish, stop
48 quota setting on an annual basis, go back and look

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1 at rolling quotas? Maybe that should be an option.

2 In this policy document we should be
3 looking at, is there a better way to make sure you
4 consistently have "X" number of fish per day with
5 a season about so long on a regular basis? People
6 like consistency. In today's day and age, if it
7 is not right, I don't like it, I will discard it
8 and I will go on to something else.

9 We find fishing on such a strong decline
10 or such a steep decline in Long Island. You can't
11 get kids to go fishing. Why? Rules and
12 regulations are too complicated. Parents don't
13 even want to take them fishing. So, they play
14 soccer. They do something else.

15 So, it just seems to me that this is a
16 great document. It is a motherhood statement, as
17 I have said before. I won't demean it because a
18 lot of work has gone into it.

19 But, until we come up with a how to do
20 it better, this is nothing more than just another
21 document we are going to look at for a while. I
22 hope the next step in your policy development
23 includes looking at what can we do differently with
24 this MRIP program. How can we clarify it, so that
25 it is more meaningful and people will grab onto it?

26 Our regulations in ASMFC have changed
27 so dramatically for all the species of fish we are
28 fishing on in the Mid-Atlantic; people will finally
29 say to me, "To hell with it. I'm just going
30 fishing. I'm going fishing. If I can only keep
31 two fish, to hell with it. Let them catch me."
32 That's the comment. The word "hell" is used all
33 the time. "Catch me if you can catch me."

34 It is just frustrating that we have all
35 of this ability, all this data collection, and it
36 just sits there in a pile. Rick Bellavance has
37 worked on a program, a computerized program, for
38 charter boat captains. I don't know where that is.
39 I thought the effort he put into that was absently
40 astronomical, a simple program. Is it being
41 accepted? Is it being forwarded? Don't know.
42 It fell into a big hole.

43 So, that is where the frustration is,
44 and it is the believability of what we are doing,
45 what we are trying to accomplish. We want people
46 to buy into what we are doing, to make sure our
47 species of fish that we are fishing on are here
48 forever.

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1 But we are not delivering the goods.
2 We are not delivering a product that is simple to
3 see, simple to look at, simple to grab, simple to
4 accept and be a part of it. And somewhere in the
5 communication we have lost the business about
6 getting up at four o'clock in the morning, getting
7 down to the dock, getting on a vessel, watching the
8 sunrise with your kids and significant others, and
9 saying it's a glorious day.

10 Now it is a matter it cost \$150 or \$200
11 to go fishing, and you hope you will catch a sea
12 robin or two, and people won't eat sea robins, or
13 spiny dogfish, and they taste good, too. To go out
14 for a day and come back home and say, "Gee, what
15 did you do?" "Well, I should have went to play
16 soccer."

17 So, I think that is the problem. We are
18 not communicating the right message. We are
19 putting out -- and again, please, I don't mean to
20 demean this -- we are putting out glorious
21 documents, spending a whole bunch of money, again,
22 with a tabletop piece that really it doesn't give
23 us the message we need to get.

24 So, how do we get at developing a data
25 stream that is believable, that is not so
26 complicated, that the average person can look at
27 and accept it, and say, "Wow, this is great. I want
28 to buy into it," like we did with circle hooks? Get
29 away from J hooks.

30 So, that is my peace for now. I won't
31 demean anymore. Thank you.

32 MS. RIOUX: Thank you.

33 FACILITATOR LEA: Okay. So, we have
34 quite a few people in the queue that I wanted to
35 get to as well.

36 David?

37 MEMBER KERSTETTER: Thank you.

38 I will say, Pat, that I take my kids out
39 fishing, but, like all of us around the table, I
40 am probably a little bit biased in that regard.

41 A couple of quick points. I would like
42 to second Bob's concern about the lack of education
43 and outreach. I will say from personal experience
44 I am a weighmaster at two reactional tournaments
45 in South Florida now. And the anglers and their
46 kids are desperate for that sort of outreach and
47 information.

48 I know I work closely with the IGFA, and

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1 they have lots of children's education and outreach
2 programs, as well as to the adult anglers. I would
3 suggest that (a) that focus be included in this
4 document. But, absent that at this point, you
5 should at least continue those partnerships going
6 with IGFA and other organizations.

7 The other thing I will say, in full
8 disclosure, I did apply for an award from S-K this
9 year. That \$18 million was not just to
10 recreational fisheries.

11 MS. RIOUX: No, no, no.

12 MEMBER KERSTETTER: It was to S-K as a
13 whole.

14 MS. RIOUX: Yes, that was the access
15 to --

16 MEMBER KERSTETTER: So, just to
17 clarify that aspect.

18 MS. RIOUX: Yes.

19 MEMBER KERSTETTER: I do appreciate
20 that that money was in S-K this year because it
21 hasn't always been there. There have been some
22 years with no S-K funding at all. But it was mixed
23 in with the usual set of commercial priorities. If
24 the agency really wants to dedicate funds towards
25 research with recreational fisheries, it should
26 include that, either explicitly as a separate award
27 or at least set aside part of that S-K money just
28 for those fisheries.

29 Thank you.

30 FACILITATOR LEA: Thanks, David.

31 Okay. Rich, Terri, and then, Scott.

32 MEMBER RUAIS: I just wanted to back up
33 the comments of those who suggested that the
34 importance of forage fish in the recreational
35 policy is really critical. In this document, to
36 be relegated to a bullet is probably inadequate.
37 It really probably should be a section unto itself.

38 All of our, not just recreational
39 fisheries, but some of our commercial fisheries
40 like bluefin fishery are absolutely dependent upon
41 some of the industrialized like the herring fishery
42 in New England or the menhaden fishery elsewhere.
43 Without the role that they play as forage for
44 recreational and commercial fisheries, you could
45 have very significant impacts upon those
46 recreational and commercial fisheries, obviously.

47 The other thing I wanted to point out
48 is there is a problem, though, in trying to get the

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1 ecosystem management, and there's a few scientists
2 in the room who could speak to this better than me.
3 But there is going to eventually need to be some
4 changes to the Magnuson Act if we really are going
5 to get to ecosystem management.

6 It is just incompatible to be having
7 efforts to restrict commercial takes on certain
8 fish like dogfish, for example, to make sure it is
9 extremely high to meet a reference point in the
10 Magnuson Act, when in reality it is doing an
11 incredible amount of damage to recovery and
12 rebuilding of a fishery as important as codfish in
13 the Gulf of Maine and other fisheries. I think
14 there are serious impediments in Magnuson right now
15 that need to be addressed if you want to get on with
16 serious ecosystem management.

17 FACILITATOR LEA: Thanks, Rich.

18 Terri and, then, Scott. And then, we
19 are going to go ahead and break for lunch.

20 MEMBER BEIDEMAN: Just a couple of
21 points. I believe the last time we were here there
22 was some conversation about concern with the survey
23 protocols with regard to the MRIP and the outputs
24 because of the way they were doing phone surveys,
25 that it might be significantly underestimating
26 catches. So, I didn't want that to get lost. It
27 is important to have accurate catches. And how
28 they do that will help with the buy-in that everyone
29 is talking about.

30 We must require everybody who is
31 partaking of the nation's resources to be
32 responsible. You know, I come from a time where
33 certain recreational sectors, you know, they
34 weren't going to get a permit because it was a tax.
35 We should be well past that. They have to
36 participate in, I would think, providing
37 scientific data and complying with all the rules,
38 so that we can increase our understanding. So, it
39 is a responsibility, not just a pastime and
40 business.

41 So, I just wanted to remind I believe
42 that I heard that either here or at a different
43 meeting. Hopefully, that can get cleared up.

44 Thank you.

45 FACILITATOR LEA: Thanks, Terri.

46 MS. RIOUX: Sorry. I don't work for
47 the MRIP program and I can't talk specifics, but
48 I hope that everyone is aware that they were in the

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1 process of testing a new way of doing effort
2 surveys, shifting gears back to what sounds like
3 an old-school way of doing things, but, actually,
4 sending hard mail copies of the surveys versus the
5 Coastal Household Telephone Survey. And we are
6 working with Gallup to try that, running those
7 side-by-side this year.

8 FACILITATOR LEA: Scott? And then,
9 Ernie, who promises me it is a short one. Scott?

10 MEMBER TAYLOR: So, I thought I was
11 going to get the last word.

12 (Laughter.)

13 I would have preferred it to have been
14 on Amendment 7, but that didn't happen, either.

15 So, yes, I have been doing this for a
16 better part of 40 years, and I thought I had most
17 of the answers here recently, until I joined the
18 AP. And then, I realized that I didn't have any
19 of them.

20 But something that Bill Gerencer
21 actually said several meetings ago kind of stuck
22 with me when we were talking about division of
23 interest between the commercial sector and the
24 recreational sector, and how important it is that
25 there really not be those divisions.

26 And I think this is one area -- and
27 Andre's comment kind of scares me to death -- but
28 this is one area where the commercial sector and
29 the recreational sector have got to come together
30 because, by numbers, the recreational effort out
31 there far exceeds the commercial effort. And
32 there's a lot of different examples of that. It
33 may not always be all of the HMS species, but
34 certainly in a great deal of them.

35 And the importance for all data and all
36 effort to be taken into consideration by this
37 agency is absolutely paramount. To take the
38 position that the recreational data that you are
39 getting is unreliable, and therefore, not include
40 that in efforts in setting allocation and quota and
41 effort, and all the other things that we see, it
42 is just really an untenable position.

43 You know, the recreational sector and
44 the commercial sector don't necessarily always
45 agree. At the end of the day, it is up to this
46 agency to mitigate and to make the final decision.

47 But, with technology that we have
48 today, I can't imagine moving forward without

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1 having all data being taken into serious
2 consideration when things are being done, whether
3 or not it is with the tuna effort or whether it is
4 a recreational effort with the bluefins or whether
5 it is the red snapper effort in the Gulf. By
6 numbers, those people far exceed the take, I think.

7 That is really my points.

8 FACILITATOR LEA: Thanks, Scott, and
9 sorry you didn't get the last word.

10 The last word goes to Ernie.

11 MEMBER FOSTER: Okay. I did not plan
12 on making many comments when Rom told me I would
13 take his place briefly, but this issue -- and
14 apparently, North Carolina has become the guinea
15 pig.

16 Two weeks ago, the charter/headboat
17 industry was informed that it was State law that
18 we would have logbooks. And FYI, it has created
19 some mild consternation, to say the least.

20 The notion that the recreational
21 sector, which I consider a working waterman sector
22 and not recreation -- I operate a charter business
23 that my father started in the late thirties. So,
24 I have been at it a while. I don't consider myself
25 a recreational fishermen.

26 The notion that we are going to collect,
27 quote, "recreational data" from only a portion of
28 the recreational industry, and the rest of it just
29 be left alone, has created a tremendous amount of
30 aggravation that is ongoing now in North Carolina.
31 I think it would be worth being aware of that as
32 you move forward.

33 Thank you.

34 FACILITATOR LEA: Thank you very much.

35 All right. So, we are going to go ahead
36 and break for lunch. We have an hour and a half
37 for lunch. The plan is to reconvene at 1:30. So,
38 we will see you then.

39 (Whereupon, the foregoing matter went
40 off the record at 12:04 p.m. and resumed at 1:33
41 p.m.)

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43
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45
46
47 A-F-T-E-R-N-O-O-N S-E-S-S-I-O-N
48 (1:33 p.m.)

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1 FACILITATOR LEA: All right. Welcome
2 back. I hope everyone enjoyed their lunch and the
3 delicious cookies that Pat brought over. I don't
4 know if I see him in the room. We will have to thank
5 him again when he comes back. They were very
6 delicious.

7 We have also had a few people join us.
8 Over lunch they have arrived. So, I just wanted
9 to take a minute to introduce those folks.

10 I think it is Stephen Linhard. Do you
11 want to go ahead and tell us where you are from?

12 MEMBER LINHARD: Hi. I'm Steve
13 Linhard from the Mid-Atlantic Council. I live in
14 Annapolis and fish out of Ocean City, Maryland,
15 mostly a recreational fisherman.

16 FACILITATOR LEA: Thank you.

17 We also have Shana Miller. Oh, there
18 you are. Hello.

19 MEMBER S. MILLER: Yes, I am to the
20 right of Rich always.

21 (Laughter.)

22 Shana Miller with the Ocean Foundation.

23 FACILITATOR LEA: All right. And
24 finally, we have Randy Gregory, who I think maybe
25 stepped out for a minute, from the North Carolina
26 Division of Marine Fisheries.

27 Oh, there you are. Okay. I was
28 looking for you over here. Excellent.

29 All right. So, we are going to move on
30 to discussing Amendment 7 on bluefin tuna
31 management. We will have a presentation of the
32 overview of the Final Rule and updates on
33 implementation. And then, we will have time for
34 discussion afterwards.

35 MR. WARREN: Thank you.

36 And actually, a third presentation, Jen
37 Cudney is going to provide an overview of the IBQ
38 System, some of the nuts and bolts.

39 Thank you.

40 I am Tom Warren with HMS in Gloucester.

41 My first presentation will be a review
42 of the Amendment 7 management measures that were
43 implemented in January. That is, the majority of
44 them were implemented as of January 1, with some
45 being delayed, as I will explain briefly in a
46 moment.

47 And then, after this first
48 presentation, I will provide a brief overview of

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1 some of the implementation aspects that have been
2 accomplished to date.

3 This first presentation, the
4 information in it should be a review for the
5 majority of you. Those of you who are new to the
6 panel, this will be new information and kind of a
7 firehose approach a whole lot. So, if you would
8 like additional information and clarification
9 afterwards, please don't hesitate to come up and
10 ask us any questions you may have.

11 To summarize the situation prior to the
12 implementation of Amendment 7, some of the reasons
13 for this amendment, essentially, it was a
14 combination of conditions on the water with quota
15 monitoring, quota allocation, data, and kind of a
16 lot of different aspects of the Fishery Management
17 Plan. Too many bluefin interactions resulting in
18 dead discards. Approximately 21 percent of the
19 bluefin catch in 2012 was comprised of dead
20 discards.

21 Weaknesses in the reporting
22 requirements for the directed fishery: it was
23 difficult to account for all bluefin tuna mortality
24 because of some of these reporting weaknesses.
25 Longline Category vessels could continue to fish
26 when their incidental quota was filled. However,
27 at that time they were no longer allowed to retain
28 bluefin tuna and, therefore, resulting in a lot of
29 continuing discards after that incidental quota
30 was attained.

31 And then, with respect to accounting on
32 the bigger picture for bluefin tuna quota, there
33 was a reliance upon using unused quota from the
34 purse seine fishery to account for dead discards
35 by the pelagic longline fishery.

36 So, with these complex factors in mind,
37 we proposed and implemented Amendment 7.
38 Amendment 7 objectives, as an abridged version here
39 shows: preventing overfishing, rebuilding
40 bluefin tuna, operating within the overall TAC,
41 optimizing the ability for all permit categories
42 to harvest bluefin allocations as well as account
43 for different sources of mortality, reduce
44 discards of bluefin, improve the timeliness and
45 quality of catch data, and adjusting other aspects
46 of the FMP.

47 With respect to the management
48 measures, Amendment 7 implemented a suite of

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1 different management measures. On this slide,
2 this overview provides an organization of those
3 different measures according to various topics.

4 So, for example, it was two major
5 measures that implemented reallocation of quota
6 among quota categories, making some adjustments
7 from the historical amounts.

8 There were two gear-restricted areas
9 implemented in order to reduce pelagic longline
10 interactions with bluefin tuna. Individual
11 bluefin quota system in order to increase
12 accountability and provide incentives to avoid
13 bluefin tuna is one of the cornerstones of
14 Amendment 7.

15 Enhanced reporting requirements for
16 the commercial quota categories, with the
17 objective of improving the quality and timeliness
18 of the catch data.

19 And then, some adjustments to the
20 General Harpoon Category quota rules in order to
21 optimize the efficient opportunity.

22 And then, lastly, some other measures,
23 including northern albacore quota.

24 So now, stepping to the first
25 reallocation measure, this we characterize as the
26 codified reallocation of quota to the longline
27 category, which reallocates quota among the
28 bluefin categories. All the categories are
29 reduced by a specific amount. These amounts are
30 provided to the Longline Category in order to
31 account for their discards. These are set amounts
32 that are not modified by annual quota changes. So,
33 if the overall quota goes up, the net amount that
34 is redistributed to the Longline Category does not
35 increase. The total addition to the Longline
36 Category on an annual basis is 62.5 metric tons.
37 And again, this was to facilitate accounting for
38 dead discards.

39 The second measure that involves a
40 reallocation of quota focuses on the Purse Seine
41 Category of participants. You will recall from
42 the characterization of the situation that led to
43 Amendment 7, there was reliance upon the purse
44 seine quota, unused quota, to account for dead
45 discards.

46 So, under this measure that we have
47 implemented, there is a guaranteed amount of quota
48 for the Purse Seine Category of 25 percent of their

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1 overall quota. On an annual basis, their original
2 quota is 18.6 percent of the total bluefin pie, so
3 to speak. They are guaranteed 25 percent of that.
4 However, beyond that, their allocation in a
5 particular year depends upon the level of catch of
6 bluefin in the previous year. And so, that is both
7 landings and dead discards go into the formula.

8 And as an oversimplification, but here
9 is an example: if they catch 30 percent of the
10 quota in Year A, in Year B they would be allocated
11 50 percent of their base quota. So, it is a system
12 that is intended to not lock the Purse Seine
13 Category to low levels, but allows increases over
14 time if there is activity in that sector.

15 As a whole, this is intended to provide
16 a predictable way to redistribute quota from the
17 Purse Seine Category to the Reserve Category.
18 Once in the Reserve Category, it can be reallocated
19 to any of the other quota categories.

20 The first of two gear-restricted areas
21 is the Cape Hatteras Gear-Restricted Area. This
22 is in place from December to April each year. And
23 again, this is intended to reduce interactions with
24 bluefin tuna by pelagic longline gear. This
25 particular gear-restricted area allows
26 conditional access to vessels based on their past
27 performance.

28 And there are three principal metrics:
29 the ratio of bluefin interactions to designated
30 species landings, observer program compliance,
31 logbook program compliance. These three metrics
32 result in a series of scores, resulting in a vessel
33 being essentially allowed access to this area or
34 denied access. So, in practicality, it is a
35 restricted area, but it really prohibits
36 restriction only for relatively few vessels, based
37 on this historic performance.

38 And vessels are able to improve their
39 performance and gain access potentially because we
40 evaluate these metrics on an annual basis, based
41 on three years of available data. As an example,
42 14 vessels are excluded from fishing in this area
43 in 2015.

44 The second gear-restricted area is the
45 Spring Gulf of Mexico Gear-Restricted Area, also
46 designed to reduce interactions with bluefin tuna.
47 This is a more traditional closed-area-type model
48 where there is a prohibition on the use of pelagic

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1 longline gear in this defined area during the
2 months of April and May each year, and no
3 conditional access.

4 One thing that Amendment 7 also did was
5 provide for transiting for these gear-restricted
6 areas and the currently-implemented closed areas.

7 As I mentioned before, a cornerstone of
8 Amendment 7 is the individual bluefin quota program
9 designed to increase accountability at the
10 individual vessel level and provide strong
11 incentives to avoid bluefin tuna. This,
12 therefore, principally affects pelagic longline
13 vessels and their operation, but also has some
14 impacts on the Purse Seine Category participants
15 as well as dealers that purchase bluefin from such
16 individuals.

17 There is an allocation of bluefin
18 shares based on historical catch, and each share
19 represents a percentage of the Longline Category
20 quota. Based on that percentage, vessels receive
21 an individual quota annually. There are three
22 standardized percentages, essentially, low,
23 medium, and high, and there are also regional
24 designations to address Gulf of Mexico versus
25 Atlantic Ocean issues.

26 And then, lastly, both dead discards
27 and landings count toward this individual bluefin
28 quota system. So, involved in this system is the
29 ability for vessels to lease allocation, and we use
30 the term "leasing" to denote the temporary aspect
31 of this. So, Longline Category vessels can lease
32 quota among themselves. Purse seine vessels can
33 lease among themselves and, thirdly, pelagic
34 longline can lease to and from Purse Seine, and vice
35 versa. The leasing, again, is temporary. The
36 leases expire at the end of a particular calendar
37 year. And currently, permanent sale of quota
38 shares is not allowed, but it is something we can
39 evaluate in the future.

40 Similarly, individual quota
41 allocations do not carry over from year to year.
42 A quota that is unused in a particular year would
43 not carry over. Eligible vessels that have a
44 percentage share of the allocation are provided a
45 fresh block of quota annually.

46 And then, lastly, we have been lucky
47 enough to be able to rely on the Southeast Regional
48 Office's existing computer system that they have

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1 for their snapper, grouper, and other species. We
2 made extensive modifications to that system in
3 order to have a tracking system up and running for
4 January 1. This is a web-based system where vessel
5 operators can do the necessary transactions to both
6 land bluefin, account for dead discards, as well
7 as lease quota to and from other vessels.

8 And this is an example of what that
9 online system looks like. Jen will be providing
10 a full kind of tutorial or overview of this online
11 system in a few minutes, so I won't go into it here.

12 But this is the home page when folks log
13 in, showing various options. And then, this is a
14 page where a vessel operator or owner could update
15 their account.

16 So, as I mentioned before, most of
17 Amendment 7 measures were effective as of January
18 1. However, in order to provide flexibility to the
19 pelagic longline operators, we have delayed some
20 aspects of Amendment 7 to either June 1, 2015 or
21 January 1, 2016 to provide flexibility because of
22 the dramatic changes in the nature of how folks will
23 have to do business and are having to do business
24 already.

25 So, for example, in terms of how this
26 plays out, in 2015, bluefin catch, both landings
27 and dead discards, are accounted for within the
28 system. They are being tracked and they will be
29 deducted from the vessel's allocation.

30 However, if a vessel catches more
31 bluefin than they had allocation for, basically,
32 they go in the red or have quota debt. They are
33 able to continue to fish and depart on subsequent
34 trips.

35 Because this is being accounted for,
36 vessels, you know, it is not a freebie; it provides
37 flexibility for fishing on a trip-to-trip level
38 within one year. So, at the end of 2015, any quota
39 debt that has accrued must be accounted for through
40 leasing additional quota. If at the bitter end of
41 2015 a vessel has not been able to obtain quota from
42 another vessel, then that quota debt does roll over
43 and will be deducted from the 2016 allocation. So,
44 as of January 2016, at the start, if a permit-holder
45 has outstanding quota debt from 2015, their new
46 allocation would be reduced to satisfy that debt.

47 Also, the accounting is more strict,
48 will be more strict in 2016. Specifically,

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1 vessels will need a minimum amount of quota
2 allocation to depart on a trip with pelagic
3 longline gear, and that minimum amount will be
4 different in the Gulf of Mexico versus the Atlantic
5 due to the difference in the average size of the
6 bluefin interacted with. And if a vessel retains
7 legal-sized bluefin in excess of their allocation,
8 they will have the flexibility to land that
9 bluefin. So, we won't be causing dead discards.
10 However, at the end of that trip the expectation
11 is that they would account for that quota debt by
12 leasing additional quota and will not be allowed
13 to depart on subsequent trip until that quota debt
14 is resolved.

15 Also, in support of the IBQ program is
16 changes to the Vessel Monitoring System reporting
17 of bluefin during a catch and fishing effort. To
18 date, pelagic longline vessels have had a VMS
19 requirement to support the closed area system, et
20 cetera, but what is new is a requirement to use this
21 vessel monitoring system to report bluefin tuna on
22 a real-time basis, to specifically report bluefin
23 tuna interactions within 12 hours of the completion
24 of a particular set. Information submitted
25 includes information such as date and location of
26 the set, number of hooks, and the length of the
27 bluefin tuna discarded or retained.

28 Similarly, in support of the individual
29 bluefin quota program is the electronic monitoring
30 requirement, essentially, a requirement to install
31 at least two video cameras, associated sensors, a
32 monitor and a control box. The objective of this
33 program is to verify the accuracy of the counts and
34 identification of bluefin by the vessel operator.
35 And this requirement is being staged
36 in -- currently, we are in the phase where vessels
37 are installing this equipment, but, as of June 1,
38 there will be a requirement that vessels will need
39 this equipment installed and operable in order to
40 leave the dock to fish on a pelagic longline trip.

41 So, vessel operators have been
42 coordinating with us and contractor Saltwater,
43 Incorporated, to install and test these systems.
44 There is limited funding for these systems, and
45 installation is occurring. I will give you a
46 little bit more details about this in a minute. And
47 again, vessel electronic monitoring consists of
48 two cameras, sensors, a monitor, and a control box.

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1 So, what this means to a vessel operator
2 on the water, the combination of individual bluefin
3 quota system in conjunction with the vessel
4 monitoring system requirements and electronic
5 monitoring is a substantive change in the way they
6 operate. So, tasks to remember before departing
7 on a trip include making sure there is actual quota
8 in the account, and the account is activated
9 online. Vessels should check their balance of
10 individual quota. It becomes more critical next
11 year when a vessel will not be able to legally go
12 fishing without being in the black.

13 Vessels need to make sure their VMS
14 software is updated and operable. And for
15 electronic monitoring, a vessel operator would
16 need to check, make sure there are hard drives and
17 their electronic monitoring is turned on.

18 During the trip, they are required to
19 report bluefin interactions and information on
20 numbers of hooks set within 12 hours of the
21 completion of the haulback. And again, longline
22 vessels are required to handle their catch in a
23 manner that enables the cameras to see the action,
24 see the retrieval of the fish, and that the cameras
25 are operable, that they are not fogged-up or bumped
26 out of place, et cetera. We are hoping that vessel
27 operators conform to new habits that shouldn't be
28 overly-burdensome, but will need some attention.

29 And then, similarly, at the end of a
30 trip, there is the current requirement that has
31 been in existence for a while to hail out, but,
32 then, also, there are new requirements, as I
33 referred to before, working with the dealer and
34 entering information into the online system,
35 removing hard drives within 48 hours and sending
36 those to NMFS or the contractor, and then, as
37 before, submitting the old-fashioned logbook, so
38 to speak.

39 Similarly for purse seine vessels,
40 purse seine vessels have a new requirement to have
41 an operable VMS unit onboard. And similar to the
42 longline vessels, they are required to submit
43 reports of catch and fishing effort within 12
44 hours, and similar information will be reported.

45 Dealers have a new responsibility under
46 Amendment 7. They need to coordinate with the
47 vessel operator and provide information on dead
48 discards and landings at the end of a trip. To do

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1 so, they will need to have previously activated an
2 account in the online system and enter relevant
3 information into the system.

4 And this just provides a little more
5 detail in terms of what is required for the dealers.
6 Dealers are required to continue submitting their
7 facts/data on bluefin tuna landing. We know this
8 is a redundant requirement, but it is important to
9 have multiple data streams, especially when you are
10 implementing some new data streams, since we don't
11 want to totally switch to 100-percent reliance on
12 the new data stream. Basically, with multiple
13 data streams, we can optimize the data we use to
14 manage bluefin and, then, look at efficiencies down
15 the road.

16 The other commercial categories also
17 are subject to new reporting requirements. Prior
18 to Amendment 7, there was an online reporting
19 requirement applicable just to the angling
20 category. But now, both the General Harpoon and
21 the Charter/Headboat Categories also have an
22 online reporting requirement with respect to
23 bluefin tuna at the end of the trip.

24 All right. As I mentioned before, some
25 of the other measures in Amendment 7 have to do with
26 optimization of quota utilization. For example,
27 the General Category, as you may be aware, has a
28 subquota system with quota divided into multiple
29 periods during the fishing year. This particular
30 management measure provides us the authority to
31 proactively transfer quota from the December quota
32 period to a previous quota period, as specifically
33 January was a high priority, we heard from folks.
34 And this was already accomplished for this fishing
35 year. We transferred quota from the December
36 quota period to the January quota period.

37 Similarly, to optimize the regulation
38 for the Harpoon Category, they have a retention
39 limit of large medium bluefin. The default under
40 Amendment 7 is two large medium bluefin per day,
41 but NMFS has the authority to adjust this up or down
42 to both optimize the harvest by the vessels, but
43 also achieve the objective of remaining under the
44 overall quota.

45 And then, similarly, the Angling
46 Category, the Trophy Category of bluefin quota is
47 divided into various geographic areas. Amendment
48 7 made some relatively-minor changes by providing

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1 a separate allocation to the Gulf of Mexico to
2 account for discarded bluefin tuna there.

3 The Purse Seine Category had a
4 substantive change under Amendment 7.
5 Previously, there was a fixed date of July 15th,
6 and NMFS had the authority to push this back to
7 August 15th. Under Amendment 7, there is no
8 codified specific start date. However, annually,
9 NMFS will determine the start date between the time
10 period June 1 and August 15th. So, it provides,
11 again, a measure of flexibility based on fishery
12 conditions.

13 Northern albacore is now under a formal
14 quota system. Pursuant to an ICCAT
15 recommendation, Amendment 7 implemented a formal
16 quota program. There is carryforward of unused
17 quota up to 25 percent of the initial quota and
18 accounts for both underharvest and overharvest of
19 quota from the previous year, but has some
20 flexibility in doing so. It doesn't necessarily
21 need to occur in the subsequent fishing year. It
22 can skip a year, et cetera. There is some
23 flexibility to that system.

24 And then, lastly, an administrative
25 change. This allows a permit-holder to modify
26 their category of permit that they have been issued
27 to within 45 days of the date of issuance.
28 Previously, it was a rule where a vessel, if they
29 made a mistake and were issued a permit, they had
30 flexibility to say, "Oops, I made a mistake. My
31 wife made a mistake. I need to change my permit."
32 This provides a more reasonable measure of
33 flexibility.

34 So, that I realize was a pretty quick
35 summary of a lot of information. And again,
36 hopefully, you can find the presentation useful,
37 and we are available for questions regarding the
38 nuts and bolts.

39 I would like to proceed to my second
40 presentation, though, prior to questions. And
41 then, maybe we can just have a big discussion
42 session of all things A7, if you all think that is
43 appropriate. Okay?

44 So, with respect to the nuts and bolts
45 and some of the facts about how this
46 implementation, this complex amendment is going,
47 this is meant to provide a high-level overview and
48 provide some of the highlights of the

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1 implementation to date.

2 So, the highlights start with
3 correspondence with fishery participants on
4 Amendment 7 requirements and the development of
5 outreach materials. We have done extensive
6 outreach, and will continue to do extensive
7 outreach, to ensure that the folks are aware of
8 these requirements. And we are facilitating
9 continuing education, and we are hoping for two-way
10 communication. Thus far, it has been heartening
11 in that people have been very cooperative, and
12 there has been a lot of good communication.

13 We have issued two contracts for
14 electronic monitoring, one for the installation of
15 the cameras and a second for data storage and video
16 review. Installations are underway successfully.

17 The vessel-monitoring system software
18 required to do this reporting of data has been
19 installed in most vessels and operable in the
20 majority of vessels.

21 The online system, which I mentioned is
22 based in the Southeast Region, has been implemented
23 and is operational. The expansion of the online
24 system to record catch data from these other
25 commercial categories, the General, Harpoon, and
26 Charter/Headboat, is also operational.

27 With respect to correspondence and
28 outreach, we sent letters to all eligible and
29 non-eligible longline permit-holders providing
30 the detailed information on the regulations, what
31 the IBQ shares and allocations were based on, why
32 or why not a vessel had a particular allocation,
33 information on the IBQ system, the nuts and bolts
34 of this computer system, information on appeals of
35 the quota shares or appeal of access to the
36 gear-restricted area, and then, also, details on
37 the electronic monitoring system.

38 And these letters that we sent are still
39 available online as a reference tool. It has been
40 useful both for members of the fishing public as
41 well as HMS staff to refer to.

42 We developed reference guides that
43 weren't mailed out as letters, but will be useful
44 as continuing living documents in the future, as
45 reference information. These include things such
46 as individual bluefin quota, FAQs, and a
47 troubleshooting guide for that online system. In
48 addition, we have a staffed customer service phone

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1 line, staffed during business hours.

2 With respect to electronic monitoring,
3 this indicates the dates and locations of the
4 scheduled installations for electronic
5 monitoring. These dates and locations were based
6 on historic landings information, locations, and
7 seasonality. So, we tried, as best we could, to
8 accommodate the fishing practices and the
9 locations where vessels, based on past practices,
10 were already landing. So, they could kill two
11 birds with one stone. In some cases this has
12 worked for vessels; in other cases they have had
13 to travel further than they might otherwise.

14 But, in general, there has been great
15 cooperation among our contractor Saltwater with
16 the vessel operators and the vessel owners. We
17 have done a number of installs, which I will show
18 you in the next slide, and we have a number left.
19 In all, there were 10 scheduled locations and date
20 ranges for installation, all of which were
21 determined in advance with the exception of one in
22 May we are leaving flexible. So, I imagine
23 sometime in April we will evaluate where vessels
24 still need to have a location at which they are
25 fishing, where their home port is, et cetera, and
26 try to optimize convenience for them and get as many
27 as we can installed at that time in May.

28 So, as I have said, we have had some good
29 success with the installations. There have been
30 38 installed systems to date in a number of ports,
31 Fairhaven, Islip, Lake Park, Pompano Beach, Panama
32 City, Dulac, Fort Pierce, and St. Augustine. And
33 I will note that a number of these are not on the
34 schedule for installation. So, we have been
35 trying to accommodate vessels where they are at and
36 be flexible to save folks time and money.

37 Some of the challenges, however, for
38 electronic monitoring installation have been the
39 diversity of vessels, both in terms of location
40 geographically, the location of the drum onboard,
41 because one of the pieces of equipment is a rotation
42 sensor on the drum. Yet, there is a diversity of
43 how folks conduct their business, steel-hulled
44 versus fiberglass, diversity of electrical
45 systems. You know, some kind of out-of-date; some
46 from the Civil War, and some from yesterday.

47 (Laughter.)

48 Location of vessels, as I mentioned.

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1 And then, language barriers, we are
2 also having to have that challenge.

3 The solution has been flexibility. We
4 work closely with the contractor and have weekly
5 calls. We hope to have a continuing dialog with
6 them, as well as with the longline operators, and
7 continue to resolve some of these problems. We
8 have been able to provide some custom solutions to
9 some of these travel issues, et cetera.

10 With respect to bluefin reporting, how
11 that vessel-monitoring system new reporting is
12 going, the softwares, as I mentioned, have been
13 installed and are operational. Forty-seven
14 distinct vessels have submitted reports during the
15 months of January and February, for a total of 572
16 reports, corresponding to various longline sets.

17 And again, this has information on the
18 location, time, number of hooks, and the number of
19 bluefin interactions. Twenty-four of these VMS
20 reports have noted bluefin interactions, and
21 approximately 75 percent of the vessels that use
22 the VMS system to hail in at the end of a trip have
23 submitted these reports.

24 So, the process of auditing this data
25 is ongoing to determine, okay, who is up-to-speed,
26 who needs some hand-holding and some education.
27 We are making calls to folks and the education is
28 continuing. We do realize that some folks with
29 certain types of VMS units have technical problems
30 that are outside their control. Hopefully, with
31 time, those can get resolved also.

32 The online IBQ system, which Jen will
33 provide more information on, is up and running and
34 operational. Not all functions designed and
35 planned are implemented yet, but we have a schedule
36 of when these new functions will be rolled out, in
37 April, May, June, August, September, October, and
38 December. So, we do have a very methodical process
39 for the building of this beast.

40 The customer service team has been
41 fielding many calls, and we have received 144 calls
42 logged through March 3rd and numerous other
43 calls, you know, kind of random calls that people
44 received that probably aren't logged. So, we
45 think the communication has been pretty good.

46 Ninety-seven percent of the bluefin
47 landed and documented through the current
48 reporting system, which is the fax system operated

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1 by the dealers, comparing that database against the
2 landings recorded in the IBQ system, there is a
3 97-percent match. So, right out of the gate, it
4 is looking good, at least for landings, and we are
5 continuing to educate folks.

6 With respect to appeals, the Amendment
7 process provided vessel owners an opportunity to
8 appeal either the individual bluefin quota
9 allocation or the characterization of their access
10 to the gear-restricted area, either in or out of
11 that Cape Hatteras GRA. We received 10 appeals by
12 the deadline. These appeals are currently under
13 review. The submission for appeals, that deadline
14 was on March 2nd.

15 There was a lawsuit challenging
16 Amendment 7 regulations that was filed against NOAA
17 and the Department of Commerce. This particular
18 complaint was from pelagic longline fishermen and
19 related businesses relying on the pelagic longline
20 fishery, predominantly members of the fishery from
21 North Carolina, but also from New York and Florida.

22 NMFS has filed a partial Motion to
23 Dismiss. We have prepared an administrative
24 record and a briefing schedule is pending.

25 With respect to bluefin catch, briefly,
26 by the longline fleet, as of March 6th, a few days
27 ago, there was 6.7 metric tons landed, 24 VMS
28 reports noted interactions, and you can see some
29 preliminary numbers on the dead discards -- live
30 discards, dead discards, and retained fish noted
31 through that VMS system.

32 And so, that is the end of my portion
33 of the presentation, and Jen Cudney now of our
34 Southeast Region will provide an overview of this
35 IBQ online system. She is located in the Southeast
36 Region. She is part of HMS. But I think of her
37 as a Florida person foremost because, being
38 Gloucester person, that Florida aspect is pretty
39 appealing.

40 MS. CUDNEY: It's pretty nice this time
41 of year.

42 Okay. Well, do you want to flip
43 through that for me?

44 Okay. So, the intent of this
45 presentation is to walk you through the IBQ system,
46 but also to kind of address some of the common
47 questions that we have had on the customer service
48 team right out the gate. So, we don't have enough

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1 time to cover everything.

2 What I do want to point out is that we
3 are fully prepared to walk folks through the IBQ
4 system. We have a demo that is available on a
5 couple of the customer service team laptops. So,
6 if you would like a more thorough orientation to
7 the system, you are welcome to come up and chat with
8 me or Alexis Jackson, who is back here, or Carrie
9 Soltanoff, who is with our fact-checking table.
10 We can step out at a break. We can duck out at any
11 point in time and try to answer your questions a
12 little more thoroughly.

13 Okay. All right. Like I said, the
14 intent of this is to do a quick overview. One of
15 the first questions that we have had is how to find
16 the IBQ online system. As Tom said, it is housed
17 within the SERO Catch Shares website. So, you can
18 directly input the website, and we have got the web
19 page at the bottom of the screen here in a gray box.
20 So, you can go ahead and input that directly into
21 your web browser or you could do a Google search.
22 I have had success doing Google searches for this
23 using the phrase "SERO IFQ" or "Catch Shares Online
24 System". If you do a Google search, the result
25 that you would see should read "Catch Shares Online
26 System".

27 So, after you find the page, this is
28 what you are going to see when you first navigate
29 to it. There's a couple of aspects of this page
30 that I would like to point out to everybody, the
31 first being the important messages, which is in a
32 red box kind of in the middle of the screen. And
33 you are going to see some things that are related
34 to bluefin tuna. So, it would have a "BFT" acronym
35 on the left side of this box.

36 But you might also see things that are
37 related to the snapper, grouper, tilefish IFQ
38 programs or the headboat IFQ program. So, as we
39 go throughout this program, and as you start to
40 interact with it -- let's see if this works; no,
41 okay -- you will have to look for either the acronym
42 "BFT" or "IFQ" or "HBC," just depending on which
43 program we are talking about. And then, in some
44 cases we have systemwide updates that we want to
45 make sure everybody is aware of. So, those would
46 be labeled as "all". So, that is the important
47 messages.

48 We also have a gray menu bar located

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1 along the top of the screen right underneath the
2 NOAA Fisheries logo. This is going to be where you
3 would find some additional information about the
4 programs.

5 So, many of you are looking for folks
6 that would either be people that you might want to
7 lease quota to or lease quota from. So, we have
8 a list underneath this additional information.
9 You can pull that up and find a list of our
10 shareholders that have initial IBQ.

11 We also will have some Frequently Asked
12 Question guides and our troubleshooting guides.
13 Our troubleshooting guide, we actually just
14 finished that up last week. And then, there is a
15 step-by-step walkthrough of the IBQ system. So,
16 some of the things that I am going to be talking
17 about now are also available in that
18 troubleshooting guide.

19 We also have a function for if you
20 forget your PIN and you go through and initialized
21 your account already, you can go ahead and get your
22 PIN, much like you would in an online banking
23 system.

24 Then, finally, we have our
25 ever-important log-in button in the upper right
26 corner of the screen.

27 Now, if you pop down to the middle of
28 the page here, we already covered the Important
29 Messages section. There is also a tab in this
30 table that is titled "Bluefin Tuna Catch" or "BFT
31 Catch". This has our landings, dead discards, and
32 total catch to date. As we move forward with
33 improvements to the IBQ system, this is going to
34 become more and more automated. So, you might see
35 a little bit of a delay between when you make your
36 landing and when this is updated. But, as we go
37 through the spring, this is going to be updated more
38 and more frequently.

39 All right. So, once you hit that
40 log-in button in the upper right corner of the
41 screen, you are going to see this pop-up box, which
42 is your log-in form. Now everybody that has had
43 a shareholder account developed for them by NMFS
44 should have received a user ID and a PIN letter from
45 NMFS. So, you would need to go ahead -- and we have
46 separated those out for security reasons -- so, you
47 would need both of those letters. You would enter
48 in your user ID and your PIN in the relevant boxes

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1 on this log-in form.

2 And then, we get to the role. This is
3 actually something that a lot of people have called
4 us about, because when you hit that little arrow
5 next to "Select Role," you are going to see a
6 dropdown menu. We have every single role that
7 somebody could log into the SERO Catch Shares
8 Online System under. So, you have to scroll all
9 the way down to the bottom to find the bluefin tuna
10 roles. Otherwise, you are going to be attempting
11 the log-in to the bluefin tuna program under an IFQ
12 role. So, we just want to make sure everybody is
13 aware that they are selecting the right part of the
14 system that they are trying to log into.

15 Then, once you have got all your
16 information logged in here, you would go ahead and
17 accept the Terms of Use and, then, hit "Log In".
18 If it is your first time logging into the system,
19 you will be prompted to change your password. And
20 there are some rules here that I don't really need
21 to get into, but it is pretty straightforward. If
22 you have ever used an online banking system, you
23 should be used to having to change your password
24 periodically.

25 All right. Now, for the structure of
26 the IBQ system, all shareholders, so everybody that
27 owns a permit, has two types of accounts that are
28 generated for them, what we are calling a
29 shareholder account and what we are calling a
30 vessel account.

31 An analogy to this would be an online
32 banking system. I refer to that a lot, but it is
33 a good example because, when I log into my bank,
34 my online banking system, I am logging into a
35 umbrella account that holds my checking accounts,
36 my credit card accounts, and my savings accounts,
37 when I am behaving.

38 So, when you log into your shareholder
39 account, then you would be able to access and view
40 all the information that is related to your vessel
41 accounts. We have had some folks that have tried
42 to log into vessel accounts before they have
43 initialized their shareholder accounts, and the
44 system won't let you do that.

45 Okay. You must, of course, activate
46 each type of account, because all of the different
47 accounts have different functionalities. So, the
48 shareholder account role has the greatest amount

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1 of functionality in the system. When you are
2 logged in as a shareholder, you will be able to view
3 all the data for all the vessels in one place. So,
4 if you own two permits and you have two vessels,
5 you can look at it all at one time. You transfer
6 your quota between your accounts or to other
7 shareholders when you are logged in as a
8 shareholder. So, that would be leasing IBQ. And
9 then, this is also where your shares or your
10 percentage of the total longline quota is held.

11 Vessel accounts are also important.
12 That is where your allocation is going to be held
13 for use in landing transactions. And then, you
14 would also need to retain and remember your vessel
15 account PIN because, starting in April, we are
16 going to be asking that our fishermen and
17 account-holders basically finalize a landing
18 transaction by entering in the PIN number for their
19 vessel account. So, it is a way that everybody is
20 kind of on the same page, you know, dealer,
21 fisherman, or account-holder, and confirm that
22 what is being reported is actually what everybody
23 is seeing.

24 Finally, we have got the bluefin tuna
25 dealer account role. That is primarily where
26 landing transactions would be initiated.

27 So, again, you can see that each of
28 these accounts do something different, but they are
29 all fairly important to the operation of the IBQ
30 system.

31 All right. So, once people log in, we
32 are asking them to go in and immediately update
33 their account information. So, this is a
34 shareholder account screen. They would basically
35 go to "My Account" and select "Update Account".

36 There are a couple of features on this
37 page I want to point out very quickly, the first
38 one being the table at the top. When you interact
39 with the IBQ system, there are going to be many
40 points in time where you are going to be needing
41 to select different rows and tables, either to
42 input data or to look at account information. When
43 you move your mouse over that particular row, it
44 is going to be in a shade of blue. However, when
45 you actually select it, it turns a dark shade of
46 blue. We actually have folks that call in because
47 they have moved their mouse over their part of the
48 table, but they haven't actually selected that row

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1 within the table.

2 There is a place under this "Update
3 Account" page where you can reveal your password
4 and your user information. So, once you log into
5 your shareholder account, this is where you would
6 go to get your vessel account password and user ID.

7 There is a place where you can put in
8 your email address, which could be important for
9 receiving information from NMFS. Then, there is
10 also a place where you would update secret
11 questions. And we can't underestimate the
12 importance of these secret questions because, if
13 you were to ever call into the customer service help
14 line and you had questions about either "I forgot
15 my PIN" or "I want to talk to you about my data,"
16 we have to verify your identity before we will share
17 any sensitive business information with you. The
18 way we do that is with these secret questions.

19 So, it is imperative that, when you log
20 into the system, you establish these secret
21 questions, both for your shareholder accounts and
22 your vessel accounts. Otherwise, if we have to
23 resend a PIN, we will have to send it through snail
24 mail, and that can take a while.

25 All right. I am going to bump real
26 quickly through a couple of the other aspects of
27 the system, the first one being home page features
28 and, then, how to transfer quota and how to complete
29 a landing transaction.

30 Again, this is the home page for the
31 bluefin tuna shareholder. We have a lot of menu
32 options along the top of the screen. So, as you
33 explore your IBQ system, you will want to click
34 through these and you can see your information and
35 see some of the different functionality associated
36 with your accounts.

37 We also have the Important Messages
38 box. You will see this a couple of different
39 places through the system.

40 Then, finally, under No. 3, we have
41 again a summary table that is showing bluefin tuna
42 catch for a given year and, then, additional
43 information at the bottom, which again would have
44 your list of shareholders, your Frequently Asked
45 Questions, and a troubleshooting guide.

46 This is going to look a little
47 different, depending on whether you are logged in
48 as a shareholder, a vessel account-holder, or as

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1 a dealer. So, just be aware that you will see some
2 variation in the menu options.

3 And this is a work-in-progress. So,
4 there are some pages that would show up with a
5 placeholder text in the upper left corner of the
6 screen. So, basically, if you click on something
7 and you get a blank page, it means that we are
8 working on it and you should see improved
9 functionality as we go through the spring.

10 Finally, as Tom had mentioned earlier,
11 we have regional designation of quota. And so, in
12 a lot of these tables you are going to see your quota
13 broken out as either pelagic longline Gulf of
14 Mexico quota, pelagic longline Atlantic quota, or
15 in some cases you will see references to the purse
16 seine Atlantic quota or even the NED quota.

17 Now we are not actually giving out NED
18 quota. That is a different fishery. But we do
19 track it. So, you will see it here.

20 Getting into transferring allocation,
21 you would, basically, from your shareholder page
22 select "Allocation" and, then, "Transfer
23 Allocation BFT". There are several different
24 kinds of transfers that you might wish to pursue
25 in the IBQ system, either between your shareholder
26 account or your vessel accounts. So, that would
27 be the first two on this list.

28 You might want to transfer quota if you
29 own more than one vessel and you have one vessel
30 that needs more than the other. You might want to
31 transfer quota from one vessel to another. So,
32 that would be a two-step process.

33 And then, finally, you have your
34 shareholder-account-to-shareholder-account
35 transfer or otherwise known as a lease.

36 All right. So, we are going to quickly
37 bump through the different steps that are on this
38 transfer allocation screen, the first one being you
39 have to select the type of transfer that you want
40 to make. So, in the example here we have selected
41 from my shareholder account to my vessel account.
42 Then, you would select the vessel account that is
43 going to receive the allocation from your
44 shareholder account. Depending on the type of
45 transfer that you are making, you might be asked
46 to select the vessel account contributing IBQ to
47 your shareholder account or you might be asked to
48 select the recipient shareholder account in the

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1 case of a lease or a transfer of quota.

2 Finally, you would go in and enter the
3 actual poundage of quota that you are trying to
4 transfer. This is a case where you would need to
5 go in and select a row. The last column has
6 selectable cells in it. So, you can actually go
7 in and highlight the zero and enter in manually a
8 number. There is also an option to incrementally
9 add or remove a pound of allocation, but that could
10 take a while. If you are trying to transfer 50
11 pounds, you don't want to hit it 50 times. So, I
12 recommend just going in and adding the number
13 manually.

14 Then, you would go ahead and submit the
15 request at the bottom of the request. You would
16 get a review of the transfer that you are attempting
17 to make. If you like what you see, you would hit
18 "Submit" again, and then, you would get a pop-up
19 with a confirmation code. We recommend that you
20 copy down this confirmation code or do a
21 Ctrl-Alt-PrintScreen and, then, paste it into a
22 Word document. At this time, in some cases we
23 don't have the print confirmation functionality
24 fully operational. So, if you hit the button and
25 it doesn't work, just go ahead and copy it or write
26 it down somewhere.

27 You can view your transfers under the
28 allocation, "View Allocation Ledger BFT Activity".
29 This is going to be a record of all of your
30 transfers.

31 And then, finally, the last thing we
32 wanted to go through is how to complete a landing
33 transaction. This is the page that you would see
34 if you were to go in and, as a dealer, select
35 "Landings" and, then, select "Landing
36 Transaction". So, we will quickly bump through
37 these different steps.

38 The first step is entering your trip
39 information. So, this is where the bluefin vessel
40 account would be selected. You would select the
41 region that the bluefin was caught, and then, make
42 sure that the landing date is accurate.

43 Under step 2, you would go in and enter
44 your landings. Again, this table is fully
45 interactive. So, you can go ahead and click on
46 different cells and add in information, such as the
47 fish tag number, whether you are landing the fish
48 in dressed or whole weight, and the pounds.

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1 Step 3 would be to enter your dead
2 discard information. So, depending on the
3 different size classes, you would go in and enter
4 1, 2, 3; hopefully, not any more than 3.

5 Under step 4, you would submit the
6 transaction. And at the very bottom of the page,
7 there is a box that would show you the amount of
8 poundage that would be deducted from the vessel
9 account that was selected.

10 Now the IBQ system automatically
11 converts dressed weight to whole weight. It is
12 something that NMFS as a whole does for ICCAT
13 accounting. And so, we have programmed the system
14 to do the same. So, the formula for that
15 conversion is at the bottom of the page here.

16 You would see a landing transaction
17 once you submitted the -- or you would see this
18 confirmation once you submitted the landing
19 transaction. Again, this is a case where you may
20 need to take a screenshot or write down a
21 confirmation number once you get to that point.

22 So, thank you. We are happy to take
23 suggestions at any point in time on how to improve
24 this IBQ system. Like I said, it is a
25 work-in-progress, and we work very closely with the
26 developers at the Southeast Regional Office. So,
27 if you would like to see your data presented in a
28 certain way and it is not available, let us know
29 and we will see if that is something that we can't
30 do.

31 Again, if you have more questions,
32 please come see us at a break or at anytime really.
33 You are also welcome to call IBQ Customer Service
34 at the number that is listed here or to email us,
35 and we will get back to you as soon as we are able.

36 Thank you.

37 FACILITATOR LEA: All right. Thank
38 you for those presentations.

39 I have seen a couple of cards up
40 already. I saw Scott and I see Mike. So, if you
41 want to get in the queue, go ahead and put your card
42 up.

43 I am going to ask people to be
44 mindful -- we have a fair amount of time to
45 talk -- but be mindful of sharing the time, so that
46 everyone gets to raise their concerns and such.

47 So, Scott, go ahead.

48 MEMBER TAYLOR: I have several

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1 questions. So, I will try to be succinct and
2 quick.

3 Just one question about the IBQ
4 reporting has to do with the conversion table,
5 depending on the measurement of the fish. Can you
6 speak to that a little bit? I know that we and a
7 lot of the other fishermen initially thought that
8 the allocation was in landed weight. Apparently,
9 that is not the case. And depending on how the fish
10 is measured, the system converts and deducts from
11 the IBQ. I mean, some boats land as an intact with
12 head on; some boats land with a head off. And just
13 a real brief scenario, I mean an explanation as to
14 how you are actually calculating against the
15 allocation.

16 And then, I have got a couple of other
17 quick things. Should I ask all of them or should
18 I just --

19 MR. WARREN: There are two types of
20 conversions happening in the IBQ system. One is
21 with respect to landed fish. When it is marked
22 "dressed weight," then the conversion of 1.25
23 happens to convert it to whole weight. And there
24 is only one formula, to my understanding, that
25 represents the dressed weight.

26 MEMBER TAYLOR: So, what happens if you
27 are going to land the fish with head on intact and
28 use -- what is it? -- it is a snout-fin-straight
29 measurement. There is no conversion there?

30 MR. WARREN: If you characterize it as
31 whole weight, there wouldn't be a conversion.

32 MEMBER TAYLOR: Okay.

33 MR. McHALE: Yes, so thank you for
34 this, Scott.

35 When it comes to landings -- and I think
36 everyone around the room here is well aware that
37 when we are dealing with our ICCAT allocation,
38 regardless of what the species are, they are all
39 accounted for in whole weights. And so, when it
40 comes to actual landings, right now those permitted
41 Atlantic tuna dealers have the options of either
42 reporting in a dressed weight, so your core, or your
43 whole weight.

44 And we are acutely aware that fish come
45 to the dock in a number of different forms. So,
46 whether guys are just removing a gill plate and
47 removing the entrails through that gill plate and
48 stuffing the body cavity with ice, whether there

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1 is a head removed, whatever the case may be, but
2 there really are two official weights that are
3 recorded as it relates to landings. Again, that
4 dressed weight, which is the core, pretty much what
5 is going to be shipped, or that whole weight.

6 And so, that is where that 1.25
7 conversion comes into play. It is a
8 statistically-valid conversion that has been in
9 existence almost as long as I have been around.

10 So, the concern in regards to if fish
11 are being offloaded and some weight is being
12 reported to the agency that isn't quite the
13 fully-dressed-out core and isn't quite fully
14 whole, it does introduce some bias to those
15 numbers. That is why the agency has set it up like
16 the landings. It is that it is one or the other.

17 And the reason with the dressed is, more
18 often than not, when those fish are being shipped,
19 at least in my experience dockside and talking with
20 dealers is that, even if the fish is landed head-on
21 or just a gill plate removed, it is going through
22 some further refinement before it is actually going
23 into a coffin.

24 MEMBER TAYLOR: And I have had some
25 specific fishermen express concern that they are
26 not thrilled to death with the conversion. While
27 it may be a very valid conversion number, fishermen
28 tend to like to see exactly what is being accounted
29 for against the IFQ. We could talk about that a
30 little bit more on the sidebar.

31 The other thing that I wanted to address
32 specifically had to do with the transferability of
33 these IBQs and how the IBQ system is going to work.
34 This one is kind of more directed, I guess, to all
35 three of you, but Margo as well.

36 I want to applaud you, at least in the
37 initial stage here, that the ability to run at a
38 deficit is going to make a huge difference in this
39 particular year, not only from the standpoint of
40 allowing things to kind of sort themselves out,
41 but, ultimately, in the cost that is going to be
42 involved in the IBQ transfer. Because the
43 discussions that we have had -- and we have been
44 able to make some business arrangements here
45 recently that I was not able to do prior to the
46 time -- the IBQ seemed to be being valued for the
47 people that are at least starting to show some
48 interest at this point in transferring, because

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1 they are concerned in how this will play out, that
2 the IBQ will be valued based upon the value of the
3 fish.

4 If the circumstance was different right
5 now, I would have boats that are operating at a
6 deficit already. And if I had to acquire the IBQ,
7 I would be having to acquire it based upon the value
8 of that IBQ to fish, rather than the value of the
9 fish. And those are completely different things.

10 Some of the people that are holding that
11 are interested in leasing, I think if you take the
12 opportunity over the next couple of days to walk
13 around to some key people, there are people that
14 are anticipating the change in 2016 and will take
15 a much different position next year than here,
16 which becomes somewhat problematic for my
17 constituency because we will interact with the
18 majority of our bluefins between now and June.

19 The reality of the situation will be
20 that most of the IBQs won't probably trade until
21 more towards the end of the year. Everybody is
22 kind of waiting to see where the value is,
23 obviously, the farther that you get to the end of
24 the year. So, therefore, boats that catch the
25 majority of their fish from June to December will
26 have a distinct advantage over the boats that may
27 need the IBQ early in the season.

28 I think that it warrants discussion
29 early on before we find ourselves there next year.
30 I think it is a real level of concern. Ultimately,
31 at the end of the day the real issue should be
32 whether or not that what a boat landed is accounted
33 for.

34 So, that is sort of my comment on that.
35 I would like to talk a little bit about that
36 additionally as well.

37 Camera systems. I have a couple or
38 three boats that received no allocation. There
39 has been no discussion whatsoever about -- and the
40 time is closing in rapidly between now and June.
41 And Lord knows, I think we probably can use the
42 swordfish quota after that. But, right now, I
43 don't have the mechanics or wouldn't even know who
44 to talk to about putting the cameras on the boats.

45 We have had, I think, nine
46 installations, either nine or ten installations in
47 our fleet up to this point. So, the boats that are
48 eligible have all been installed, but there really

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1 hasn't been any additional discussions for those
2 individuals that didn't receive allocation that
3 are going to need, if they are going to continue
4 to fish after June, one, the mechanics to be able
5 to do that.

6 It is not a question of putting it on
7 the boat. It is what is the cost. We have to see
8 Saltwater? You know, there has been no discussion
9 whatsoever about any of that point. I think that
10 the time is rapidly closing-in for us for that.

11 You are all well aware of the SkyMate
12 problems. We have been talking about them for six
13 or seven meetings now at this point, with the
14 declaration issues. I know we have touched on that
15 a little bit. It hasn't gotten any better
16 operationally.

17 I mean, what happens is that the boats
18 go to hail out, and I am just going to share a real
19 brief, little example. Last week there was a boat
20 in distress that was across the line. Here he had
21 broken down and he had gone across the line. I
22 called Omar Purcell down at OLE in Miami and said,
23 "Omar, I've got a boat that's in distress. I am
24 going to have to send one of my boats across the
25 line to go ahead and assist, but I want to do it
26 proactively," because they had been kind of
27 visiting us, for lack of a better description, when
28 we have had an incursion.

29 Not only didn't he have that boat on
30 VMS, he didn't have our boat on VMS. So, when the
31 boat got back in, we found out that the problem with
32 the SkyMate system has been intermittent, that
33 SkyMate was aware where the boats are pinging some
34 of the time or not. And we were unable to either
35 receive email or declaration because there was
36 still -- once there is an email that is outgoing
37 in the outbox and it doesn't send, you're done; you
38 are shut down. It won't do anything else. The
39 system just basically locks up.

40 So, we really either need to find a
41 resolution to that, because, you know, we are going
42 to be in a compliance issue here very soon for these
43 boats. Whether or not it is geographic, whether
44 or not it is localized to our fleet, I don't have
45 the answer to that, other than to tell you that we
46 have again put technology in place in here without
47 some of the hardware operating properly for what
48 is going on.

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1 Data storage. Some of our boats fish
2 as many as three trips a month. There doesn't seem
3 to be any information yet forthcoming about how we
4 are going to swap hard drives. We were initially
5 told by Saltwater that, essentially, after every
6 trip that we were going to be exchanging the boxes,
7 and that works pretty well for the high-seas fleet
8 that may make one trip a month and the gear is going
9 to be swapped out, because they are physically
10 fairly close to us. I think they are operating
11 right now out of Fort Lauderdale. They have been
12 interacting a lot with us, both from the IT
13 perspective and, also, from setup and trying to
14 work out some of the different camera angles and
15 that kind of stuff. So, again, that is a question
16 that is being asked quite a bit.

17 And the last question is, can you
18 clarify the NED quota issue? I should probably
19 know the answer to that. The NED doesn't apply to
20 the IBQ. So, boats that are fishing in the NED
21 don't have a specific landing issue, is that
22 correct? So, it is a separate quota and operates
23 separately?

24 I mean, those are four questions that
25 I think are important.

26 MR. McHALE: Then, given time
27 allowance, I will try to hit all those. If I don't
28 get into the depth of the detail, we will handle
29 it in sidebars or if we find time on the agenda to
30 get more in-depth. But I want to see if I can hit
31 all five that I heard there.

32 So, one is the concern regarding the
33 market value of the allocations themselves, so
34 legitimate concern, whether it is actually going
35 to be priced out at the actual value of the fish
36 or is it, then, termed the value of the trip, and
37 that is yet to be seen. That is something that the
38 agency doesn't necessarily have direct control
39 over. We share that exact concern where there
40 could be a gouging.

41 And then, ultimately, how does it come
42 into the fluidity of that market, based upon the
43 time of the year that you mentioned where in the
44 geographic area you are operating in the concern
45 is front-loaded in the earlier portion of the year,
46 but if folks are unwilling to engage in that
47 business agreement, lease quota, what sort of
48 predicament does it put those folks that are

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1 fishing, say, in the first six months versus the
2 latter six months?

3 I think the same argument could be made
4 that the value -- and I would defer to the
5 economists around the room as well as internal to
6 the agency -- but, as time marches on throughout
7 the year, then the value of that allocation could
8 also drop.

9 But it is a concern and we have heard
10 it, and I will continue to kind of pay attention
11 to it as well.

12 As it relates to the installation of
13 electronic monitoring systems for those vessels
14 that did not qualify and have yet to hear whether
15 or not their appeals, how those will shake out, it
16 is that the agency has been able to procure enough
17 funding to pay for those installations for the
18 qualified fleets, so about 137 vessels we have been
19 talking about for the last year or so.

20 Any vessels above and beyond that we
21 don't necessarily have guaranteed funding for.
22 Now we have established a contract with one
23 provider, Saltwater, Inc., and they are the sole
24 provider at this point in time of those systems.
25 And so, at this point if somebody happens to not
26 have qualified, that Saltwater is still the go-to
27 company to engage in those discussions, and there
28 may be costs incurred.

29 That doesn't necessarily mean that the
30 agency in perpetuity can't pay for those. But,
31 given the amount of funding we were able to procure
32 in finalized Amendment 7, that is kind of where our
33 limitations were drawn.

34 MEMBER TAYLOR: Can I just interject
35 for one second? Does that mean that if you have
36 the funding for 137 vessels and, ultimately, 90
37 vessels become equipped, okay -- because we all
38 know that within that group there are vessels that
39 are not planning on fishing. The vessels that are
40 planning on fishing that didn't qualify, are you
41 saying that those funds will be made available to
42 them?

43 MR. McHALE: I think we would have to
44 establish a process of how that additional funding
45 would be distributed because we would actually need
46 to be able to confirm, for those vessels that are
47 qualified, how do you verify that they are no longer
48 entering into the fishery? So, there is that

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1 process, but the funding is still available for
2 that purpose.

3 MEMBER TAYLOR: Well, the short answer
4 for that would be, if they have not made the
5 arrangements by June 1st, they are obviously not
6 planning on fishing because they won't be able to
7 go out without the camera, right, active?

8 So, I mean, we are dealing with a very
9 finite amount of time here, is what I am getting
10 at. And the reasons that I and a couple of people
11 that operate out of our facility didn't receive
12 allocation was not over something that is going to
13 be appealable. It had to do over the timeframe
14 issue, that they may have acquired a permit in the
15 last year or year and a half that wasn't an active
16 permit prior to that. And they are active; they
17 are fishing. We want to keep them fishing, and we
18 need to know what we are doing, I mean, how we are
19 going to go ahead and procure the qualifying
20 equipment.

21 MR. McHALE: Right. So, at this
22 point, now again trying to keep the answer
23 succinct, the communications are with Saltwater,
24 Inc. They are the sole provider of the systems.
25 We procured enough funding for about 137 vessels,
26 which is the universe of those that have qualified.

27 And if the actual number of vessels
28 fishing comes in south of that number, then those
29 funds are still available. And then, it is
30 actually how do you, then, distribute those out to
31 folks that are in that situation you just
32 explained.

33 MEMBER TAYLOR: So, what you are saying
34 without saying it is: go make the arrangements.
35 Pay for the system. Put it on the boat. And then,
36 at a point later in time we may be eligible for
37 reimbursement, the same way we were with the VMS
38 system? Is that the mechanics?

39 MR. McHALE: More or less. I mean,
40 there is a lot of variability within that, but more
41 or less.

42 MEMBER TAYLOR: Okay, okay.

43 MR. McHALE: So, regarding the SkyMate
44 issues, we are still aware of those. You know,
45 again, that is not something the HMS Management
46 Division is directly involved in, in working with
47 those providers. You are well aware that is the
48 Office of Law Enforcement.

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1 But, as we stated during the draft
2 stage, well, the final stage, is the value in having
3 the VMS unit, regardless of who the provider is,
4 to have that be a mechanism. So, we went into that,
5 walked into that, well knowing that there were
6 these technological issues that existed, but also
7 felt that, just because those providers weren't
8 meeting the needs at that point in time, it
9 shouldn't have precluded the agency of pursuing
10 that avenue on a more broad scale.

11 So, we are still well aware. We are
12 still engaged with the Office of Law Enforcement.
13 I think folks around the table are aware that there
14 is a national rulemaking that has been in place.
15 But, yet, not all those issues are resolved. So,
16 we are walking into that, eyes wide open.

17 As it relates to item No. 4 regarding
18 data storage -- and folks with Saltwater I think
19 have explained this in a number of the
20 communications that have already gone out -- there
21 are two hard drives that exist in the system. At
22 the conclusion of a trip, those hard drives are
23 going to be removed by the vessel operator,
24 Federal-Expressed to the contractor. I believe
25 there are two additional drives that are readily
26 available to pop right back in for those
27 turn-and-burn trips.

28 Once the contractor downloads that
29 information from the hard drives, they return them
30 back out to the vessel owner. So, there is this
31 pooling or a pool of these drives that are cycling
32 back to the individuals.

33 We have also been engaged at about \$100
34 a hard drive. So, perhaps having an additional two
35 is a safety mechanism for those vessels that are
36 only in the port for a day or two. Does that
37 provide that additional buffer?

38 But that is the protocol right now. I
39 think we have discussed this during the draft of
40 whether or not the file size, doing uploads, you
41 know, what is the size of the file itself? And
42 then, what are the technical limitations of
43 actually getting that information either to a third
44 party or to the agency? And there are some of those
45 limitations that we are experiencing now.

46 But that is the protocol where the hard
47 drives are removed, Federal-Expressed, UPSed,
48 whatever, to an address provided by the agency.

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1 And then, there are backups ready to go right into
2 the system to prevent any downtime in regards to
3 waiting for those hard drives to be reinstalled.

4 And then, on the fourth item there, the
5 Northeast Distant Area allocation, that is a
6 separate ICCAT recommendation that allocates 25
7 metric tons to account for bycatch in the vicinity
8 of the management boundary area. And so, it is to
9 the tune of 25 metric tons.

10 And so, during the development of
11 Amendment 7, we didn't find it prudent to actually,
12 then, allocate that quota out, given that it is a
13 separate ICCAT recommendation. At that point,
14 what that means is that those vessels that would
15 have the minimum required allocation to embark on
16 a trip, which really kicks in in '16, can proceed
17 to the Northeast Distant Area, fish the Northeast
18 Distant Area, and any their bluefin bycatch would
19 actually come off of that 25-metric-ton set-aside
20 before any sort of accounting were to be incurred
21 on their individual IBQ.

22 MEMBER TAYLOR: So, one more thing that
23 we missed, which was one of the most important, I
24 think was directed more towards maybe Margo, which
25 was that the deficit program that you put in place
26 in 2015, does Amendment 7 give you that flexibility
27 beyond 2015? Is that an agency decision? So
28 that, if that worked well this year, for example,
29 and by the end of this season, boats that ran a
30 deficit were able to resolve that deficit, is that
31 something that you would continue extending into
32 next year?

33 MR. McHALE: The way the rule is now,
34 no. So, what we did as we finalized Amendment 7
35 is we suspended the trip-level accountability.
36 Given, as Tom had mentioned, the new dynamics that
37 were coming on the fleet, the learning curves, the
38 educational outreach, that it was prudent to
39 postpone the trip-level accountability to January
40 1st of '16. That is currently how it will go into
41 play.

42 So, at this point, deficits can be
43 incurred beyond that trip level. There is still
44 that accountability at the end of the year. But
45 the way the rule is drafted and effective dates are
46 articulated is that that trip-level accountability
47 will come into play January 1 of 2016.

48 Whether or not we have any sort of

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1 regulatory flexibility to delay that, I would
2 prefer to speak to our attorneys to see what, if
3 any, sort of wiggle room there is. But I am
4 proceeding on the assumption that there is little,
5 if any, at least at this point.

6 MEMBER TAYLOR: Thank you. I
7 appreciate everybody letting me monopolize the
8 time there.

9 FACILITATOR LEA: Hopefully, that
10 maybe hit some questions other folks had.

11 So, we do have a bit of a queue. I have
12 got Mike and, then, Terri, Rick, Martin, Tim, and
13 then, Martin over here.

14 So, Mike.

15 MEMBER SISSEWINE: Okay, I have a
16 couple of comments and three questions. It is the
17 same number of items that Scott had, but mine are
18 going to be much briefer, and I think it will only
19 require brief answers.

20 The first comment is very good
21 presentations. I compliment you for them. The
22 overall substance of the action seems to be
23 rational and well-thought-out. Obviously, there
24 are all sorts of bugs that are going to have to be
25 worked out in implementation, but I do compliment
26 the individuals involved in the agency for this
27 effort.

28 My second comment deals with the
29 mention of the role of the Office of Law Enforcement
30 in dealing with VMS data. And, also, I note that
31 they appear to have the lead with respect to the
32 vessel monitoring as well, some of the development
33 of software, and so on.

34 I just raise as a general issue that
35 this in my experience is a recurring issue about
36 the priorities for Law Enforcement compared to
37 priorities for implementing management processes
38 as well as for science. And I think it bears
39 monitoring on an ongoing basis to make sure that
40 these systems get used to their fullest for all of
41 the potential as well as don't sort of get bogged
42 down in various processes that are associated with
43 Law Enforcement. So, that is a comment.

44 The questions are very
45 straightforward. On slide 7 of the first
46 presentation that Tom made, there is reference to
47 the criteria for access to the restricted area off
48 of Cape Hatteras. One of the criteria is logbook

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1 program compliance. I will give you all three of
2 these, but I wonder if somebody could say a few
3 words about what logbook program compliance really
4 means.

5 The second question is with respect to
6 slide 9, again in Tom's presentation. Very
7 specifically, it says, under "Landings and Dead
8 Discards," "mandatory retention of all legal-sized
9 bluefin tuna at deck" -- excuse me -- "legal-sized
10 bluefin dead at haulback". I sort of read that as
11 saying there is a no discard rule for legal-sized
12 fish. Is that what it means or is there something
13 more subtle about this that has to do with releasing
14 fish that are still in the water, and so forth and
15 so on? Just a little more elaboration about what
16 that really means.

17 And my third question goes back to the
18 electronic monitoring. I know that there is
19 development going on in terms of data management
20 and algorithms for processing electronic images,
21 which is, I mean truly, that is very, very
22 important. But I am not clear as to how far the
23 intention is to go in terms of processing those
24 samples.

25 For example, is the processing going to
26 lead to actual enumerations or estimates of the
27 catch by species for the entire trip? That is one
28 extreme. Somewhere in between, there might be
29 some verification about specifically bluefin tuna
30 catches, landings, discards on a trip-by-trip
31 basis. And at the other extreme might be simply
32 spotchecking for reporting in logbooks on a more
33 or less random basis, looking at some of the data.
34 So, I am curious -- that is my third question -- as
35 to what is envisioned in terms of the product that
36 is going to come out of the electronic monitoring
37 data.

38 Thank you.

39 MR. WARREN: Thanks, Mike.

40 With respect to your first question,
41 the gear-restricted area off Cape Hatteras does
42 have three performance criteria, and your question
43 was with regard to the logbook compliance. This
44 is a narrow criteria with respect to the timing of
45 when NMFS receives the completed logbook, and it
46 is a score based time after a week, one month, two
47 months, et cetera, and it is a clear scoring system
48 with respect to time. It is straightforward

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1 timing.

2 Your second question with respect to
3 slide 9, "Landings and Dead Discards," this wasn't
4 intended to be a real nuanced regulation, but was
5 intended to state that dead discards, legal-sized
6 dead fish should be retained rather than discarded.

7 MEMBER SISSEWINE: And again, I
8 assume that is useful because it makes it easier
9 to use the electronic monitoring to basically have
10 compliance, and so on, and get an accurate count
11 of what is taken, a legal-sized fish? Is that how
12 those interrelate?

13 MR. MCHALE: Yes, that is correct,
14 Mike. Plus, given the importance that we have
15 heard around the table for almost two-plus years
16 now, it is the value of the allocations that folks
17 are getting and how far they can actually operate
18 underneath those. But if a bluefin were to come
19 up live, say at haulback, we didn't want to have
20 a trigger in place that, then, forced that vessel
21 to be able to keep and kill that fish and allow for
22 that fish to be released. So, it is really those
23 legal-sized fish that are dead at haulback that the
24 requirement is that they must be retained and,
25 then, in turn, be accounted for.

26 MR. WARREN: Thanks.

27 And your third question, Mike, with
28 respect to the design of the electronic monitoring
29 program, we did not implement it as a means to
30 provide a census of total catch or even bluefin
31 catch, but the intent is to provide a means to
32 verify the accuracy, identification, and count,
33 and again, not on a widespread basis.

34 We are originally envisioning
35 approximately 10-percent audit program. So, it is
36 designed after a Canadian paper that implemented
37 a 10-percent audit program, and that is the
38 starting point.

39 MEMBER SISSEWINE: Yes, I hope we can
40 someday or soon go beyond that, but I think you are
41 being realistic.

42 Thank you.

43 FACILITATOR LEA: Thank you.

44 Terri? And I have also added Shana and
45 Jeff to the queue.

46 MEMBER BEIDEMAN: Thanks.

47 Okay. I am going to go over all
48 the -- so to whomever it applies to. With regard

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1 to dead discards, you know, again, no other
2 categories provide the level of reporting. So, we
3 are the ones with the crosshairs, and I will
4 continue to say that, that we are not the only ones
5 that have dead discards, but we are the only ones
6 getting forced to do some pretty complicated things
7 to account for them.

8 The consolidated HMS-FMP-stated
9 objective to promote a "why" is defined for
10 commercial fisheries as food production. And the
11 pelagic longline fishing fleet in the Atlantic and
12 Gulf of Mexico catches more than 90 percent of all
13 the commercial swordfish, bigeye, yellowfin,
14 albacore, not including mahi, sharks, wahoo, et
15 cetera.

16 That is one thing that I would like to
17 request in the SAFE report, that we begin seeing
18 the value of those catches, quantities and values
19 that are available from various Councils. And we
20 don't really have them accounted for easily. So,
21 I am just asking for that.

22 So, I am going to roll through these
23 things.

24 On your slide 7, which you don't have
25 to go back to, but it has to do with rescoring people
26 after three years of available data. So, are you
27 already in the process of raising that number to
28 what year, for this next coming annual change, for
29 2016? Will it include 2014? Okay? Question?
30 Thank you.

31 With regard to the live releases, it is
32 my understanding -- and I don't think it is
33 fair -- but it is my understanding that live
34 releases are basically going to be held against
35 people, despite the fact that they are not going
36 to be taken from their quota, that estimates of dead
37 discards will be still used to calculate -- I mean
38 live releases will still be used to calculate the
39 ratio for purposes of IBQ allocation. I also think
40 that you ought to reward people for releasing live
41 bluefin or other species, maybe even tagged. So,
42 maybe we could figure out a better way to do that,
43 rather than penalize those people for that.

44 I had actually talked to a couple of
45 people about this. But there was some confusion
46 among the fishermen about they land their fish in
47 dressed weight. The letters that provided them
48 the information on how much quota they were

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1 allocated did not make a reference to converting
2 them to dressed weight. I recognize that the
3 reporting system does, but that is when pretty much
4 everyone found out about it. So, I am just
5 suggesting that in the future that the allocation
6 letter also include the dressed weight, so that
7 there is no more confusion on that.

8 Let's see. I have heard recently that
9 there are some glitches even with the VMS
10 reporting, new VMS reporting items. We have been
11 doing VMS in one form or another for 12 years. So,
12 these I know are new units, and I know this is a
13 new rule, but I had heard that, first, they report
14 the length of the released alives for the purposes
15 I just described.

16 But I also heard that there was some
17 kind of problem that the bluefin tuna weight that
18 I guess people kept was put in a box that records
19 the number of bluefin interacted with. And I can
20 see where that might be a very large problem.

21 So, this was reported to me. I believe
22 folks at your table are aware of it. That is a
23 pretty big glitch. So, number of weights.

24 So, yes, we are the only ones -- the
25 purse seine are now just beginning to use VMS 12
26 years later, and other categories are zero. So,
27 we still would like to see some more catchup on
28 that.

29 Going through, okay, there's that one.
30 So, how many vessels -- you said there were 47, oh,
31 no, 38 -- sorry -- 38 installed. How many of those
32 are functional? Thirty-eight electronic
33 monitoring installations as of last week, how many
34 are what you would consider fully functional with
35 no glitches?

36 FACILITATOR LEA: Is that all the
37 questions?

38 MEMBER BEIDEMAN: This is all the 38
39 electronic monitoring installations that was on
40 the second presentation on page --

41 FACILITATOR LEA: Is sounds like that
42 is the last question? We are trying to clarify if
43 that is your last question.

44 MEMBER BEIDEMAN: My question is, how
45 many of those 38 --

46 MR. McHALE: No, Terri, I heard that.
47 We got that loud and clear. What I am asking is,
48 is that your last question before we start get into

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1 the answers? That's all.

2 MEMBER BEIDEMAN: No.

3 (Laughter.)

4 Okay? I won't be too many. I am just
5 trying to make sure that I cover what I wrote down.

6 Okay. Well, I guess, let's see, my
7 other question is, have you had any leases done to
8 date, and not just from people who own multiple
9 boats, but from other non-aligned boats? That's
10 my question.

11 We did discuss the dressed weight
12 transfer thing. So, you are not using units, as
13 you had described previously in the rulemaking,
14 that you were going to use units, and now it is
15 pounds, it looks like on the website. When you
16 report it, it is in pounds?

17 Here's a question: will fishermen be
18 able to obtain copies of their EM data? If they
19 provide you with the hard drive, will you decrypt
20 it and give them a copy for them to retain for their
21 records?

22 Okay. All right. And, you know, just
23 a general comment here. You know, it is a pretty,
24 pretty, pretty elaborate system, difficult for a
25 lot of people. If you are not really
26 computer-savvy, it is really going to take some
27 time. I discussed, I think, that we were going to
28 need a lot of time and we were going to need a lot
29 of flexibility and probably some tweaks.

30 But the cost per fish, I am not sure that
31 they are going to actually make -- I mean, it seems
32 like an awfully lot of money to pay out to get these
33 all installed, a couple of million dollars and
34 \$700,000 for the storage, and so much, you know,
35 half a million every year for a while. So, if you
36 have like 10 years of that, the catch in 2014 from
37 the pelagic longline was 392 fish plus 156 metric
38 tons of estimated dead discards. That is about
39 1135 fish, if you use the average weight.

40 When you take all of that and you divide
41 it by what it is going to cost, it is going to be
42 about \$925 per fish just to -- it doesn't include
43 the analysis, just to take a picture or see. So,
44 I just don't know if it is like too much, if it is
45 worth it. And there is a lot of cost, and we are
46 fearful that it will wind up being on our heads to
47 pay it.

48 Those are my comments.

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1 FACILITATOR LEA: All right. Thank
2 you.

3 I am going to go ahead and let them
4 address those.

5 MR. McHALE: Whew. Thank you, Terri.
6 No, it's all good.

7 So, let's see at least which ones I can
8 tackle. In regards to the pelagic longline fleet
9 being the only ones required to report dead
10 discards, that is no longer the case with the
11 implementation of Amendment 7. So, there is
12 always going to be room for improvement, but that
13 is no longer the case post-Amendment 7.

14 As it relates to the request for
15 quantities and values of species in the SAFE
16 report, I think that is something we can look at.
17 I don't know exactly what is involved there,
18 reporting those species that aren't managed under
19 the HMS purview, but other Council species, but I
20 think it is fair enough for us to take a look at
21 and see what we could provide there.

22 As it relates to the recalculation of
23 scores, as we have stated in the Final Rule, we will
24 be looking at the most recent three years of
25 available information. And that will be kind of
26 an ongoing system. So, for '16, we would be
27 looking at probably '14, '13, and '12 data, on the
28 assumption '15 kind of wouldn't be finalized, but
29 that is kind of the process would be executed.

30 You mentioned how live releases kind of
31 factored into the allocation scheme. You're
32 right, they did, but now that that allocation
33 calculation is done, those values are there. It
34 is really no longer kind of applicable as we move
35 forward. You know, for those kind of live releases
36 that are occurring, they are no longer being
37 accounted for, say, underneath an IBQ, but they
38 were part of that metric and the calculation we used
39 to establish the allocations.

40 Regarding the dressed weight versus
41 round weight, kind of like we have touched in
42 answering Scott, it is something that we will do
43 a better job of communicating back out to
44 individuals, so they know exactly what those
45 differences are.

46 And what has come to light here in the
47 discussion is reinforce what a whole weight versus
48 a round weight is; i.e., when the dealer is actually

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1 getting ready to ship that fish, that is actually
2 that dress weight that we are looking for,
3 completely cleaned up, to maximize everybody's
4 IBQ, and so we don't end up with some of that noise
5 in the data itself.

6 I would have to follow up with you maybe
7 offline regarding some of the glitches that you
8 mentioned regarding the VMS. How you mentioned
9 it, it sounds like some of it might be user error.
10 You know, if somebody reported a 530-pound fish and
11 meant weight, but if they put it in as individuals,
12 I absolutely see where that could be problematic.
13 But there are other data-checking mechanisms we
14 have in place, that that would come out in the
15 laundry where all of a sudden a vessel would be
16 shown has having 535 different discards, if you
17 will. But that is something I want to get a little
18 more insight on to make sure I am hearing you
19 correctly.

20 Regarding the VMS requirements,
21 although Amendment 7 made them requirements for the
22 purse seine fleet, those vessels have had them
23 underneath the Scallop Fishery Management Plan.
24 So, they have had them in place. We have just kind
25 of brought them underneath our purview. But I also
26 hear your comment as to expanding out to those other
27 directed fishers in the fishery.

28 I would have to look into the electronic
29 monitoring functionality of the 38 units that are
30 currently installed. Right now, those vessels
31 aren't required to submit those hard drives until
32 June 1st. And so, I know a lot of vessels have been
33 sharing information back and forth with Saltwater
34 to make sure that the systems are working.

35 But I am also of the understanding that,
36 once that kind of check has been performed, that
37 some vessels aren't necessarily turning those
38 systems on because the requirement isn't in place.
39 So, it is kind of difficult to keep a full live
40 assessment of how that is playing out, but that is
41 something that we can look into.

42 As far as the number of leases between
43 different parties that have been executed to date,
44 I don't believe we have any recorded in the IBQ
45 system at this point in time. So, it has all been
46 from shareholder down to the vessel, no
47 cross-ownership traffic, at least not at this
48 point.

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1 Regarding the units versus weights for
2 counting, when it comes to landings, we are using
3 the weights, that dress weight/round weight that
4 we have been talking about. When it comes to
5 discards, we are counting the number of individual
6 fish by size class and, then, using weight
7 estimates.

8 And so, because the ICCAT allocations,
9 the U.S. quotas, and then, in turn, the IBQ are all
10 in weights, that is ultimately how it is all being
11 accounted for. And for those situations where it
12 is impractical to actually get a weight at sea, a
13 fish is being discarded, we are getting approximate
14 length and, then, applying an average weight based
15 on the size class of that individual fish.

16 And then, regarding the costs and
17 benefits, I think it is a valid observation that
18 I think we get to see how it ultimately plays out,
19 see if what we developed here over the last four
20 or five years is actually worth it, based upon the
21 objectives that we have laid out of what we are
22 trying to accomplish in minimizing bycatch,
23 creating incentives to stay off fish, introducing
24 individual accountability at the per-vessel basis
25 versus fleetwide, but, yet, also maintaining that
26 longline fishery, given all the production that you
27 referred to as it relates to all those other direct
28 species.

29 Oh, and then -- sorry -- then, the last
30 one was the copies of the electronic monitoring.
31 I believe that is possible, but let me look into
32 it and I can get you a more definitive answer.

33 MEMBER BEIDEMAN: So, just a quick
34 follow-up. Then, you will not be using live
35 releases to calculate people's ratios in the
36 future? That was just for this initial one?

37 And the second one is, in the rule I
38 thought you were going to have traded units by a
39 100th of a ton or something. That is what they were
40 going to be called, "units," and I don't know
41 because I haven't had access. There is no ability
42 for me to get on that website without having quota
43 to take a look at how you are doing it until I saw
44 this today. So, I was under the assumption that
45 people would be transferring by units which would
46 be a portion of a ton.

47 MR. McHALE: All right. We will take
48 those last two offline. I will get you those

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1 responses, so we can kind of keep the queue going.
2 MEMBER BEIDEMAN: Okay.
3 FACILITATOR LEA: All right. Next,
4 Rick.

5 MEMBER BELLAVANCE: Thank you.
6 My question is in regards to your bullet
7 on slide No. 2 of your second presentation that
8 talked about expanding online reporting, a system
9 for the General, the Harpoon, and the
10 Charter/Headboat Categories. I was just
11 wondering if you could review any changes that are
12 proposed or that you are thinking about for the 2015
13 or 2016 fishing seasons in regard to that
14 reporting. Are there any at this point?

15 MR. WARREN: Those changes have been
16 implemented and are live for the 2015 and required
17 for the 2015 fishing year.

18 MEMBER BELLAVANCE: Could you just
19 quickly review those?

20 MR. WARREN: Sure. It is online now is
21 available a screen for vessels at the completion
22 of the trip to enter landings and dead discard
23 information by size category. So, it is a
24 fairly-simple two-screen online process, and we
25 can make FAQ information available, if you would
26 like.

27 MEMBER BELLAVANCE: Okay. That is
28 still a voluntary thing or that is now mandatory
29 online?

30 MR. McHALE: Yes.

31 MEMBER BELLAVANCE: So, the telephone
32 thing is in addition to that?

33 MR. McHALE: Yes. So, I can show you
34 what we have done offline, just so you can see what
35 it looks like.

36 But, through the website that issues
37 the vessel permits, where historically
38 recreational catch has been recorded, that
39 requirement has been expanded to those directed
40 handgear vessels, Harpoon, General,
41 Charter/Headboat.

42 And so, what that requirement now
43 entails is for those directed fishermen to record
44 not only the fish that they have landed, but the
45 fish they have released and whether or not those
46 fish were released live or dead, and then,
47 approximate sizes.

48 So, it is kind of getting at that same

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1 discard comment that Terri just mentioned as far
2 as trying to collect that information from the
3 directed user groups, especially the handgear
4 folks.

5 MEMBER BELLAVANCE: Okay.

6 MR. McHALE: And again, that is right
7 at the same website that the permits are issued from
8 and where the recreational catch has been
9 documented.

10 MEMBER BELLAVANCE: Got you. Thanks
11 for that.

12 So, I guess my comment to that, then,
13 just real quickly, would be a few folks have
14 referenced some of the work that I have done with
15 electronic reporting already. It sort of is
16 visioned in my head that there would be one-tool,
17 one-stop reporting for all of the different
18 mandates that we have at the state, the regional,
19 and the federal level. And maybe it is better
20 offline to just kind of circle back with who I can
21 talk to about making sure that some of the tools
22 we are developing now might be also included as
23 another way to meet that mandate, so that there's
24 not four or five different things that we have to
25 do for each trip.

26 MR. McHALE: No. I mean, absolutely,
27 because I think, ultimately, one of the main
28 concerns is we all talk about what sort of
29 electronic reporting is. So, if, all of a sudden,
30 they are all stovepiped, the agency creates one,
31 IGFA creates one, you come up with one, right, if
32 all that data remains fragmented, it is not really
33 doing anybody any good.

34 So, how do you actually talk about, is
35 there one kind of repository for that information?
36 Are all the data elements the same? How do you
37 verify it?

38 But I definitely want to inquire more
39 about, continue to inquire more about what you have
40 been working on to see how that plays out with even
41 some of the Southeast Region's efforts in their
42 charter fleets. There is a lot of energy and
43 effort going behind it. But, if we remain
44 fragmented, then we will probably run into a
45 situation where we are then spending decades on how
46 do you blend that data together versus trying to
47 get it right out of the gate.

48 MEMBER BELLAVANCE: Yes, I would agree

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1 with that. Thanks.

2 MS. SCHULZE-HAUGEN: And if I could ask
3 you to save that thought for Thursday morning when
4 we talk about electronic technologies, that would
5 be a great discussion to have in that context.

6 FACILITATOR LEA: All right. Martin?

7 MEMBER SCANLON: Yes. My first
8 question is, is there or do you have a disbursement
9 schedule from the Reserve at this point? That
10 would be my first question.

11 My other question is, in this IBQ
12 system, how come -- I don't know in bluefin if they
13 have a 10-percent carryover at ICCAT; I know in
14 swordfish they do -- how come we don't get a
15 10-percent carryover in our IBQs?

16 The other thing I have here is, as far
17 as the EMS systems and as far as when you send in
18 your report every day, I don't see where you get
19 a verification that that report has gone through,
20 that it has been accepted and it has gone through,
21 which is a problem. You know, you don't know if
22 it is there or not.

23 Another question I have is that, you
24 know, you say that now the General Category is
25 accountable for their discards. They are so
26 honorable that they don't need to have the same type
27 of regulations and overlook that we have. I would
28 like to see a graph on how many discards they have
29 reported so far this year. I see that they have
30 that graphed-in on our stuff here.

31 You know, we have all this regulation
32 on us at, of course, the \$925 per interaction here
33 at this point, it will be for us, per bluefin that
34 we interact with. It is going to cost \$925. So,
35 that is an interesting thing.

36 The other question I have here is, well,
37 as far as the camera systems go, the rotation sensor
38 is an unneeded cost since the system, the gear can't
39 be hauled back without the pressure. So, that is
40 an unnecessary course that is being put on us there,
41 that line sensor rotation thing.

42 The other thing I have is that we are
43 rushing into getting these cameras on the boat by
44 June 1st. What I want to know is what the schedule
45 is going to be to actually come back and get those
46 systems up and running.

47 My boat was the first boat to have them
48 put on. And from day one, they have progressively

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1 worked less, worse and worse, to the point now,
2 since Thanksgiving, the system hasn't been in
3 operation. As of January, the first trip I made
4 in January with an observer on the boat, the system
5 basically ate itself.

6 And I have been in touch with Saltwater,
7 Inc. I have given them every opportunity to come
8 to the boat and repair my system. They claim that
9 they are going to have to completely replace my
10 system, and they haven't even gotten back to me yet.
11 So, how many months is that now? Is that going to
12 be the repair schedule after June 1st?

13 So, after June 1st, after we have
14 installed all these unproven systems that as far
15 as I am concerned don't work -- I would think that,
16 if you asked me to put them on the boat, to get them
17 up and running, you would think you would have had
18 them up and running on my vessel first before you
19 went ahead and installed them on 135 vessels.

20 I mean, Saltwater, Inc., I don't know
21 what business would get away with that. I mean,
22 at \$15,000 a unit, to have them on these boats
23 unproven, and proven not to work, to be giving the
24 go-ahead to install them on every vessel in this
25 fleet by June 1st I think is just unbelievable.

26 So, we need to find out what the
27 schedule is going to be and who is going to pay to
28 actually get them to work after June 1st because
29 the money is going to be gone by June 1st to get
30 them up and running. Because I'm certainly not
31 going to pay for it, and I'm certainly not going
32 to leave my boat stuck to the dock. So, if that
33 is the case, you will be seeing me in court because
34 you are going to be locking me up because I am
35 leaving the dock whether that thing is working or
36 not.

37 MR. McHALE: All right. Thank you,
38 Marty.

39 So, to tackle some of those, there isn't
40 any sort of like schedule per se as far as how quota
41 is distributed from the Reserve. That is
42 something that is more of on an ad-hoc basis. So,
43 right now, the only thing kind of in the works that
44 Margo mentioned during her overview presentation
45 is addressed in the ICCAT quota increase. And so,
46 that will be the first kind of any quota change that
47 takes place here in 2015.

48 But, as we have been discussing over the

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1 last couple of years, the flexibility of how that
2 10 percent, which was your second question, of how
3 the 10 percent carried over at ICCAT comes into
4 play, it is that we have that additional
5 flexibility that we installed in Amendment 7 as it
6 relates to how that quota in the Reserve can be
7 used. And so, we kind of opened that up to, can
8 it be used for dead discards? Can it be
9 transferred to the Longline Category as a whole?
10 Can it be transferred to any of the various user
11 groups? And so, there isn't a schedule, but we
12 have that flexibility that we have discussed.

13 I want to follow up with you regarding
14 the confirmation of the electronic monitoring. I
15 wasn't quite sure if you were referring to the VMS,
16 if there is a confirmation from the VMS report.

17 MEMBER SCANLON: Yes, from the VMS
18 report.

19 MR. McHALE: Okay.

20 MEMBER SCANLON: And also, on the
21 camera systems themselves. When they first
22 installed them on the vessel, in the morning what
23 you are supposed to do is turn the system on, check
24 the cameras, make sure they are operational. And
25 there is a Save button on the thing that tells you
26 whether or not the system is running. To me, there
27 is no indication that it is saved and that it is
28 running. The screen just kind of stays the same.
29 Really, unless you see where it says "recording
30 true" or "recording false," there is no indication
31 of whether it is working or not.

32 MR. McHALE: All right. Thank you for
33 that. I will chase that down, both on the VMS side,
34 confirming those reports --

35 MEMBER SCANLON: Yes, really, it would
36 be important, if you sent it through and for some
37 reason it didn't go, it would be nice to get a
38 verification back that your report was received.

39 MR. McHALE: All right. Thank you,
40 Marty.

41 I would have to look in to see kind of
42 what sort of reports have come in regarding the dead
43 discards on the handgear fleet. You know, it was
44 my understanding that the bluefin haven't really
45 showed up, you know, until relatively recently.
46 But that is something I can look into. We can get
47 you an answer back on that front.

48 And then, just some of your concerns

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1 that you voiced regarding the system's
2 functionality, repair schedules, that is something
3 I would have to look into as well versus having an
4 answer right here and now for you, and how the
5 service calls would play out.

6 MEMBER SCANLON: Yes. You know, I
7 don't want to get stuck here. Like they are using
8 up all that money there. To me, they are rushing
9 these systems out on all these boats, and I don't
10 think they have been straightforward to you or me
11 or the rest of the fleet here on the functionality
12 of it. And I just don't want to get stuck with
13 holding the bag; all these boats sitting here with
14 a bunch of systems not being allowed to leave and
15 exorbitant cost to fixing them or getting them
16 running, you know. And I am sure you don't want
17 the same thing. You don't want to be paying for
18 them. So, I would be paying attention to that.

19 FACILITATOR LEA: Thank you.

20 Tim?

21 MEMBER PICKETT: Okay. I just want to
22 thank you guys for having me here. It is my first
23 meeting.

24 A couple of the questions have already
25 been asked, but I don't know if -- I will re-ask
26 them because I have them in my queue here.

27 Is there a reassessment date? And
28 excuse my ignorance because this is my first time,
29 you know, if this has been covered previously. Is
30 there a reassessment date for all this data once
31 things get up and running?

32 Is there an ability to carry over a
33 surplus, as there is the ability to carry over a
34 shortage, you know, an overage? How an overage has
35 to be carried over, is there an ability for a
36 quota-holder to carry over a surplus?

37 And seeing as recently there was a
38 reallocation from the Purse Seine Category to the
39 Reserve Category, and that was a major bank of
40 available quota for the longline group, again, what
41 was the reasoning behind that, I guess for it to
42 go in the Reserve Category, rather than being
43 allocated to the category that would use it the most
44 in the Longline Category?

45 And is there any sort of, I guess,
46 schedule, which was just asked, to allocate that
47 into the individual quota system, how that would
48 be available, if it would be available? And would

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1 it be available in useful chunks? So that, if you
2 are reallocating a little bit of the Reserve
3 Category, it would have to come on a level that
4 would be useful for a boat, say, that is getting
5 into the system, you know, a new entrant or
6 something of that nature.

7 My last question: is there way to get
8 certified to install the pressure-monitoring
9 equipment and spool rotation equipment on new
10 equipment? Because I am a manufacturer of new
11 longline equipment. Should some new equipment
12 have to come off the shelf for me, is there a
13 reasonable set of criteria that new equipment would
14 have to have, so that it could come straight from
15 the factory? Because, right now, we are the only
16 ones that make spools that I am aware of in the
17 United States. So, new equipment, it would be nice
18 for it to come off the shelf being compliant with
19 the new regulations.

20 That's it.

21 MR. MCHALE: Well, thanks, Tim, and
22 welcome.

23 So, kind of running down that list, as
24 far as a reassessment date, Magnuson Act requires
25 on a three-year cycle to kind of reassess any sort
26 of these allocation programs. And through the
27 entire Amendment 7 process, we have kind of put that
28 marker in the sand as well, as far as to revisit,
29 see how the system is working three years out. Is
30 it meeting the intended goals? Has it completely
31 missed the mark? And what, if any, kind of
32 modifications need to be made? Or do you scrap it?
33 I mean, it could be even that far, depending on how
34 things shake out. So, that is in place.

35 As far as carryover surplus, we
36 actively made the decision not to allow carryover
37 from one year to the next in this three-year time
38 period, given that we did not authorize any sale
39 of the allocations; we didn't authorize sale of
40 shares. What we wanted to do is try to keep it
41 somewhat compartmentalized for the initial three
42 years, so individuals weren't necessarily at a
43 disadvantage for making a business decision, but
44 not necessarily letting the market shake itself
45 out. And so, that is kind of one of the reasons
46 we have kind of kept it to a one-year timeframe for
47 the next three years, to see how that, then, in
48 turn, plays, kind of as an insulator, if you will.

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1 Kind of as I was mentioning to Marty,
2 there isn't a schedule of how quota is distributed
3 from the Reserve Category. You're right, you
4 didn't see the notice where purse seine allocation
5 has moved to the Reserve. That was prescribed in
6 the amendment, based upon the amount of activity
7 that the purse-seiners had in '14, influences their
8 quota in '15, and then, ultimately, the delta goes
9 to the Reserve Category.

10 Now, you know, there isn't a schedule
11 per se. It kind of stems back to the additional
12 flexibility we have built into what does the agency
13 now have the ability to do with that quota, given
14 that it has been bolstered upwards? And some of
15 that is to distribute out to cover dead discards,
16 but it is not solely for longline usage.

17 As you will clearly see around this
18 table, everybody has a different understanding of
19 how the agency should be allocating quota. And
20 that applies almost in any fishery. And so, one
21 of the fun jobs we have is trying to balance all
22 those various concerns, given the needs of the
23 fishery and the needs of the different
24 perspectives, whether it is a gear difference or
25 a geographic difference, or whether you are a
26 directed or an incidental as it comes to
27 interacting with the fisheries.

28 That is why there isn't anything, say,
29 prescribed, but the agencies tried to install
30 enough flexibility to account for all that and,
31 then, execute those sort of decisions kind of
32 mid-season.

33 As it relates to, say, the longline
34 fishery where we do have individuals in place, you
35 know, that does become a little bit trickier, where
36 you would have to kind of do any distribution to
37 the fleetwide or to the fishery as a whole versus
38 individuals. You start to run into issues there.

39 And then, depending on the volumes of
40 quota that are transferred, it may come down to an
41 individual basis of whether or not that was enough.
42 If somebody is in a huge deficit, if we were to
43 transfer and distribute, that may not help them out
44 a whole lot versus somebody that may be just on the
45 margin. So, that is kind of some of the things that
46 a blanket statement won't necessarily cover.

47 And then, in regards to your last
48 statement, being a gear provider for this fleet,

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1 what I would almost recommend is maybe having a
2 conversation with Saltwater themselves because I
3 think there is value there in trying to see what
4 the regulations are requiring and, then, how that
5 may influence your own manufacturing and what makes
6 your decision for your clients.

7 But if there are ways to kind of
8 incorporate some of that to minimize burden on your
9 clients and, yet, still meet some of the
10 government-mandated regulations, I think there are
11 opportunities there. That is not my field, but I
12 would think that there are opportunities there to
13 see what is available.

14 MEMBER PICKETT: Just a quick
15 follow-up. So, Saltwater is making the
16 specifications for the equipment or is there a set
17 of specifications that Saltwater is following that
18 was handed down that all of the equipment needs to
19 meet, I guess is what I am saying?

20 MR. McHALE: Sure.

21 MEMBER PICKETT: Because, as a
22 manufacturer, I don't necessarily want to work with
23 another manufacturer. I want to provide some
24 competition in the game here sort of thing.

25 MR. McHALE: No, I hear you loud and
26 clear. Saltwater isn't manufacturing drums, and
27 the specifications were spelled out in the Final
28 Rule.

29 Now whether or not they are at the level
30 you need from a manufacturing perspective, I think
31 we could take offline and see how those two jibe.
32 But, no, Saltwater themselves aren't necessarily
33 coming up with the specifications ad hoc.

34 MEMBER PICKETT: Okay.

35 FACILITATOR LEA: Some of you will
36 probably notice we are at break time, but we are
37 going to continue. We have four more people in
38 queue. Since this is a new implementation and
39 there is a lot of kind of technical questions, we
40 are going to go ahead and break a little bit later.

41 So, we have Martin, Shana, Jeff, and
42 then, Rich, it looks like you get the last word this
43 time.

44 MEMBER FISHER: So, are we breaking or
45 are we going on?

46 FACILITATOR LEA: No. Yes, we are
47 going to go ahead.

48 MEMBER FISHER: Okay. So, I'm next,

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1 right?

2 FACILITATOR LEA: Yes.

3 MEMBER FISHER: Thank you very much.
4 And thanks to the agency for putting me on this AP.
5 I appreciate that.

6 So, instead of going into my novella of
7 comments, I would like to ask a question first.
8 And depending on your response, then I would like
9 to provide comment.

10 And that is, is there anything in
11 Magnuson or anywhere else that prevents the agency
12 from putting limits on the value of allocation to
13 be sold? In other words, 10- or 20- or 30-percent
14 limit of ex-vessel price of the fish per pound, or
15 however it is sold, to protect the men and women
16 that are actually on the water, producing the
17 product, helping to prevent the sharecropper
18 environment?

19 MR. McHALE: I would have to confirm,
20 but it is my general understanding that MSA does
21 not prescribe a ceiling or a cap, if you will, of
22 what could be traded for underneath a limited
23 access privilege program.

24 MEMBER FISHER: I understand, but does
25 it prevent you from doing so? Because I think it
26 would behoove the agency, when creating catch
27 charge programs, to go ahead and provide some
28 guidance to the industry, so that we can prevent
29 some of the things that have been happening,
30 especially in the Gulf.

31 Just for instance, in order to
32 prosecute the red snapper fishery, 75 percent of
33 the ex-vessel value of the fish goes into the
34 allocation to catch it. So, in the grouper
35 families and the snapper families, we range
36 anywhere from 20 percent to 75 percent of the
37 ex-vessel value of the fish in order to catch that
38 fish.

39 From what I am hearing around the table,
40 the IBQ is going to experience some valuation
41 speculation. So, as I sat on MAFAC and listened
42 to the whole catch share issue get developed by Doc
43 Holliday and the agency, I was very concerned about
44 this, and I expressed this in many different
45 meetings; that there is no reason why you guys
46 can't -- well, by "you guys," I mean the
47 agency -- why the agency can't prescribe a limit
48 to prevent some of these things happening.

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1 Of course, that doesn't make me very
2 popular with the shareholders that would rather sit
3 on land and lease their stuff, but it would protect
4 fishing communities, men and women that actually
5 go to sea, et cetera.

6 Thank you.

7 MR. McHALE: Yes. Thank you, Martin.

8 Again, I would want to go back and scrub
9 the language. I don't think there is anything that
10 precludes the agency from setting a cap, from just
11 a straight legislation perspective. But, as you
12 mentioned, there are a number of different
13 influences on why the agency may not have pursued
14 that avenue to date. But that is something we can
15 look into and kind of get back to.

16 I guess one of the other items as it
17 relates specifically to Amendment 7 is, is that
18 something that we entertain as we kind of go through
19 this three-year review cycle? Obviously, there
20 are sensitivities that fall on the agency's
21 imposing a cap on the value of some things, but I
22 think it is worthy of discussion, as we explore how
23 it gets applied to this particular fishery.

24 FACILITATOR LEA: Shana?

25 MEMBER S. MILLER: Thanks.

26 You know, this rule has
27 been -- what? -- more than five years in the making.
28 I think from these presentations today, you all
29 have been just as careful and thoughtful in your
30 implementation as in the development of the rule.
31 So, thanks for that.

32 It is really encouraging to see, I
33 think -- Tom, your slide showed just one reported
34 dead discard so far, and we are in March.

35 MR. WARREN: Through VMS, yes.

36 MEMBER S. MILLER: Okay. Well, I
37 mean, that is very encouraging.

38 My question was similar to one of Mike's
39 questions about what is going to be done with the
40 electronic monitoring footage. We heard that the
41 hard drives get sent to the provider. And then,
42 are they stored there in perpetuity? Is there some
43 sort of statute of limitations? Has any of the
44 footage been reviewed already?

45 And getting at Marty's point, what is
46 the quality of the footage? Can it be used for this
47 10-percent auditing? If you could just expand on
48 that a little, please?

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1 MR. McHALE: So, I am it.

2 As it relates to the exchange of the
3 hard drives, once those hard drives are removed
4 from the system itself, the vessel operator then
5 needs to send them to essentially a third-party
6 contractor. That third-party contractor is,
7 then, responsible for downloading that information
8 and getting those hard drives sent back out to the
9 vessel itself, inclusive of just kind of like with
10 some of the permit renewal. As folks send in a
11 Federal Express package, they may include a Federal
12 Express package pre-addressed on the way back.

13 So, they are not sitting on them in
14 perpetuity. They are about \$100 a drive. So,
15 when the data is, then, downloaded, right now, it
16 is of very high quality in the sense of frames per
17 second, the resolution of the data. And they are
18 rather substantial files, as one might expect on
19 the time it takes to actually conduct retrieving
20 a full longline set. And so, they are rather
21 large.

22 As far as the review, we have done some
23 spot reviews of the information that vessels have
24 already shared back, kind of looking at camera
25 placement, but we haven't fully engaged that. I
26 guess the requirement isn't there yet for every
27 vessel to be submitting these on a trip-level
28 basis. That will kick in on June 1. So, right
29 now, it has really been on the good graces of the
30 fleet to share back that information, to help
31 refine the systems, to make sure it is doing what
32 the system was designed to do come June 1, kind of
33 like how Marty was referring, and whether or not
34 that is or is not happening.

35 And then, as far as record of retention,
36 that is something that the agency, then, is
37 responsible for and is still kind of figuring out,
38 do you, then, need to retain the entire footage?
39 Are you, then, required to retain the information
40 derived from the footage?

41 This is kind of a new realm that the
42 agency as a whole is contending with of what
43 actually needs to be stored and, then, for how long.
44 Is it a six-year cycle? Is it in perpetuity?
45 Obviously, there are costs that, then, come along
46 with that, when you are talking, say, the raw
47 footage needs to be stored, and you are looking at
48 about a terabyte potentially per trip, then the

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1 costs of storing that go up exponentially. And
2 they don't go down. The curve continues to
3 escalate over time, depending on that duration.

4 And so, there is a lot of dialog back
5 and forth with our attorneys and the folks that are
6 a little more versed in that record-of-retention
7 policy, both at a program level as well as the
8 agency level, of what actually needs to be
9 retained, because that, obviously, will influence
10 some of the costs that are associated with it as
11 well.

12 MEMBER S. MILLER: If I may, just one
13 follow-up question. If there is an inconsistency
14 detected, I mean, is it turned over to the Office
15 of Law Enforcement or what happens at that point?
16 Is it just a data issue to correct the data or is
17 it an enforcement issue?

18 MR. McHALE: All the above.

19 FACILITATOR LEA: All right. Thank
20 you.

21 Jeff?

22 MEMBER ODEN: Thank you.

23 Three months into the closed box in
24 front of Hatteras, the bluefin finally showed up
25 this past week. Anyhow, a friend who is General
26 Category happened to hook a nice one, so nice he
27 couldn't get it aboard the boat. So, later on,
28 they went and tried to transfer it to another,
29 actually, one of the Wicked Tuna boats. Couldn't
30 get it aboard that, either. The door was not big
31 enough. So, they finally let the thing go. After
32 they had drifted 13 miles offshore, they just let
33 it go, dead, of course. I am sure they had to gaff
34 it by then. To the point that we heard earlier that
35 only we are the ones required to essentially deal
36 with discards, well, that fish got discarded, and
37 I doubt it got reported.

38 But, that aside, by point is this: I
39 have got a relatively-small boat, too. My hauls,
40 you know, I can get 6,000 pounds in the haul, but
41 I doubt I will get a fish that size in the haul.

42 Secondly, you have got another
43 government agency that is going to tell you that
44 that fish has to be handled ASAP, whatever it is
45 called, within "X" amount of time. It is a
46 competing agency with you telling me I have to
47 comply one way, and, in reality, there is no way
48 I might potentially be able to comply with that.

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1 And especially if I had a set with three or four
2 fish like that, there is no way I am going to be
3 able to handle them. I am not going to be able to
4 get them on my boat. Essentially, you are telling
5 me, I guess, I have got to bring them to the dock,
6 even though by the time I get there they are going
7 to be worthless.

8 You know, it is just we live in the real
9 world here. I am just trying to make you all aware.
10 The truth is in the last 10 years I have been
11 longlining I have not caught my entire IBQ yet, I
12 mean for the entire time. But tomorrow or the next
13 day I go fishing, it may happen. But I am just
14 making you aware of this requirement which we may
15 not be capable of handling, dealing with.

16 My other point is the VMS, the very VMS
17 that in May I think of last year it was pretty much
18 a chorus of everybody in here complaining about
19 SkyMate. And again, I just recently got the
20 software to plug into my SkyMate to continue using
21 the very equipment that hasn't been working to
22 begin with, as you have heard Marty say.

23 I mean, to Marty's point, I have also
24 heard another instance there of another fisherman
25 there with a camera installed that was interfering
26 with his ADF, his Automatic Direction Finder, so
27 he couldn't find his beacons.

28 I mean, you keep dumping this stuff in
29 our lap that doesn't work, and I know pretty soon
30 we are going to be told that we can't leave the dock
31 with this stuff not working. And it just keeps
32 coming.

33 To one other point, the fact that we are
34 not allowed our underage carryover, I don't know
35 how you can expect any of us to want to sell our
36 IBQ prior to, say, December of every year, for fear
37 that the ultimate may happen, you know, or the worst
38 case. In which case, if you are not going to allow
39 us to carry it over, then why shouldn't we target
40 it in December? So, I am just making that point.

41 I thank you.

42 MR. McHALE: Thank you for that stuff,
43 Jeff, and some of those concerns we have had on our
44 radar for a while. I know when you initially
45 raised some of the HACCP concerns, you know, I have
46 tried to become more well-versed in what those
47 requirements are -- actually, having been on the
48 end of dealing with histamine poison from

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1 mishandled fish before, not a pleasant experience.

2 But knowing that you have multiple
3 agencies and not just these, you know, FDA and
4 ourselves, but sometimes that guidance is
5 conflicting. And so, there are those fleet
6 dynamics that you also mentioned, you know, the
7 vessel size, haul size, and how some of the
8 requirements can play.

9 And thank you for the information
10 regarding a passed-off fish with a Wicked Tuna
11 vessel. I should be looking into that a little bit
12 more to see what I can find, to see whether or not
13 there is any information there. Because you're
14 right, you know, that is a dead discard. And if
15 it is documented, kind of like I have reviewed other
16 Wicked Tuna footage when a fish is gaffed and, then,
17 thrown back over the side, it reinforces the point
18 the longline fisheries made in time. It is not all
19 directed fisheries are, quote/unquote, "clean".
20 And I think we all around the table know that. It
21 is just, how do you, then, quantify and how do you
22 get at that information?

23 So, thank you for that feedback.

24 FACILITATOR LEA: All right. So, we
25 are down to, Rich, you were going to have the last
26 word. And then, George stepped in.

27 MEMBER RUAIS: The first time I get the
28 last word you kill my microphone. That's good.
29 (Laughter.)

30 Actually, I thought I was getting the
31 last word, not for the purpose of having the last
32 word, but so that I could cross off a whole bunch
33 of questions I had at the beginning, but it didn't
34 really work out that way.

35 But I did want to echo Mike's
36 compliment, and Shana followed it up as well. I
37 will just say that I am impressed with how competent
38 the program is.

39 I have a little bit of sympathy for the
40 fishermen that are going to have to go through that
41 system of setting up their account in the
42 beginning, the computer work there. As someone
43 who takes a long time to learn a new computer
44 system, that I would find a big daunting.

45 But I wanted to say, more importantly,
46 that you met the promise that you made five years
47 ago. And I was at the first scoping meetings, all
48 the scoping meetings, all the AP meetings, most of

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1 the public hearings, and you promised that this
2 amendment would have something in it for everyone.
3 It definitely has something in it for everyone.
4 Not everybody likes what is in it for them
5 completely, but there might be some element of it
6 they do like.

7 I do have a few small questions and,
8 then, one question that I think is really
9 important. In terms of the installation of the
10 cameras and the deadline, the only way it is a
11 deadline is if, using Scott's example, 90 of the
12 135 boats get it done by June 30th or June 1,
13 whatever it is. Those boats can go fishing, but
14 the balance of the boats can't go fishing until they
15 get it installed and potentially have to pay for
16 it themselves at that point in time. That is the
17 only real penalty to that. And after that time
18 period, they can begin to lease their quota, I would
19 imagine.

20 The question I have is, are they able
21 to, if they like leasing that quota because they
22 are also involved in another fishery, like the
23 purse seine system, which is going to expire
24 according to Amendment 7, does their leasing
25 program expire in three years or was the intent to
26 allow that to go on in perpetuity?

27 So, that is the question I have. Maybe
28 you might not have the answer to that yet, and that
29 is okay. We will wait for it later on. But, if
30 you do, let me know what your thoughts are on it.

31 In terms of who gets to be involved in
32 the leasing, it sort of says swordfish dealers and
33 bluefin dealers. They are, if I am not
34 mistaken -- Scott or another dealer can correct
35 me -- anybody can get boat permits, and many dealers
36 do get boat permits.

37 So, somebody who hasn't handled
38 swordfish in the past, but has been a bluefin
39 dealer, he could -- no, somebody who has been a
40 swordfish dealer who hasn't been handling much
41 bluefin in the past or any bluefin in the past, he
42 can now begin, and/or either way, and a bluefin
43 dealer can begin to start leasing, even though he
44 hasn't been dealing in swordfish, he can begin
45 buying and leasing quota because he has got that
46 bluefin permit.

47 No? You are saying it is exclusive?
48 Oh, you can answer it later, if you want. All

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1 right. Okay. All right. You can answer it
2 later.

3 Okay, just two more. I share Martin's
4 concern very much about the quality of the video.
5 I have shared this with Tom. I have shared this
6 with Brad. And my suggestion was actually -- it
7 is also the feeling across the dock -- that either
8 industry would find a way to get around them or they
9 simply wouldn't be of the caliber for what the
10 mission was, given sunlight, glare, and all kinds
11 of other problems at sea, saltwater spray.

12 So, what I was suggesting was that, if
13 you want to install some public confidence in this,
14 it might be useful at a future AP meeting at some
15 point to schedule a public invitation to come and
16 see a selection. And I know about the privacy
17 laws, but this could be done in a masked way where
18 nobody's face is seen, and you just simply show the
19 fish coming up on the line and coming over the rail,
20 with nobody's face involved, no vessel name shown.
21 So, people could either have confidence in the
22 program or know the truth about whether or not it
23 is going to do it.

24 I think it can work. I mean, when I see
25 some of the video footage that is now on the nightly
26 news showing crimes in act, I mean, I just think
27 the technology is there. If you look at the Boston
28 Marathon thing, you can follow the Marathon bombers
29 for a quarter of a mile each way up and down the
30 street. You can watch them place the bombs. I
31 mean, it is incredible video technology that is out
32 there right now.

33 The hard question, what I think is a
34 hard question, and maybe you don't, but I still
35 don't get this idea that you can lease -- I'm
36 sorry -- that you can allocate from Reserve in
37 season to the swordfish fleet and have a rational
38 leasing program. How does it become rational?
39 How does the buyer and seller at any point in time
40 determine what is a correct price to pay, knowing
41 that, for the reasons that you have in the criteria,
42 either the fish is getting too expensive now or
43 there isn't enough lease quota out there anymore.
44 So, we are going to take 100 tons or 75 tons out
45 of Reserve and give another distribution across the
46 entire swordfish fleet. How does that work in a
47 leasing program, an IBQ program? I just don't see
48 how it works.

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1 And I can see people saying, "Why would
2 I pay any price? I am going to wait and see if I
3 get it free." Again, my three fish, I will go with
4 my three fish as long as I can. And hopefully, at
5 that point in time the rest of the quota will be
6 shy, and NMFS will do another round and I will get
7 three more fish, because we can't hold up that
8 \$40-million-a-year pelagic longline fishery.

9 So, I really have some question about
10 how you can allocate to them. If you wanted to
11 distribute some of that big Reserve that you have
12 now built it, and it is clear you have solved this
13 problem, you have had the convenience of one user
14 group, truly on the backs of mostly one user group,
15 and that is the purse seine fleet. It happened to
16 be at a convenient time when the fleet wasn't
17 performing. So, it has happened. But I don't
18 know how you get out of that dilemma.

19 The final point/question I wanted to
20 make was, on the early-season start, ABTA has
21 formally been opposed to that from the very
22 beginning, probably the first group that did oppose
23 that for the seiners. The reason is primarily it
24 is the peak season for the Harpoon Category and the
25 harpoon vessels in the General Category who make
26 most of their money in the months of June and July.
27 If the sets happen to be large in that period of
28 time, you can ruin the season for them. So, that
29 is an ABTA formal position that we want on the
30 record.

31 And I had other questions, but I will
32 reserve them for sidebars.

33 MR. McHALE: All right. So, again,
34 being aware of the break, and we still have got
35 George in the queue here, I am going to be pretty
36 precise, and I can elaborate offline.

37 So, in regards to leasing and whether
38 or not that would continue to take place after the
39 three-year kind of review, I think everything is
40 up for grabs as part of that three-year review.
41 Did leasing work? Does it make sense to just stay
42 the status quo? Maybe eliminate it or extend it
43 any sort of sale? So, that is all on the board.

44 To clarify, dealers do not have the
45 ability to lease IBQ allocation, period. The only
46 individuals in the longline fleet are those that
47 have the limited access permits and have those
48 permits associated with a vessel. Those are the

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1 individuals that are -- and the purse seiner
2 participants. Those are the entities that are
3 actually allowed underneath the current
4 regulations to engage in leasing. So, it is those
5 that have the limited access permits onboard a
6 vessel and the purse seiner participants, is the
7 universe that it is constrained to, not dealers
8 themselves and not outside entities, or any open
9 access permit-holders, for that matter.

10 As far as the quality of video,
11 obviously, there are privacy concerns there, but
12 I think that is something we could continue to
13 explore with individuals to see if we could doctor
14 it or folks are willing to share. So, I think that
15 can be part of the conversation.

16 In regards to how the leasing
17 allocation from a Reserve Category to the longline
18 fleet, when there is some potential market value
19 in trading, that is going to almost have to come
20 down to the individuals. If I buy my house at
21 \$300,000 at the peak of the market, nobody is going
22 to guarantee me it is going to be that value the
23 day after if the market crashes.

24 And so, there are these sensitivities
25 that the agency has. If we were release
26 allocation, what does it do to the market? And I
27 will leave that to some of the economists to kind
28 of inform us of those risks before we actually do
29 any analyses to execute that.

30 But we also have acknowledged around
31 this table for a few years now that there may be
32 that need. And then, where you actually have an
33 individual allocation from an agency to an
34 individual doesn't necessarily work. So, then,
35 what does it mean when you distribute out to a
36 fleet? And then, how does that ripple through?

37 Like you said, if somebody has three
38 fish, well, if they have used their three fish and
39 they don't know whether or not the agency is going
40 to release allocation, their driver of procuring
41 more may be spending more in the here and now, so
42 they continue the operation, versus playing the
43 waiting game and potential loss revenue.

44 And so, these are all variables that are
45 new to everybody around the table to see exactly
46 how it will shake out in practice. Hence, why the
47 three-year review time period of how will some of
48 these variables play up against one another. I

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1 don't have a definitive answer of, if we do "X",
2 "Y" will occur.

3 But I also think that, just like in any
4 sort of market, that there will be folks that, hey,
5 it is worth \$10 a pound for me today. Oh, shit,
6 the agency released it one day from now. Oh, well.
7 Yes, I don't know how that is actually going to
8 shake out in practice.

9 And I am there to answer it. So, that
10 just comes with the job description. That is why
11 I get paid.

12 And then, the last one is the start
13 date. We know the balancing act. You know, we are
14 trying to acknowledge some of the annual
15 reallocation alternatives there and how that quota
16 is shifting around with providing regional
17 opportunity to harvest their quota. So, that will
18 just be a balancing act where we take all the input
19 and make a judgment call each year and, then,
20 reassess how that worked, as we kind of march along
21 in time.

22 FACILITATOR LEA: All right. And
23 last, but not least, George. If you could stress
24 the things that haven't yet been covered?

25 MEMBER PURMONT: Thank you very much.
26 First of all, thank you for your efforts
27 in regard to Amendment 7, the process in regard to
28 the Purse Seine Category. Progress now under the
29 aegis is the experimental fishery which allows us
30 to compete catching the same-sized fish as the
31 Harpoon and General Categories, and perhaps
32 starting when they begin their season.

33 And here, I note Rich's concern in
34 regard to other site fishery participants. We
35 have to realize that the bluefin tuna fishery is
36 not an isolated incident that happens on our side
37 of the Atlantic. We can go to any website,
38 particularly Peschici, and we can see that fish
39 come in from Croatia, they come in from Spain, they
40 come in from a multitude of countries. So, I don't
41 think that the concern that Rich perhaps is voicing
42 is necessarily taking into full perspective the
43 nature of the fishery.

44 I have one question here in regard to
45 the IBQ program and allocation. Are all purse
46 seine vessel quotas included in the potential
47 leasing program? That would include the White
48 Dove and the Ruth and Pat, which are boats -- one

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1 flagged in Ecuador hasn't been seen in these waters
2 in seven years, the other in Maine. I don't think
3 that the nature of a grandfathered quota was
4 intended to be a 401(k) process for absentee
5 fishermen. I think that, if you are going to play
6 the game, you show up in uniform, and when the
7 whistle blows, you take the field.

8 I have a little bit of concern with the
9 legal sustainability of the argument about
10 transferring of quota because you are specifically
11 saying it has got to go from one group to another,
12 and you are softening-up the argument that in the
13 future it will be a sale or a lease, which I think
14 is going to be fraught with problems. I think that
15 you are coming up with a prophylactic, not a
16 solution.

17 Thank you.

18 MR. McHALE: All right. Thank you for
19 that.

20 The question as it relates to the purse
21 seine participants, the way Amendment 7 finalized
22 is that each of those five historical participants
23 would receive a minimum allocation, even if they
24 remained inactive, to the tune of 25 percent of what
25 their one-fifth share would have been.

26 And then, they have the ability to lease
27 that out allocation. That would also be up for
28 review during that three-year review time period.
29 It isn't meant to be something in perpetuity. It
30 was supposed to reflect those that are active in
31 the fleet, but, as we were going through Amendment
32 7, it also wasn't to say, you know, Vessel A or B
33 or Participant A or B are out of the fishery based
34 upon recent activity.

35 And in regards to that three-year
36 review, whether we stay the course with leasing,
37 allow for sale, or eliminate all of it, I think is
38 yet to be seen. But, given my experience, nothing
39 happens easy. And so, whether or not we explore
40 any of those options, they are just going to be as
41 painful as the ones we have before us now. So, we
42 look forward to those discussions.

43 FACILITATOR LEA: So, we will go ahead
44 and take a break, enjoy some more of Pat's delicious
45 cookies. Thank you for that.

46 Maybe aim for around 10 minutes, so we
47 can get back to the schedule.

48 (Whereupon, the foregoing matter went

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1 off the record at 4:06 p.m. and resumed at 4:30
2 p.m.)

3 FACILITATOR LEA: All right. So, we
4 are going to go ahead with the Swordfish
5 Specifications and Landings Update.

6 Yes, I don't see anyone back there. Is
7 anyone here for public comment?

8 (No response.)

9 Okay. Take it away.

10 MR. DURKEE: Good afternoon.

11 My name is Steve Durkee, and we are
12 going to talk about the 2015 North and South
13 Atlantic Swordfish Quota Specifications.

14 Just a quick outline of the short
15 presentation. First, we are going to discuss the
16 North Atlantic Swordfish Adjusted Quota, look back
17 at some previous years' landing, move along to the
18 South Atlantic Swordfish Adjusted Quota, and then,
19 end with the timeline and request for comments.

20 All right. Starting with North
21 Atlantic swordfish, ICCAT Recommendation 13-02
22 established the North Atlantic Swordfish Quotas.
23 The Atlantic-wide TAC is 10,300.8 metric tons
24 dressed weight, of which the U.S. is allocated
25 2,937.6 metric tons dressed weight.

26 Now this base quota is adjusted
27 annually based on two factors. One is an
28 underharvest carryover for the unused quota from
29 the previous year can be applied to the next year.
30 However, in this case that underharvest carryover
31 cannot exceed 15 percent of the base quota, which
32 is equal to 440.6 metric tons dressed weight. This
33 is a small change from the previous years. As you
34 remember, the North Atlantic swordfish maximum
35 underharvest carryover was 25 percent. This is
36 the first year at 15 percent.

37 Second, the annual quota transfer of
38 18.8 from the U.S. to Mauritania, that will reduce
39 by 18.8.

40 And finally, this recommendation
41 applies to 2014, 2015, and 2016.

42 To do the calculations, first, you will
43 see in the red box up towards the upper left of the
44 screen the 2014 landings were a little over 1100
45 metric tons dressed weight. This resulted in
46 underharvest of a little over 2400 metric tons
47 dressed weight, which exceeds that 15 percent of
48 the base quota, that 440.6 metric tons amount.

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1 So, dropping below that, we will look
2 at the calculations. First, the base quota was
3 2,937.6 metric tons dressed weight. Add on that
4 maximum underharvest carryover of 440.6, reduced
5 by that quota transfer to Mauritania of 18.8,
6 resulting in an adjusted quota of 3,359.4 metric
7 tons dressed weight.

8 That adjusted quota is, then,
9 subdivided amongst three categories. In the
10 amounts you will see up there, up on the screen,
11 for Directed, Incidental, and Reserve Categories.
12 And that Directed Category is further broken down
13 into two season, one for the first half of the year,
14 one for the second half of the year.

15 So, quota equalization over the past
16 three years. The blue line -- I am not sure if the
17 colors are showing up real well -- the blue line
18 towards the bottom here is 2014. The yellow line
19 is 2013, and then, the green line above that is
20 2012.

21 You will see the landings were pretty
22 high in 2012. They approached that horizontal
23 thick, black line you see at the top of the graph.
24 That is that baseline quota of 2,937.6. We got
25 pretty close to that in 2012.

26 All the dashed lines across the screen
27 are different percentages of that baseline quota.
28 So, you can kind of see where the annual landings
29 are in relation to that baseline quota, with 2012
30 being the peak and, then, 2014 being somewhat
31 lower.

32 Moving on to South Atlantic swordfish,
33 similar to North Atlantic swordfish, ICCAT
34 Recommendation 13-03 established the South
35 Atlantic swordfish quotas. An Atlantic-wide TAC
36 was established of 11,278.2 metric tons dressed
37 weight, of which the U.S. was allocated 75.2 metric
38 tons dressed weight.

39 For South Atlantic swordfish, we are
40 allowed to carry over up to 100 percent of our
41 baseline quota, of underharvest equal to 100
42 percent of our baseline quota, which, again, is
43 75.2. However, annually, we transfer to three
44 other countries 75.2 metric tons. So, that kind
45 of negates that underharvest carryover. And
46 similar to North Atlantic swordfish, this
47 recommendation applies to last year, this year, and
48 next year.

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1 All right. Into the calculations, in
2 that red box at the top you will see the adjusted
3 quota for 2014 was 75.1 metric tons dressed weight.
4 The reason it is not 75.2 is because in 2013 we did
5 have .1 metric tons of landings that reduced that
6 underharvest carryover into 2014. In 2014, our
7 landings were zero. Subtract those two; you get
8 a total underharvest last year of 75.1.

9 Moving below that red box in the
10 calculation, base quota of 75.2, add that
11 underharvest carryover of 75.1, and then, again,
12 that annual quota transfer to three other countries
13 of 75.2, resulting in an adjusted quota of 75.1
14 proposed for 2015.

15 Just a quick timeline. The Proposed
16 Rule was published a couple of weeks ago. The
17 comment period will end in a couple of weeks, and
18 we expect the Final Rule to publish sometime in late
19 spring.

20 As usual, there is all the different
21 methods for submitting comments, the
22 regulations.gov, through mail, and, of course,
23 will also accept some comments or questions here.

24 And that wraps up the presentation.
25 So, if there are any comments or questions, I am
26 happy to take them.

27 FACILITATOR LEA: All right. All
28 right. So, comments, questions?

29 MEMBER GERENCER: Bill Gerencer.

30 FACILITATOR LEA: Bill, sorry.

31 MEMBER GERENCER: That's okay.

32 Just a quick question. To what are we
33 attributing, if anything, the reduced ability to
34 harvest swordfish this year versus the past two
35 years?

36 MR. DURKEE: I don't know the answer to
37 that question. We have heard a lot of different
38 theories. Nothing has really panned out in the
39 data necessarily. And any thoughts you guys have,
40 we are definitely interested in hearing.

41 MS. SCHULZE-HAUGEN: We do have some
42 information that effort was considerably below
43 what it had been in previous years. And so, what
44 is driving the reduction in effort, I don't think
45 we are 100-percent sure. But I think that is a big
46 contributor to the reduction in landings.

47 MEMBER GERENCER: Okay, thanks. If
48 you can come up with an idea of why the effort is

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1 that much reduced, it would be helpful to know.

2 Thank you.

3 FACILITATOR LEA: All right. Then, I
4 have got Terri, Scott, Pat, and then, Marty.

5 MEMBER BEIDEMAN: Okay. Yes, all on
6 the same issue. You know, it is a declining trend.
7 It is pretty serious. I think a lot of it may have
8 to do with attrition. I look at the permit
9 numbers. I have been here since before there was
10 permits. And we have 183 directed swordfish
11 permits. That only means they have to have landed
12 one swordfish to qualify. So, it is not a big bar.
13 We used to have 750 permit-holders and 450 active
14 fishermen. So, we are quite reduced.

15 The problem with it is because we have
16 so many regulations that we just outlined and
17 others to come that we will be talking about, that
18 it is very, very hard to get people to want to invest
19 in this fishery.

20 We have an aging fleet, not of boats,
21 but of people. It would be my big desire to find
22 a way to make this attractive enough to entice a
23 new generation to come and fish for our highly
24 migratory species for the United States.

25 So, I don't oppose the quota. I just
26 find it very sad that we have 2,000 metric tons
27 underharvest that we can't roll. And we know, I
28 know that eventually it is going to wind up
29 reallocated someplace that cares much less about
30 turtles and billfish and everything else.

31 And our plan to revitalize seems to be
32 failing. So, I don't know, and I am disappointed
33 that in Amendment 7 there was an opportunity to
34 perhaps swing the pendulum a little bit for the
35 swordfish fishermen that have been so restricted
36 in allowing them a couple of months of fishing in
37 the Charleston Bump, where they may have interacted
38 with a few species. But, instead, now they have
39 to go fishing where we know they are going to
40 interact with stuff you don't want them to, instead
41 of catching swordfish.

42 And the same goes for the Gulf of
43 Mexico. That is a big, big box of area where they
44 aren't able to fish, and they haven't been able to
45 fish there since 2000. That is 15 years.

46 And we use different hooks. They use
47 weak hooks in there, and we use circle hooks here.
48 We should be allowed. It would give fishermen a

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1 place to catch swordfish, and it is fully rebuilt.

2 So, I am disappointed that the Final
3 Amendment 7 did not include that very small attempt
4 to try to give us a little encouragement to rebuild
5 our swordfish fleet. We have taken a big hit to
6 try to do things for other species. So, that would
7 have been nice. I would like to see that
8 revisited.

9 Thank you.

10 FACILITATOR LEA: Thank you, Terri.
11 I have Scott, Pat, Marty, and then,
12 Jeff.

13 MEMBER TAYLOR: That's me.

14 So, a subject that is near and dear to
15 me that I want to just kind of weigh-in on, a couple
16 of things I will echo from Terri.

17 You had one of the poorest seasons you
18 ever had on the Grand Banks this year. Whether or
19 not that was partially as a result of effort or
20 partially result of just natural migratory
21 patterns of the fish, the Canadians had the fish
22 inshore up there this year. They didn't have to
23 go to the Grand Banks.

24 It is a pattern, though, that it is much
25 more the norm than the exception, which is that
26 these fish move; that they are opportunistic
27 feeders. They are going to move based upon where
28 the current and where the food takes them.

29 In this past season, the fish were where
30 we couldn't fish, not just limited to the Grand
31 Banks. But our boats, the boats that I represent
32 were piled up against the west fence of the closed
33 box, catching some swordfish, and pretty good
34 numbers here at several points during the year, and
35 just watched the piece of water where the fish were
36 move across the line. And the effort ceased
37 because that is where the fish were and we
38 physically couldn't get into where we needed to get
39 in to be able to fish.

40 You have an increasing environment
41 where a global market is allowing access to dealers
42 which we are not one of, but dealers in general that
43 import huge numbers of fish and put downward
44 pressure on our domestic fisheries with zero
45 compliance for what the U.S. fishermen have got to
46 deal with. And you are not seeing the new entrants
47 into the fishery.

48 Every time we turn around, there is

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1 additional regulation and additional expense
2 associated with this fishery. Whether it is by
3 design or whether it is just by circumstance
4 doesn't really matter.

5 Amendment 7 is providing another layer
6 of that. Now somebody that is coming in that can
7 buy one of the directed permits that exists doesn't
8 even have a mechanism to get any quota. You know,
9 they are going to have to go out and lease quota
10 for the bluefin.

11 So, all these problems are compounding
12 that are not going to go away unless we figure out
13 a way to be flexible. If there is anything that
14 I have learned in my tenure here, it is to spend
15 less time arguing about things that I can't do and
16 more about the things that can be done within the
17 framework that is here.

18 I know that our company over this next
19 year or two will try to do some things to convince
20 the agency to look at some of these areas that you
21 have closed. It is an antiquated way of managing
22 the fishery. I think there is preliminary
23 evidence in some of the areas that have come out
24 of it that you are putting in place technology that
25 is going to allow for much more hands-on monitoring
26 of what is transpiring.

27 You have the extreme, like in the
28 Alaskan fisheries, where they can close and open
29 a fishery in a matter of hours, literally based upon
30 quota and what is happening in there. And I am not
31 saying that we need to go to that extreme.

32 But, if we are going to take advantage
33 and move towards limiting interaction of unwanted
34 bycatch species and harvesting targeted species,
35 time area closures just don't work. And that is
36 a big, big factor in what is limiting this fleet
37 right now.

38 It needs to be a big concern for us
39 because at those kinds of levels there is going to
40 be international pressure again soon. And we have
41 done a lot to rebuild this fishery. And so, I
42 understand that it is always a delicate balance.
43 So, what I am going to ask again publicly is for
44 an openmindedness that there may be some different
45 alternatives in order to be able to properly
46 utilize this resource.

47 I mean, literally, when I tell you that
48 I have got fishermen on the radio with me pressed

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1 up against the closedown with OLE standing there
2 waiting to come visit me as soon as the boat goes
3 across the line, and not able to access the
4 swordfish where they are not interacting or
5 catching anything else, simply because we have
6 drawn this line here, that it is a substantial
7 thing.

8 In all the years that I have been
9 involved in this fishery, I am not going to sit here
10 and tell you that we could draw a cartoon with a
11 fish with a thinking hat on that, you know, this
12 is a smart, cognitive animal, but that it reacts
13 to a lot of different things.

14 A great example that I make, and I think
15 that it is relevant only for this discussion, was
16 20 years ago down in the Keys you could go
17 yellowtail fishing with a piece of rope and catch
18 big yellowtails. Now the population is the
19 highest that it has ever been, and they have got
20 to use fluorocarbon. It is not that the fish
21 necessarily equate, but they do react to pressure,
22 and pressure in certain areas, and they move
23 around. It is technique and the ability to move
24 where the fish are that ultimately are going to make
25 us more effective in being able to harvest them
26 properly.

27 And so, as we address these political
28 solutions -- and a lot of the solutions that we come
29 up with are political in this room -- the end result
30 is going to be limited access, limited area, and
31 it is going to equate into smaller catch numbers,
32 both from the standpoint of effort and, then,
33 accessible area.

34 FACILITATOR LEA: Thank you, Scott.

35 Pat?

36 MEMBER AUGUSTINE: Thank you.

37 I am on the outside of this. So, I have
38 no dog in the fight.

39 But, listening to you, Scott, and
40 seeing where we went and where we have been with
41 this, and the closure that we put in off the
42 Charleston Bump, and along that whole section down
43 through Florida, to protect the species, so the
44 fish would come back. Everybody sacrificed and
45 they came back.

46 And here we are, you say to yourself,
47 why has it dropped off significantly three years
48 in a row? If what Scott says is absolutely true

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1 and these fish are smart enough or they are moving
2 in toward that line of the Bump, why can't we go
3 back and address that Bump line and say, hey, if
4 it is possible for us to compete in this marketplace
5 again by having our U.S. people fish there, why
6 can't we move that line in the Bump for a period
7 of time, whether it is 30 days, 60 days, 90 days,
8 whatever it is?

9 It just seems to me here we are, as Scott
10 pointed out and others have pointed out.
11 Amendment 7 is squeezing that rope again. It is
12 squeezing again.

13 I think everybody around the table
14 wants to catch fish. They also want to be
15 conservative. But, if we continue to sacrifice,
16 for what purpose, we have sacrificed to bring the
17 stocks back and at the same time we are not
18 utilizing those fish. We are defeating Magnuson,
19 maximum sustainable yield. At the same time we are
20 allowing the international market to come into our
21 marketplace.

22 And look at what happened to some of the
23 local fish. Bronzini, what the hell is Bronzini?
24 Catfish. You can't even find a place for porgies
25 anymore because they have been displaced by
26 something else.

27 Once there is a niche in the
28 marketplace -- here we are with swordfish. On Long
29 Island I think there are two places I can find
30 American swordfish. Otherwise, they are
31 somewhere else international. That shouldn't be.

32 So, what can we do about going back and
33 addressing that demarcation -- I will call it the
34 demarcation line -- along the Charleston Bump
35 and -- what? -- Desoto Canyon? Is that the other
36 place? I mean, they are two key areas. Why can't
37 we do something?

38 I guess I would like to have -- and,
39 Steve, I don't know if you can do it or
40 not -- besides not knowing why that trend is going
41 the way it is, Steve did mention that the
42 international market has now got a foothold. They
43 have got a big foothold because a lot of fish are
44 coming in from overseas.

45 Can we figure out why? Not why, or,
46 yes, why? Is it because there has been a lack of
47 vessels, period; that's it? Or is it that the fish
48 haven't been in the areas where they typically are?

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1 Or, thirdly, that they are all moved in closer to
2 or inside that line where the closure is along the
3 Charleston Bump?

4 There has got to be a logical reason as
5 to why we have had that trend other than the
6 international market invading our U.S.
7 marketplace. Maybe Scott has an answer for that.

8 MEMBER TAYLOR: My point wasn't
9 necessarily that, if we open up those particular
10 areas, that that is going to be the solution to the
11 problem. My point is much more that these fish
12 tend to move season to season, place to place. And
13 I think a lot of it just happened to be that this
14 particular year that there was a lot of fish in
15 places that we necessarily couldn't fish, and that
16 that is a limiting factor.

17 I think the statistics are something
18 like 85 to 87 percent of the swordfish consumed in
19 the United States is imported now.

20 FACILITATOR LEA: All right. Thank
21 you.

22 Marty?

23 MEMBER SCANLON: Yes. Well, the first
24 thing I have here is that we are giving these 75
25 metric tons to three countries. I am sure these
26 three countries, they probably have no
27 environmental -- they don't have any of the rules
28 that we have. They are probably fishing with J
29 hooks. They have no turtle regulations, no whale
30 regulations.

31 I mean, I was under the impression that,
32 for any international country to take any of our
33 quota, they would have to comply under the same
34 rules and regulations that we fish under. I guess
35 that is not the case.

36 The other thing is, to echo these
37 gentlemen here, under A7 the biggest failure of A7
38 is that you never revisited on where we could
39 reestablish our efforts on swordfish, where we
40 could interact with these swordfish, where we could
41 interact with these swordfish, even in the event
42 of its being a choked species where you are going
43 to shut us down.

44 What I had thought we should have done
45 is reported a reserve. In the event that it became
46 critical toward reaching the bluefin quota, to have
47 enough reserve set aside and revisit these areas,
48 that we could be working in and primarily targeting

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1 swordfish, and there would be enough reserve left
2 over for the fleet to go there and fish, and still
3 not go over their bluefin tuna quotas.

4 Another factor I believe that is
5 happening with the swordfish here is that something
6 that we don't realize is that one of the benefits
7 of pelagic longline gear, especially when set in
8 an area during sporting season, is that pelagic
9 longline, the gear itself creates pelagic
10 structure in the water, which helps hold the fish
11 in that area while they are spawning, rather than
12 just migrate through there.

13 And once you have got the fish spawning
14 there, then their migratory patterns will result
15 with them returning to those areas. And that is
16 something that we have removed from those areas
17 right now by removing the pelagic longline gear,
18 the benefit of pelagic longline gear being in those
19 areas at certain times, I believe.

20 FACILITATOR LEA: All right. Jeff,
21 and then, Andrew, Mike, and then, we will go back
22 to Bill.

23 MEMBER ODEN: To Marty's point there a
24 minute ago about the environmental concerns, yes,
25 I went to a TRT meeting the other day. I was a
26 little put out when I saw the 100 metric or 75 metric
27 tons was given to Namibia, Mauritania, Cote
28 d'Ivoire, or something similar to that, and so
29 forth.

30 I am sure the Namibian Coast Guard will
31 be ensuring they are compliant there with the
32 Marine Mammal Protection Act and all that. I am
33 being facetious, obviously.

34 But, in my case, I am an incidental
35 longliner, and I have even been trying to buy a
36 permit lately. I have been through two brokerage
37 houses. I can't get it. And yet, we are giving
38 quota away.

39 You know, I mean, I would love to be able
40 to comply, go out and interact with this fish, but
41 it would be nice if I didn't have to buy it. If
42 there was ever an issue with swordfish, I could be
43 on the front-line and be busted back right away.
44 I made this point before, and it just utterly makes
45 no sense that you allow 650-some general category
46 fishermen to go out there with a hook and line or
47 with a J hook and potentially interact with
48 turtles, whatever, and yet, ignore allowing us to

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1 revitalize this very fishery.

2 Anyway, I thank you.

3 MS. SCHULZE-HAUGEN: Just one point I
4 want to make sure we are clear on. South Atlantic
5 swordfish is not South Atlantic bite, like U.S.
6 waters. It is South Atlantic. It is the equator,
7 south off Brazil, off those countries.

8 So, part of the reason that the United
9 States has been okay with transferring quota is
10 because we don't have vessels that are operating
11 there. If we had vessels operating there, we would
12 be using that quota. But, as of this point, we
13 don't.

14 The .1 metric ton from '13 or '14 was
15 a boat that was fishing right on the line and it
16 just ended up coming below. But that is as close
17 to that area as we have U.S. boats.

18 So, I just want to make sure people
19 understand, when we say South Atlantic swordfish,
20 it is South Atlantic Ocean, not like off
21 Charleston. So, just to be clear.

22 FACILITATOR LEA: Andrew?

23 MEMBER A. COX: I didn't realize this
24 was going to become a debate on closedowns. But,
25 as many of you are aware, those things were not only
26 put in place for juvenile swordfish, but billfish
27 reduction and bycatch, as well as turtles and other
28 marine species.

29 So, I mean, I think there is more at
30 play. Obviously, the closedowns were established
31 in 2000-2001. The difference we are looking at is
32 between 2013 and 2014. There are other factors at
33 play here that I would encourage NMFS to address,
34 and not just focus particularly on the closedowns.
35 We know that fish move from one area to the next.
36 It is not this one factor.

37 FACILITATOR LEA: All right. We will
38 go Mike, Bill, and then, Terri.

39 MEMBER SISSEWINE: Yes, thank you.

40 I am glad Margo clarified the South
41 Atlantic swordfish thing. I can, as some other
42 people here can probably remember, the whole debate
43 that got us that quota, which we may or may not have
44 actually ever had a fishery there of that
45 magnitude, but that is an aside.

46 It is pretty clear that the American
47 swordfish fishery has been impacted by all the
48 various regulations that have been put in place

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1 over the years to protect turtles, to protect
2 marlin, and so on and so forth. Now, I mean,
3 clearly, those are necessary for conservation
4 reasons and legal reasons. So, they had good
5 purpose, and to a significant degree they have been
6 successful in terms of the conservation purposes.

7 But it is also true that these sorts of
8 regulations, large area closures for large periods
9 of time, are quite a blunt instrument for solving
10 the types of problems. And that blunt instrument
11 extracts a cost on the swordfish fishery.

12 The alternative might be modern
13 technology, electronic monitoring, and so forth,
14 that is substantially refined from the
15 capabilities that the agency is able to put in place
16 today. But it basically isn't feasible for the
17 agency to do that across the entire fishery.

18 A solution that has been applied in some
19 areas to essentially approach something that I
20 would call results-based management, where the
21 industry itself is challenged to demonstrate that
22 they can achieve a certain result in terms of
23 avoiding whatever it is they need to avoid, and
24 develops their own programs, which have to be
25 carefully monitored and certified or inspected, or
26 whatever, but develops their own programs to
27 demonstrate that they can achieve the goals that
28 are necessary for conservation, yet be more
29 effective in catching the fish.

30 We have some flexibility to do those
31 sort of things within the U.S. under exempted
32 fisheries programs, and so forth. But, frankly,
33 my observation is that they tend not to be used to
34 the extent that they might be, in fact, successful
35 because of various suspicions and safeguards and
36 regulations and red tape, and so on.

37 If we really want to address this
38 problem, we ought to have quite a positive attitude
39 about challenging the industry to put in place the
40 solutions and demonstrate that they truly work.

41 Thank you.

42 FACILITATOR LEA: Thank you.

43 Bill?

44 MEMBER GERENCER: Thank you, Mike.

45 I have a comment now. You know, it is
46 possible that this is a blip, and as Scott said,
47 it is because we couldn't get to them this one year,
48 and next year we will be back to getting closer to

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1 our baseline quota at least.

2 I certainly have been on this panel for
3 almost 15 years now. I remember when we put the
4 closures in, why we put them there, and the effect
5 that they had.

6 If anybody remembers what I have said
7 at the last few meetings, I was more concerned about
8 us going over harvest than the situation we are in
9 now. But what I am concerned about -- and it is
10 a trend that I see not just in highly migratory
11 species, but I see it in groundfish up in New
12 England, where I am from -- is that we guard
13 against, either by design or more likely accident,
14 legislating a fleet out of existence, in this case
15 the longline fleet.

16 While there are some who would say that
17 would be a good thing, I view that --
18 (Microphone malfunction.)

19 I hope that we keep that in mind.
20 Because I have been doing this for a long time.
21 What I see is growing, or the appearance of growing
22 insensitivity toward the fact that we are managing
23 the fishery; it's not just the fish.

24 The commercial industry, up and down,
25 always takes last place, to the point where we are
26 a fraction of where we were. Again, this won't end
27 longline fishing. It will just give it to people
28 that won't care about it as much as we do.

29 As I said, I have been doing this for
30 15 years. My 15 years will be up at the end of this
31 year, my last year at this table. I just hope going
32 forward that people at this table will understand
33 that it is a fishery we are managing, and that
34 basically means that we are going to be catching
35 and landing fish. Thank you.

36 Thank you.

37 FACILITATOR LEA: Thank you.

38 Terri?

39 MEMBER BEIDEMAN: Thanks.

40 Just two points. I actually have been
41 around long enough since there wasn't even an AP
42 panel. And I remember why the zones were
43 identified and the purpose. In the analysis,
44 other species got brought into it, but the reason
45 that the areas were closed was to foster and protect
46 the nursery areas of swordfish. It was started
47 with Congress and a possible buyout, and all kinds
48 of things, and then, wound up being a regulation.

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1 Just going on what Bill said, this is
2 the thing: if this fleet goes out, whether we have
3 a bad miscalculation of how to implement 7 or
4 whatever it is, there is very little chance that
5 people will be back in January to get their IBQs,
6 because their crews will be gone. If they have to
7 tie up at the dock in the middle of the year, they
8 cannot sustain. You can hear me: months of
9 closure will just remove the infrastructure.
10 People will have no choice. The crews will leave.
11 You will not be able to pick it back up again in
12 January.

13 So, we can't afford to make mistakes
14 because it will only take one and done. And that
15 is why I urge flexibility and to slow down and be
16 careful about how we put this in. And I know that
17 you all want that, too, but it is fraught with
18 danger. And we won't come back.

19 There are 100 boats, essentially, that
20 fish in that area, where there used to be 500. It
21 won't take much. They are at pretty much a tipping
22 point now, and it doesn't take much to push them
23 over. Everything costs more. Fuel is way more
24 expensive. You know, it is difficult to run. A
25 pelagic longline fishery is very expensive, bait,
26 tackle, fuel, ice, et cetera, big crews.

27 So, we lose, start losing
28 infrastructure, that will be it. Then, it will all
29 be imported, and we will go past 91-percent
30 imported, or whatever it is Scott says about
31 swordfish, which I believe.

32 We have suffered to recover stock
33 swordfish in the United States. We have
34 sacrificed time and money and businesses in these
35 closed areas, lots of them. So, maybe it is time
36 to swing the pendulum back a little bit and let us
37 reap some of the benefits. We are not
38 anti-conservation by any stretch. We are the
39 global leaders, and you all know it.

40 So, thanks for letting me share that.

41 MS. BREWSTER-GEISZ: Thanks, Terri.

42 I do want to go back to the first of your
43 points about the area closures. I just want to
44 make sure it is clear to everybody that, yes, in
45 the '99 FMP, when we first proposed it, it was to
46 protect swordfish nursery areas. If you remember
47 what we finalized in that '99 FMP, it was to go back
48 and look at ways to reduce bycatch overall. From

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1 that point forward, everything we have proposed was
2 to reduce bycatch overall in the pelagic longline
3 fishery. They were not put in place, that Florida
4 East Coast, the Charleston Bump, DeSoto Canyon were
5 not put in place solely to protect swordfish
6 nursery grounds. They were put in place to protect
7 all bycatch.

8 FACILITATOR LEA: All right. Thank
9 you.

10 All right. We are going to move on to
11 the next item, which was the Essential Fish Habitat
12 Five-Year Review. And then, we will go to public
13 comments.

14 MR. COCKRELL: Good afternoon.

15 I am Craig Cockrell, and I work here at
16 Silver Spring. I am presenting the results of our
17 Draft Essential Fish Habitat Five-Year Review.

18 So, just a little background here. The
19 Magnuson Act requires that at least once every five
20 years we evaluate essential fish habitat. Here is
21 a timeline of our HMS actions that involved EFH.

22 One thing to note is the interpretative
23 rule for roundscale spearfish. We actually used
24 white marlin EFH to designate roundscale spearfish
25 EFH.

26 So, here are 10 EFH components that we
27 looked at here and we used it to help guide us in
28 our five-year review of HMS EFH.

29 If you remember back at the last
30 meeting, we discussed the Request for Information
31 that we published back in March of 2014. Last
32 Thursday we published a Notice of Availability for
33 our Draft Five-Year Review. Comments on that
34 review are due by April 6th.

35 Also, when we go to finalize the
36 five-year review, we will make a determination on
37 whether or not we will amend the Consolidated FMP.

38 So, as far as the environmental and
39 management changes that have occurred since our
40 Amendment 1 in 2009, which was our last amendment
41 for HMS EFH, one thing that happened was the
42 Deepwater Horizon oil spill. We haven't
43 determined all of the impacts to HMS EFH, but we
44 are looking into those in this review and as we go
45 forward with the final review.

46 One thing that we did or that we found
47 in our literature review, we saw that oil samples
48 from Deepwater Horizon did impact the development

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1 of bluefin larvae. And we still continue to assess
2 the impacts of the oil spill.

3 Another management change is the
4 Mid-Atlantic and the New England Fishery
5 Management Councils are in the process of
6 finalizing two habitat amendments. And the South
7 Atlantic Fishery Management Council is focusing on
8 fishery ecosystem plans and amending their
9 Sargassum FMP or the amendment to their Sargassum
10 FMP in 2012 and, also, the coral FMP that expanded
11 the HAPCs.

12 Another management change is the
13 National Ocean Policy that was published by NOAA.
14 Some things that we are going to look at, as we go
15 towards the final review, are the Ocean Resilience
16 and Science Information Initiatives that were
17 within that Ocean Policy.

18 So, as far as the species that we manage
19 here at HMS, we looked at life history updates for
20 all the species that we manage since 2009, going
21 back through information that was submitted to us
22 back in March of 2014 and, also, things that we
23 found on our own searches.

24 So, for the BAYS tunas, we did have some
25 life history updates that included habitat
26 utilization and prey species, updates since 2009.
27 But none of these updates we feel warrant changes
28 to the current EFH boundaries.

29 For bluefin tuna, there are life
30 history updates that include spawning behavior and
31 egg and larval distributions and general changes
32 to the biology of bluefin, and, also, tagging
33 studies that indicate changes in distribution of
34 juveniles and adults.

35 Also, one thing that we don't want to
36 lose sight of is our gear-restricted areas from
37 Amendment 7 and how that data and those analyses
38 might feed into changes in EFH boundaries. We feel
39 that all these changes will probably warrant the
40 change in EFH boundaries for bluefin tuna.

41 So, as for Atlantic swordfish, the life
42 history updates that we found for them included
43 different vertical movements and foraging
44 behaviors and, also, lunar influences on migration
45 patterns. But, again, similar to BAYS tunas, we
46 don't feel that these life history updates will
47 warrant changes to the current EFH boundaries.

48 So, for Atlantic billfish, we did find

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1 some pretty extensive life history updates. The
2 table here that you can see shows changes since 2009
3 in maximum size and size at maturity for the
4 different species of billfish. This was from a
5 2011 study that we looked at.

6 So, starting off with white marlin, we
7 found that there were changes in white marlin prey
8 species and larval distributions that may warrant
9 changes to EFH boundaries for white marlin. Also,
10 during the juvenile life stage, we found that there
11 was a predominant prey specie or predominant
12 cephalopod that was utilized as a prey species.

13 So, for roundscale spearfish, since
14 there was limited data in 2009, we are going to
15 re-look at roundscale spearfish and their
16 distributions. We feel that, as we delve into
17 roundscale spearfish, that we may change the
18 current boundaries for EFH, which right now matches
19 the white marlin EFH.

20 So, just to continue with our billfish
21 species here, real quick, just touching on all
22 billfish larvae, one study that we looked at
23 suggested that the presence of billfish larvae is
24 strongly linked to attributes of the water column,
25 including the loop current in the Gulf of Mexico,
26 lower sea surface temperature, and higher
27 salinity.

28 For Atlantic sailfish, life history
29 updates for them would include updating their prey
30 species and habitat utilization. One of those key
31 species updates was their utilization of sardine
32 as their prey. Also, as far as diving behavior,
33 we also found that they may dive to over 400 meters
34 and can tolerate temperatures as low as 8 degrees
35 Celsius.

36 Now moving on to blue marlin, several
37 studies show that an important spawning area and
38 early life stage is in the Northern Gulf of Mexico.
39 Also, as far as migration for those fish that are
40 in the Gulf of Mexico, we also found studies that
41 confirmed that there wasn't much migration out.
42 Once the fish were in the Gulf of Mexico, there
43 wasn't much migration out of the Gulf of Mexico,
44 just showing how important it is for blue marlin.

45 So, for longbill spearfish, we are
46 updating the maximum size at maturity and, also,
47 we think that there may be some data out there that
48 might warrant the change of the current EFH

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1 boundaries for longbill spearfish.

2 Moving on to sharks, we looked at 42
3 different species in this document. That included
4 all the large and small coastal sharks and pelagic
5 sharks. We identified 18 species that may warrant
6 revisions of their EFH. Just for time-sensitive
7 reasons, we just going to go through three of those
8 species right now.

9 The first species is lemon shark. As
10 far as their life history is concerned, in some
11 acoustic tagging studies we found that an important
12 area off of Cape Canaveral for a winter site was
13 found. Right now, as you can see, the current EFH
14 for young of the year. Yes, so this is the young
15 of the year current EFH and the juvenile EFH. That
16 young-of-the-year area does not include Cape
17 Canaveral.

18 Also, another study, a 2013 study,
19 identified a possible nursery area off the Chandler
20 Islands off of Louisiana. As you can see here,
21 that currently is not part of the young-of-the-year
22 EFH.

23 So, all these new studies led us to
24 believe that we might need to modify the EFH for
25 lemon shark.

26 Sand tiger is another species that I
27 would like to touch on here. One thing that we
28 found with sand tigers is that some of the tagging
29 studies we looked at found that there was an
30 important nursery habitat off of Cape Cod. Again,
31 the current EFH for sand tiger sharks for juveniles
32 is right here. As you can see, that is not part
33 of the juvenile EFH right now, off of Cape Cod.

34 Also, another tagging study found a
35 well-established migration between North Carolina
36 and the Delaware Bay, Cape Cod, Northeast area.
37 That is something that we definitely want to look
38 into as far as the importance of that in those
39 migrations.

40 And then, for all life stages, our NOAA
41 Fisheries Cooperative Atlantic States Shark
42 Pupping and Nursery Survey found that there was
43 consistent use of the Delaware Bay area by, again,
44 all life stages of sand tiger sharks.

45 So, the last shark species I would like
46 to touch on is white shark. Right now, I think most
47 of you have probably seen that the OCEARCH Group
48 has a large amount of tagging data that is available

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1 to the public. NMFS may look at this data to see
2 what migration patterns those tagged white sharks
3 might reveal.

4 Also, an important area off of Cape Cod,
5 because of increasing numbers of seal populations,
6 might explain why there is a larger aggregation of
7 white sharks off of the Cape Cod area.

8 Lastly, new life history updates in a
9 2014 study showed that white sharks could live up
10 to 70 years of age.

11 So, that is it for our species life
12 history update. One other piece to the five-year
13 review was identifying fishing impacts to EFH.
14 This is specific to HMS gears. And so, our only
15 bottom-tending gear right now is bottom longline.
16 That was a gear that we really focused our analysis
17 on.

18 And so, when we looked at impacts on HMS
19 EFH and Council-managed EFH, we came to the same
20 conclusion we did in Amendment 1. We did not see
21 effects on those EFH for those fish species.

22 But we also looked into bottom longline
23 gear impacts on corals. What we did here is we
24 relied heavily on a biological evaluation that was
25 completed in 2014. We also looked at observed
26 shark bottom longline sets from 2008 to 2013, which
27 is in this map to the right here. We overlaid those
28 set locations with the Gulf of Mexico Fishery
29 Management Council coral EFH and found that there
30 was no overlap with those sets. So, even though
31 impacts to corals could be long-term effects, we
32 believe they will be minimal due to the infrequent
33 interactions.

34 Moving on to non-fishing impacts, most
35 non-fishing impacts we found did not affect HMS EFH
36 because most of that EFH is offshore. One thing
37 that we would like to look more into is climate
38 change and its impacts on HMS EFH. But, at this
39 time, we do not think that will warrant the revision
40 of HMS EFH, but definitely looking for comments on
41 that.

42 As far as habitat area of particular
43 concern considerations, the current ones that we
44 have now are for sandbar shark and for bluefin tuna.
45 So, sandbar shark is here on the left, which
46 includes part of the Chesapeake Bay, the Delaware
47 Bay, and off the coast of North Carolina.

48 And then, our HAPC for bluefin is on the

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1 right here in the Gulf of Mexico.

2 So, things that we are looking to
3 possibly include in the Final Five-Year Review
4 would be considerations for bluefin tuna, lemon
5 shark, sand tiger shark, sandbar shark, and
6 billfish HAPCs.

7 And the last component here that we
8 looked at was different methods of delineation of
9 HMS EFH. When we did the Draft Five-Year Review,
10 we researched methods used by several Councils when
11 they delineated their EFH, and we described the
12 pros and cons of those different methods.

13 When we looked at the data that we have
14 access to, we came to the conclusion that the kernel
15 density estimator and 95-percent volume contour
16 approach was the most appropriate for our data.
17 But we are requesting comments on the delineation
18 method that we should most likely use.

19 So, the process from here: comments
20 are due on the draft April 6th, and they can be
21 submitted through regulations that go at the Docket
22 Number here or by mail to the Division.

23 Like I said before, well, the Final
24 Five-Year Review will publish in mid- to
25 late-summer. Like I said in a previous slide, we
26 will decide whether or not to amend the
27 Consolidated HMS FMP if those revisions are
28 warranted.

29 And just real quick here, this is the
30 Atlantic HMS EFH review team. So, it was a lot of
31 folks working on this.

32 That is it.

33 FACILITATOR LEA: Great. Thank you
34 very much.

35 All right. I see George, Pat, and
36 Mike, and then, Lisa.

37 George?

38 MEMBER PURMONT: Thank you very much.

39 I noticed that you have made reference
40 to the Deepwater Horizon oil spill and in regard
41 to bluefin larvae, inasmuch as we assume it is a
42 known spawning ground. Was a class action lawsuit
43 or any kind of other lawsuit filed on behalf of the
44 United States fishermen in regard to British
45 Petroleum, people out of Horizon, or Halliburton?
46 And was there a suit filed by any other country in
47 regard to this spill, such as Canada? And if not,
48 why not?

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1 MS. SCHULZE-HAUGEN: You would have to
2 ask Canada on why they did not --

3 MEMBER PURMONT: Okay.

4 MS. SCHULZE-HAUGEN: -- file a
5 lawsuit.

6 There is litigation ongoing. I don't
7 have the details on it. I can get you in touch with
8 the people that are involved. But I do know that
9 there is litigation ongoing.

10 FACILITATOR LEA: Pat?

11 MEMBER AUGUSTINE: Thank you. A good
12 report, Craig. Appreciate it.

13 Under HAPC considerations, will you all
14 look at what the New England Fishery Management
15 Council did for their HAPC? I believe they had a
16 significant plan about HAPC. And as long as it is
17 out to 200 miles, I am not sure that includes the
18 habitat area you are concerned with and talking
19 about.

20 I also talked to the Mid-Atlantic, have
21 been involved with essential fish habitat. I know
22 their biggest concern was on all the canyons, and
23 they were looking at five or seven canyons through
24 the whole Mid-Atlantic. It would seem to me that
25 that might be a place you want to look before you
26 go delving too deep into this. It would save you
27 some time and effort.

28 MS. SCHULZE-HAUGEN: Do you know the
29 timeframe of those? Because this review is
30 looking at from 2009 forward. So, if those were
31 earlier than 2009, they would have been considered
32 in our Amendment 1.

33 MEMBER AUGUSTINE: I think
34 Mid-Atlantic just in this last year included three
35 or four other canyons. I know when I was on it,
36 I think about six years ago, we had only broken it
37 down to, I think there were only two or three
38 canyons that we had agreed to put on at that point
39 in time. Dr. Anderson, Assistant Chair or Vice
40 Chair, had been pushing that. And I think only in
41 the last year to 18 months they put the other
42 canyons on. So, it might be worth checking anyway.

43 Thank you.

44 FACILITATOR LEA: Then, I have Mike,
45 Lisa, Ernie, Shana, Marty, and Rusty.

46 MEMBER SISSEWINE: Yes, as a
47 follow-up to that, of course, all of the Councils
48 are going through their five-year review of

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1 essential fish habitat, just like you are.
2 Certainly, the New England Council as an ominous
3 amendment that is out for consideration right now
4 that has a lot of description of material. It
5 could be relevant.

6 My comment or the reason I raised my
7 placard was, unless I misunderstood, I was
8 surprised to hear that only fishing is considered
9 to be relevant or potentially an impact on
10 essential fish habitat. Did I hear that
11 correctly? No? Good.

12 MR. COCKRELL: No, we also looked at
13 non-fishing impacts.

14 MEMBER SISSENWINE: Yes?

15 MR. COCKRELL: But, right now, we did
16 not see an impact to HMS EFH.

17 MEMBER SISSENWINE: Well, that
18 surprises me. That is what I thought I heard. I
19 mean, we just heard about an oil spill that impacted
20 larval bluefin tuna.

21 The impact of a pelagic fishery on what
22 is largely pelagic impact, there may be some, but,
23 presumably, it is not as significant as bottom
24 trawling on commercial habitat. And we are well
25 aware that things like oil spills could affect the
26 habitat. I don't know what potential effect noise
27 has on a habitat, but that is another issue that
28 is considered as a habitat impact, and so on.

29 So, I am actually surprised by that
30 conclusion that fishing is so much more
31 overwhelmingly important, that the others are just
32 dismissed as not important.

33 MS. SCHULZE-HAUGEN: I mean, part of
34 this is that much of the HMS EFH is the qualities
35 of the environment. So, it is temperature and
36 salinity and things that aren't necessarily that
37 disrupted by noise. They are still the same
38 temperature and salinity.

39 And some of it, also, is maybe some of
40 what is available in the literature. I mean, we
41 did a search. We checked with our agency
42 scientists for, you know, did we miss things, and
43 they found some things as well. If we have missed
44 things, that is the point of this comment period,
45 is to see if we have missed a particular study or
46 a class of research that we need to consider. So,
47 these are good comments. We will look into these.

48 And we did mention the oil spill. I

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1 think that was a little bit earlier on. So, we are
2 looking at that.

3 MEMBER SISSENWINE: Well, again, I am
4 getting a bit confused here because we are
5 concerned about fishing's impact on the
6 environment, but that is not affecting temperature
7 or salinity, or so forth. It is potentially a
8 disturbance, just as noise might be or an oil spill,
9 or so on.

10 MS. SCHULZE-HAUGEN: Right.

11 MEMBER SISSENWINE: Or hypoxia and
12 various other things that affect the water column.

13 MS. SCHULZE-HAUGEN: So, the HMS
14 fishing gears don't affect temperature and
15 salinity. Where we have seen HMS fishing gears
16 have an impact on habitat is in that bottom longline
17 where it is on the contact with the ground and
18 disturbing that way. So, maybe that helps a little
19 bit.

20 MEMBER SISSENWINE: Well, that does,
21 but I still wouldn't ignore the importance of an
22 oil spill or acoustical effects or various other
23 things.

24 Thank you.

25 FACILITATOR LEA: Thank you, Mike.
26 Lisa?

27 MEMBER GREGG: Well, Mike touched on an
28 issue that I was just curious about, and I didn't
29 know whether or not the HMS Division had weighed-in
30 on the seismic surveying activities that have been
31 opened up in the Atlantic or if you are planning
32 on weighing-in on it. Or did I hear you correctly
33 that you did a literature search and didn't have
34 enough information?

35 MS. SCHULZE-HAUGEN: I heard two
36 questions, whether the Division weighed-in on
37 seismic activities or whether we have reviewed
38 seismic activity literature.

39 MEMBER GREGG: Well, they are
40 connected, but yes.

41 MS. SCHULZE-HAUGEN: So, where we have
42 designated EFH for HMS, there is a process where
43 federal agencies that are taking an action in those
44 areas have to consult with us. And so, then, we
45 would describe, if there is an overlap, what the
46 overlap is in the HMS EFH.

47 And then, you know, we give some
48 recommendations on what they could do to mitigate

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1 impacts. I don't think they are binding, but there
2 is this consultation process.

3 That is part of why getting the EFH
4 boundaries correct and appropriate is important.
5 Because if someone is doing something, you know,
6 whomever, that could have an effect, that triggers
7 that consultation. If we don't designate it as an
8 important area, there may be no consultation.

9 In terms of our reviewing seismic
10 activity, I think we would have looked for
11 research, published papers, gray literature. I
12 don't actually remember if we found anything on
13 that, but I think we have looked.

14 Again, if we have missed a body of
15 literature or a specific paper, that is what we are
16 looking for at this point. So that, when we do have
17 the final decision on what kinds of changes we will
18 be making, we have all the information we need.

19 FACILITATOR LEA: Ernie?

20 MEMBER FOSTER: Yes, and I am
21 completely new to this, so excuse me.

22 I am looking at the potential new
23 considerations include an area right outside my
24 house. So, my question is, if it is considered and
25 found to be an area worth consideration, what are
26 the various options that you may impose upon us?
27 I know there is a range, but I am curious as to what
28 is going to be the potential consequence. What are
29 your six or eight options?

30 MS. SCHULZE-HAUGEN: Well, EFH
31 designation in and of itself does not trigger a
32 regulatory change. If we, I think, find that our
33 fishing gears are causing damage to habitat, we
34 would undertake rulemaking probably to try to look
35 at ways to reduce that.

36 But this is based on the species, their
37 life history, the stages, prey species. And so,
38 it is if an area is designated as EFH off North
39 Carolina, that does not necessarily translate to
40 fishing changes. What it would require is that
41 agencies that are taking an action in that area may
42 have to consult with us on what they are doing, its
43 effect on the habitat, if any, and what they can
44 do to mitigate it.

45 So, it is more of a trigger for
46 consultation than a straight, well, it is EFH;
47 therefore, you can't do this here or you have to
48 do that. It is a slightly different process.

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1 MEMBER FOSTER: Well, I understand
2 that it is a trigger. My question is, what are you
3 going to hit? You know, I am literally looking,
4 okay, once the trigger is pulled, I mean, are you
5 talking about doing away with fishing off Hatteras?

6 MS. SCHULZE-HAUGEN: No. Let me be
7 very clear. No.

8 MEMBER FOSTER: Okay.

9 MS. SCHULZE-HAUGEN: If the Corps of
10 Engineers wants to dredge in the middle of sandbar
11 HAPC, they are going to have to consult with us on
12 ways that they can mitigate impacts to sandbar. We
13 give them recommendations, and they, hopefully,
14 follow them. There is not an automatic "You can't
15 fish tomorrow," if we say there is an important
16 habitat area for a particular HMS.

17 FACILITATOR LEA: All right. Shana?

18 MEMBER S. MILLER: Yes, Craig, excuse
19 my ignorance here, but I went through the draft
20 document, and it is a really extensive literature
21 review. But I thought that it would include -- I
22 know you narrowed-down the species that might
23 warrant changes to EFH, but there is nothing in
24 there about what changes those would be.

25 So, do you have to do a full amendment
26 to change it? I mean, are you asking for comments
27 on what to change or just literature papers you may
28 have missed?

29 MR. COCKRELL: So, right now, we are
30 not physically revising the EFH boundaries. What
31 we would do is have our final draft come out after
32 we get comment from you all. And, yes, we would
33 go through the formal amendment process to revise
34 EFH boundaries and, again, proposed rule, or not
35 proposed rule, but Draft EIS, public comment, Final
36 EIS or EA.

37 MS. SCHULZE-HAUGEN: It is how it
38 works.

39 FACILITATOR LEA: All right. Marty?
40 And then, finally, Rusty.

41 MEMBER SCANLON: If I may, I just would
42 like to make just a quick comment before I add to
43 this here about the closures in the Southwest
44 there. Those were all precircled for closure.
45 So, that is a factor in that.

46 The other thing I want to talk about
47 here is on the impact of the bluefin tuna larvae.
48 Now, if those fish reach sexual maturity, is it

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1 going to be possible or will they actually have the
2 ability to change the genetic structure of the
3 bluefin tuna overall beyond that? And if so, is
4 it a question of should we at this time consider,
5 basically, eradicating that whole year's class of
6 fish coming out of there or take the chance of,
7 then, permanently damaging the entire stock of the
8 bluefin tuna fish? That is something I think we
9 need to think about. That is probably possible.

10 As far as the seismic issue, I think the
11 schedule that we seem to be on is that we are looking
12 to deal with that after the fact, not pre-fact here.
13 I mean, I haven't even heard a mention of that at
14 any of these meetings, and that has been on the
15 table here for quite some time now. I mean, are
16 we going to deal with -- the schedule that you are
17 on to review that, is that after the fact? Are they
18 going to do it and, then, we are going to worry about
19 it later, what the results are? As usual, the
20 pelagic longline will probably be paying the price.

21 MS. SCHULZE-HAUGEN: So, the study, as
22 I understand it, that found impacts on larvae
23 showed that, if the larvae came in contact with the
24 oil, that there were effects on the heart function.
25 Please don't quote me on this. Even though it will
26 be in the transcripts, please don't quote me.

27 (Laughter.)

28 It is that it may have killed them
29 outright or significantly reduced their
30 survivability. So, larvae that were in direct
31 contact with the oil probably didn't do very well.

32 But there, as you recall, the spill was
33 in April, well into the season. The oil wasn't
34 distributed everywhere right away. So, the exact
35 impact on the stock is, I think, less than it might
36 have been.

37 And also bear in mind that bluefin are
38 repeat spawners. So, even if a single year class
39 was completely wiped out, there is an ability for
40 the population to not completely go away for that.

41 We can talk more about it. There are
42 people that know way more about that study than me
43 and the potential impacts on the bluefin tuna
44 stock. So, we can talk more offline on that, if
45 you would like.

46 On the seismic studies, I mean, we are
47 looking at information that is available. So, if
48 there are studies that are underway that haven't

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1 made results available, we may not have them in
2 order to make a determination now. But,
3 certainly, we are trying to look at what is
4 available, not just the published literature, but
5 gray literature, you know, maybe reports and
6 things.

7 So, we are trying to find everything
8 that is relevant. I don't make the promise that
9 we have found everything, but we certainly want to.
10 Whether that is in an area that could affect
11 habitat, whether it would have affected the
12 habitat, you know, are things that we need to look
13 at. But whether it is before or after, I mean, we
14 need some of the information from the results in
15 order to make that determination.

16 MEMBER SCANLON: Will they be allowed
17 to go forward with that before you finish your
18 research on it? That is my question. Are they
19 going to be allowed to go ahead with what they are
20 doing? Like I said, are we going to deal with it
21 after the fact or you have the ability to outline?
22 Are you going to be able to outline what they are
23 going to be allowed to do?

24 MS. SCHULZE-HAUGEN: Well, as I said,
25 it is a consultation. We make recommendations. I
26 don't think they are obligated to follow all of
27 them, but they, I think, are required to review them
28 and see what they can do.

29 Again, I can connect you with people
30 that know this more than I do. But I don't think
31 we can necessarily say, "No, you cannot do that."
32 It is a different kind of process.

33 FACILITATOR LEA: Okay, Rusty? And
34 then, I see Rick and Andre.

35 MEMBER HUDSON: Rusty Hudson.

36 First, with the great white, I saw that
37 study come out recently. You have eight samples
38 from 1967 through 2010, four males, four females.
39 The oldest long-lived one is a male, 73. The
40 female is 40-something. That is two every decade
41 that you have for a sample size.

42 You reference just Northwest Atlantic
43 Ocean. We already saw one of the great whites from
44 OCEARCH make it all the way to the seamounts and
45 stuff. So, we think we are getting a little
46 further away from Northwest.

47 But, with that said, I would like to
48 look into that a little more because the bomb

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1 radiocarbon testing, I have had to deal with some
2 of these other comments that I submitted in recent
3 years. And the peak period is from the year I was
4 born, '55, until around '81 for a lot of that
5 atmospheric testing. We may need to look into that
6 a little bit more because there may be some issues
7 with the bomb method.

8 It does help somewhat with some of the
9 earlier fish and sharks and stuff, but once you get
10 into those later issues of reading a vertebrae or
11 the otolith, stuff like that, on these various
12 animals, you have a difficulty reading, even
13 between the different readers, because of how
14 compact all that gets in the older-age animals.

15 So, with that said, Dr. Gruber and I had
16 had a conversation once on the lemon chart. At
17 least one animal that he made me aware of from the
18 Bahamas, where they had their site fidelity and
19 their studies and stuff there, making it over to
20 the Florida Panhandle, and them documenting that.

21 We closed our State waters in the east
22 coast of Florida, and possibly I guess the west
23 coast. Lisa could have probably elaborated.
24 But, down south of Cape Canaveral a good ways
25 towards Jupiter, with aggregations of lemons down
26 there, and it may require a little bit more thought
27 about site fidelity versus nursery actions.
28 There's a couple of different things I would like
29 to look at. So, I would like to look a little more
30 into this stuff that they did off Cape Canaveral.

31 Bluefin tuna, 2010, before and after
32 Deepwater Horizon, Southern Mississippi
33 University, there Dr. Jim Franks, who had been on
34 here, had to do some work on gathering the larvae
35 before and after. Of course, my concern was trying
36 to look at like king mackerel larvae at that time.
37 But he said their onus was to put the emphasis on
38 the bluefin tuna.

39 So, I am not sure what they have been
40 allowed to release. You know, some of that could
41 be part of some issues because I think there were
42 some litigations that were involved as far as
43 impact to fishing communities. And we have seen
44 a serious downturn in our mackerels on the east
45 coast of Florida over the last three years. It is
46 borne out by a couple of things, but that could be
47 some cyclical stuff in the nature of the animals.
48 Speculation. You know, we just finished CDAR38,

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1 and we are not sure where that goes.

2 Seismic testing. One of the things
3 that I have commented on a few times, the decibel
4 level is way beyond what a jet is. We know that
5 whales will alter their routes 20-something miles.
6 We know that mackerels will come straight up out
7 of the water as soon as it blasts near them.

8 We also know in the late
9 seventies/early eighties, when we had the
10 moratorium initiated off the East Coast, we would
11 have those boats come through, and then, the CPUEs
12 would fall flat to nothing. And it was the same
13 thing that was noticed with swordfishing back in
14 the early eighties, the same deal.

15 And so, we want the moratorium to
16 continue. When they have the observers on the back
17 of the boat and they put this big, old mileage
18 around that vessel when they are doing their grids,
19 they only have to document the stuff that is already
20 on ESA. If it is a bunch of fish floating up that
21 I have heard about, they don't have to detail any
22 of that. And, of course, if you have no witnesses
23 around, what have you got?

24 And so, I have a real problem with it.
25 And, of course, they decided not to do any leases
26 down our way at the moment, but they are looking
27 at Georgia on up to Carolina. The deal was New
28 Jersey to Brevard County/Cape Canaveral initially.

29 So, we submitted comments. We are
30 against it. Dr. Bonnie Ponwith, the person that
31 handles all our highly mig and all of our Council
32 stuff, she told me in open informal Q&A, "I can't
33 do a thing about it, Rusty. The best that we can
34 do is have either the head of the Department of the
35 Interior or the President of the United States, or
36 maybe Congress can do something."

37 But there has got to be a better way than
38 like the equivalent of putting dynamite down there.
39 Because, to me, that sound has a detrimental
40 effect, like Dr. Chris Corning told me, with the
41 ear bones of the fish and busting the structure.
42 For the larvae that would swim by, they are busting
43 the structure. There are a lot of impacts from
44 that.

45 I am just saying that I just did a
46 find/search on your document, and you don't even
47 have "seismic" listed in there one time. So, it
48 is a problem.

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1 Thank you.

2 FACILITATOR LEA: All right. Thank
3 you.

4 All right. We have Rick and Andre.
5 That is going to have to be the end because we are
6 going to need to move to public comments after that.

7 MEMBER BELLAVANCE: I will be quick.

8 I just wanted to mention, since you are
9 looking for comments, the Pioneer Array Project by
10 the Woods Hole Oceanographic Institute. One is
11 possibly an activity other than fishing that might
12 have effects on HMS essential fish habitat and,
13 secondly, as a potential resource for more
14 information, with all the different things they
15 have got zinging around in the ocean gathering
16 different types of data. So, for both of those
17 reasons, I just thought I would mention it.

18 Thanks.

19 FACILITATOR LEA: Thank you.

20 Andre?

21 MEMBER BOUSTANY: As the last person to
22 talk, I wish I had something more profound to say.

23 (Laughter.)

24 But I just wanted to get back to Martin
25 about his comments. Margo, I think you answered
26 the ones about the effects on larvae. The only
27 other thing you asked about, whether or not there
28 was potential genetic effects that could be
29 transferred to future generations, and that is not
30 possible with the effects that have been seen on
31 these fish.

32 And then, also, I would just like to add
33 my voice, that the process of the seismic testing
34 is something that I would like to see looked at a
35 little bit deeper because it most likely will have
36 an effect on most of the species that we are
37 interested in.

38 MS. SCHULZE-HAUGEN: Well, thank you
39 for all of that. Clearly, we did not discuss
40 seismic testing. So, if you know of sources,
41 please pass them on. We will gladly take a look.

42 FACILITATOR LEA: All right.
43 Terrific.

44 All right. I know of at least one
45 person here for a public comment. Is anyone else
46 here for a public comment?

47 (No response.)

48 Anyone on the phone?

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1 (No response.)

2 MS. SCHULZE-HAUGEN: Sir, if you could
3 state your name and affiliation, please, that would
4 be great.

5 MR. GALLAND: Sure. Thank you, and
6 thanks, Lisa, for your seat.

7 My name is Grant Galland, and I work on
8 global tuna conservation for the Pew Charitable
9 Trusts. Hopefully, that doesn't mean Lisa wants
10 her seat back now.

11 (Laughter.)

12 I would like to just concentrate in my
13 brief comments on the ICCAT's Electronic Bluefin
14 Catch Documentation system, or eBCD, that was
15 introduced in the first session this morning.

16 First, I will just commend the U.S.
17 ICCAT delegation for participating in the Panel 2
18 in IMM meetings a couple of weeks ago in Madrid.
19 I was there, too, and it was clear that the U.S.
20 delegation played a strong role in helping to draft
21 a recommendation on eBCD that will further its
22 progress towards full implementation in 2016.

23 We recognize that there are a lot of
24 things still to be worked out in the November ICCAT
25 meetings. But Pew thinks that that draft
26 recommendation is an important step in the right
27 direction.

28 With the recent agreement to increase
29 quotas in both the East and West populations of the
30 Atlantic bluefin tuna, it is clear that this
31 species will experience higher fishing pressure
32 than it had recently. This higher pressure, along
33 with sort of the threat of unilateral of decisions
34 to increase quota even further, which was announced
35 by Turkey just two weeks ago, it is more important
36 than ever to have the eBCD system in place, so that
37 I can combat illegal fishing, identify cheaters,
38 and try to prevent the total catch from getting too
39 high, up above those levels recommended by the
40 best-available science.

41 Furthermore, with a significant number
42 of eastern fish caught by U.S. fishers here in the
43 West, it is in the U.S.'s best interest to ensure
44 that the eBCD is implemented fully on both sides
45 of the Atlantic by the 2016 fishing season.

46 So, with that, Pew just encourages NMFS
47 to do two things. First, here domestically, we
48 encourage you to continue forward with the plans

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1 to implement the eBCD here domestically as soon as
2 possible, by the end of this year. Early
3 implementation gives fishermen and regulators the
4 opportunity to work out any kinks before our future
5 ICCAT deadlines. It also gives the ICCAT
6 delegation the opportunity to be a strong advocate
7 internationally to prevent other countries from
8 further delay in international implementation.

9 Secondly, we encourage NMFS to continue
10 with its strong stance on insisting that trade
11 between EU member states is included in eBCD
12 tracking and validation in order to prevent the
13 very large amount of trade that happens within the
14 EU from being exempt and to prevent the potential
15 for bad players to exploit that potential
16 exemption.

17 So, with that, I will just thank you for
18 the opportunity to make some comments and say again
19 that Pew looks forward to some progress on eBCD here
20 in the U.S. and in the Eastern Atlantic over the
21 next several months.

22 Thank you.

23 FACILITATOR LEA: Thank you very much
24 for coming.

25 All right. So, we are going to adjourn
26 for today, and we are going to reconvene tomorrow
27 bright and early at 8:30. So, have a good evening,
28 and we will see you then for what looks like shark
29 day.

30 (Whereupon, at 5:55 p.m., the meeting
31 adjourned for the day, to reconvene the following
32 day, Wednesday, March 11, 2015, at 8:30 a.m.)
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