

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION
NATIONAL MARINE FISHERIES SERVICE

OFFICE OF SUSTAINABLE FISHERIES

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COUNCIL COORDINATION COMMITTEE

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MEETING

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WEDNESDAY
FEBRUARY 18, 2015

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The Committee met in the Holiday Inn
Capitol, Capitol Ballroom, 550 C Street, S.W.,
Washington, D.C., at 9:00 a.m., Kevin Anson,
Chair, presiding.

PRESENT

KEVIN ANSON, Gulf of Mexico Council, Chair
LEE ANDERSON, Mid-Atlantic Council
JOHN BULLARD, Greater Atlantic Region
ROY CRABTREE, Southeast Region
MICHELLE DUVAL, South Atlantic Council *
ED EBISUI, Western Pacific Council
CARLOS FARCHETTE, Caribbean Council
DOUGLAS GREGORY, Gulf of Mexico Council
JOHN GOURLEY, Western Pacific Council
DON HANSEN, Pacific Council
JOHN HENDERSCHIEDT, North Pacific Council
DAN HULL, North Pacific Council
BILL KARP, New England Council
DOROTHY LOWMAN, Pacific Council
BOB MAHOOD, South Atlantic Council *
DON McISAAC, Pacific Council
GLENN MERRILL, Alaska Region
CHRIS MOORE, Mid-Atlantic Council
TOM NIES, New England Council

CHRIS OLIVER, North Pacific Council
MICHAEL PENTONY, Greater Atlantic Region
GENO PINEIRO-SOLER, Caribbean Council
HERB POLLARD, Pacific Council
JOHN QUINN, New England Council
RICK ROBINS, Mid-Atlantic Council
MIGUEL ROLON, Caribbean Council
KITTY SIMONDS, Western Pacific Council
TERRY STOCKWELL, New England Council *
MIKE TOSATTO, Pacific Islands Region
BOB TURNER, West Coast Region
DAVID WITHERELL, North Pacific Council

ALSO PRESENT

EILEEN SOBECK, Assistant Administrator for
Fisheries
PAUL DOREMUS, Deputy Assistant Administrator for
Operations
SAM RAUCH, Deputy Assistant Administrator for
Regional Programs
BILL CHAPPELL, Sustainable Fisheries
SARA DECKER, Senator Marco Rubio
BRIAN FREDIEU, Sustainable Fisheries
ADAM ISSENBERG, General Counsel
MARIAN MACPHERSON, Sustainable Fisheries
ROB MOLLER
CAROLINE PARK, General Counsel for Fisheries
WES PATRICK, Sustainable Fisheries
ALAN RISENHOOVER, Director, Sustainable
Fisheries
MATT STRICKLER, House Natural Resources,
Subcommittee on Water, Power, & Oceans (minority)
KIEL WEAVER, House Natural Resources,
Subcommittee on Water, Power, & Oceans (Majority)

* Present via telephone

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

9:06 a.m.

1
2
3 CHAIRMAN ANSON: Good morning again.
4 My name is Kevin Anson. I'm the Chair for the
5 Gulf of Mexico Fishery Management Council. And
6 welcome to the CCC meeting. I'll be Chair for
7 this meeting.

8 Just a couple of things before we get
9 started. As you're all aware, we have had some
10 weather issues here in the last couple of days.
11 And that's prevented a few of the folks that
12 would normally attend from coming to the meeting.

13 So, they -- there's been a telephone
14 number that's been set up for those folks to
15 participate. And I certainly look forward to
16 them participating.

17 But due to that issue with using the
18 telephone, if everyone can kind of keep the
19 background conversations to a minimum so that it
20 is as clear on the other end of the telephone as
21 possible. And then also, to help with those that
22 are listening in as well as any of those that
23 might be taking transcriptions of the meeting, if
24 you could state your name, at least for the first
25 couple of times that you make comments, so that
26 the persons listening in can maybe recognize you.

27 So, with that, there -- we're going to
28 go ahead and start with introductions. To my
29 left --

30 MR. GREGORY: Douglas Gregory, Gulf
31 Council ED.

32 MR. NIES: Tom Nies, New England
33 Council, the Executive Director.

34 MR. KARP: Bill Karp, Science and
35 Research Director for the Northeast Fishery
36 Science Center.

37 MR. BULLARD: John Bullard, Regional
38 Administrator, Greater Atlantic Regional
39 Fisheries Office.

40 MR. PINEIRO: Good morning, Geno
41 Pineiro, Vice Chair from the warm and sunny
42 Caribbean Council.

43 MR. FARCHETTE: Carlos Farchette,
44 Caribbean Council Chair.

45 MR. ROLON: Miguel Rolon, Caribbean
46 Council, Executive Director.

47 MR. CRABTREE: Roy Crabtree, Regional
48 Administrator, sunny Southeast.

1 MR. EBISUI: Good morning, Ed Ebisui,
2 Chair of Western Pacific Council.
3 MS. SIMONDS: Kitty Simonds, the
4 Executive Director.
5 MR. GOURLEY: John Gourley, Vice
6 Chair.
7 MR. TOSATTO: Mike Tosatto, Pacific
8 Islands, Regional Administrator.
9 MS. LOWMAN: Dorothy Lowman, Chair of
10 Pacific Fishery Management Council.
11 MR. McISAAC: Don McIsaac, Executive
12 Director, Pacific Council.
13 MR. POLLARD: Herb Pollard, Vice Chair
14 of Pacific Council.
15 MR. TURNER: Bob Turner, Sustainable
16 Fisheries, West Coast Region.
17 MR. MERRILL: Glenn Merrill,
18 Sustainable Fisheries, Alaska Region.
19 MR. HENDERSCHIEDT: John Henderschedt,
20 Vice Chair, North Pacific Council.
21 MR. HULL: Dan Hull, North Pacific
22 Council, Chairman.
23 MR. OLIVER: Chris Oliver, North
24 Pacific Council, Executive Director from the
25 relatively warm Anchorage, Alaska.
26 MR. ANDERSON: Lee Anderson, Vice
27 Chair, Mid Atlantic Council.
28 MR. MOORE: Chris Moore, Executive
29 Director, Mid Atlantic Council.
30 MR. ROBINS: Rick Robins, Chair, Mid
31 Atlantic Council.
32 MS. PARK: Caroline Park, Deputy
33 Section Chief, Fisheries Protective Resources
34 Section, OGC.
35 MR. RISENHOOVER: Alan Risenhoover,
36 Office of Sustainable Fisheries.
37 DR. DOREMUS: Paul Doremus, Deputy AA
38 for Operations.
39 MS. SOBECK: Eileen Sobeck, Assistant
40 Administrator, Fisheries.
41 CHAIRMAN ANSON: And so if -- do you
42 have the ability Brian or Bill to go ahead and
43 recognize any of the folks that are on the phone?
44 Or they can chime in?
45 All right, so those that are on the
46 phone from the Councils, could you state your
47 name?
48 MR. STOCKWELL: Terry Stockwell,

1 snowbound in Maine.

2 MS. DUVAL: Michelle Duval, South
3 Atlantic Council, Vice Chair, sunny North
4 Carolina.

5 MR. MAHOOD: Bob Mahood, Executive
6 Director down here and we're kind of snowbound in
7 Charleston also. But not by our own devices.
8 Only by the devices up north.

9 CHAIRMAN ANSON: Anyone else on the
10 phone?

11 MR. MAHOOD: I don't believe Ben is
12 going to -- he might be on and off. But I don't
13 believe he's on right now.

14 CHAIRMAN ANSON: All right. Well
15 thank you all. Sorry you couldn't be here. But
16 hopefully we'll be able to incorporate any of
17 your comments in the discussion here.

18 Just a couple more things before I
19 pass it over to Ms. Sobeck. Everyone has the
20 agenda. Of course you got your flash drives as
21 well. So between those two items, that's where
22 all the presentations are. You can find those
23 and go to the website.

24 So, Ms. Sobeck?

25 MS. SOBECK: Great, thank you. Thank
26 you Kevin and good morning everyone. It's great
27 to be here today. It's been -- I've been on the
28 job for almost exactly a year and I do remember
29 when I first came to this meeting. I think it
30 was maybe my first week on the job. And I really
31 had no idea what was going on. And now I -- at
32 least I know all the things that I don't know.

33 So, I feel like I've made a lot of
34 progress this last year. But no, it feels very
35 different to be up here after a year. I've met
36 most of you several times and have a sense of
37 some of the accomplishments and challenges that
38 are in all of our Councils. And I really
39 appreciate the ability to be here today.

40 Sam Rauch is on kid duty for at least
41 part of the morning. He will be joining us later
42 today. And maybe he'll be able to call in if he
43 can't make it.

44 I'm going to apologize ahead of time
45 for not being able to be here tomorrow as I need
46 to co-chair another all-day meeting. But Kitty's
47 aware of the U.S. Coral Reef Task Force. But Sam
48 and Paul and Richard, Allen, the rest of the team

1 will all be here to report back to me on how
2 things go tomorrow.

3 So I wanted to just have -- give you
4 a couple of minutes of remarks on highlights from
5 the past year and a perspective look at what's
6 coming up this year. But I'm going to keep it
7 short.

8 It has been a busy year as usual. And
9 I don't know if there's any -- if there's ever
10 been not a busy year in the history of NOAA
11 Fisheries. A lot of challenges and issues that
12 you guys are all aware of.

13 Everything from Bigeye Amendment 7 in
14 the Western Pacific, deep sea coral work in the
15 Mid Atlantic, Sector separation in the Gulf,
16 Steller sea lions in the North Pacific. Every
17 council and every region has its challenges that
18 we are working through.

19 But there's still a lot of good news.
20 Over 90 percent of the regulated stocks have
21 catch below their annual catch limits.
22 Additional stocks have come off the over fishing
23 and over fished lists. And several more stocks
24 are now being rebuilt. Total landings and values
25 continue to remain high.

26 So, I'm interested to hear about
27 progress from a few of our working groups in the
28 upcoming two days. Including the Subcommittee on
29 Allocation and the working group on Operational
30 Guidelines.

31 I wanted to let you know a couple of
32 my priorities and milestones over the last -- you
33 know, the last year and the coming year. One of
34 the things we don't talk about too much in this
35 group, but I want to make sure that everybody
36 knows that one of our two areas of priority and
37 focus is on the -- focusing on recovery of
38 protected species.

39 I think that when it comes to
40 protected species under the Endangered Species
41 Act and the MMPA, we tend to focus on listings
42 and Section 7 consultations and the obstacles and
43 slowdowns that are attributable to our
44 responsibilities toward protected species. And
45 that is as it should be.

46 On the other hand, I think we have --
47 we at Fisheries really want to focus on the fact
48 that some species are recovered or recovering.

1 And we need to make sure that when we have
2 successes that we get the word out. A lot of
3 times these successes are due to hard work by the
4 fishing community. As in the reducing right
5 whale takes attributable to fishing gear.

6 And I think that we have decided that
7 we do want to focus on some priority species
8 where a concerted effort can stop declines or
9 turn around a species population to make it be
10 less of a burden on the community. And we will
11 be -- we will be working on fleshing out this
12 priority and identifying a few priority species
13 where we think that some concerned attention can
14 really -- if we really focus on those species, we
15 can really help turn them around or keep them
16 stable rather than allowing them to remain in
17 steep decline where they actually place more of a
18 burden on the other communities that they touch.

19 Last week, let's see, what day of the
20 week was it? Thursday, we rolled out our
21 National Saltwater Recreational Fishing Policy.
22 That was done with the help of all of you. There
23 were meetings -- public meetings associated with
24 at least one council meeting.

25 We announced that we were going to
26 undertake to come up with such a policy at the
27 Second Annual Recreational Fishing Summit last
28 April. And we really pushed through with the
29 help of all of our council partners and the rec
30 fishing community had an extensive outreach
31 cycle. Published a draft policy and then came
32 out with a final policy that we rolled out last
33 Thursday.

34 We've also -- I also announced last
35 Thursday that we will have an implementation plan
36 that will be out in the next 60 days. So the
37 policy is the top line document that basically
38 says that throughout our NOAA Fisheries decision
39 making processes, whenever recreational fishing
40 interests are touched, that we will at all levels
41 from the beginning through the final decision,
42 make sure that we consider recreational -- the
43 views of recreational fishing partners and
44 stakeholders.

45 Does that mean that we're always going
46 -- that we're going to put our thumb on the scale
47 in favor of recreational fishing interests? No,
48 it does not. It means that we're going to give

1 them the -- just make sure that we don't come in
2 at the end of the day and at the end of the day
3 say, and what will the recreational fishing
4 community think about this? We're going to just
5 make sure that they are included in our
6 engagement from the get go.

7 Really look forward to getting input
8 from everyone about the implementation plan. And
9 how things are going. And I -- if anybody needs
10 a link to the final policy, happy to provide
11 that.

12 Last week I was at the Seafood Summit
13 in New Orleans on a panel focused on bycatch. I
14 think it's going to be -- I think we've done a
15 lot of -- we as a community have done a lot of
16 work on reducing bycatch.

17 I think that the word has not really
18 gotten out and I think that's going to be an area
19 of focus in the upcoming year or so to make sure
20 that we continue the good work that we've all
21 done in reducing bycatch. And to make sure that
22 that word gets out.

23 So, we -- that's something that we'll
24 be looking at internally in NOAA Fisheries about
25 exploring ways to be more strategic about
26 approaches that we use to minimize bycatch. And
27 to reaching out into communities to make sure
28 that we get everybody's idea. And that the work
29 that we are doing is recognized.

30 MAFAC continues to be a productive
31 group. There have been two new working groups
32 formed. One focused on climate and one on
33 aquaculture. And we will keep you updated on the
34 work of those groups.

35 Two IUU related items that you might
36 have been hearing about. We released last week
37 the biennial IUU report to Congress. This report
38 identifies and certifies countries engaged in IUU
39 fishing and bycatch -- IUU fishing and bycatch on
40 protected species or sharks.

41 So there was basic -- there was some
42 good news in this report. All of the countries
43 that were identified as having vessels engaged in
44 IUU fishing in 2013 came into compliance and were
45 positively certified.

46 So the sequence if you recall in this
47 process is if a country had vessels engaged in
48 IUU fishing, they're identified in one year. And

1 then they have two years to work with us to
2 demonstrate that they've dealt with those
3 problems.

4 And if they have, they receive a
5 positive certification. That's a good thing.
6 That means that you have brought yourself into
7 compliance.

8 However, in 2013 we had identified
9 Mexico as having a fishery that was -- had
10 problems regarding bycatch of protected species.
11 And we were unable to make a positive
12 certification. So we are continuing to work with
13 Mexico. We've had certain assures from them that
14 they are likely to be in compliance in a few
15 months.

16 And we will be making a certification
17 decision. We've delayed our certification
18 decision of Mexico. So at this point they are in
19 a position of having no certification.

20 We did identify Colombia, Ecuador,
21 Mexico, Nigeria, Nicaragua and Portugal this year
22 as countries that we will be working with over
23 the next two years to improve management
24 measures. So we will be reporting back in two
25 years about whether they have addressed the IUU
26 problems that were identified in this report.

27 I'm going to give you a little bit
28 later in more detail an update on where we are on
29 the Presidential Task Force on IUU, which is co-
30 chaired by NOAA and the State Department. And I
31 want to just make sure that you guys have --
32 we're not going to bore you with all of the
33 details of that report. But I do want to fill
34 you in on a couple of recommendations that might
35 affect all of us. And that you might want to be
36 thinking about.

37 I wanted to update you on some changes
38 in NOAA Fisheries' leadership. So, Jennifer
39 Lukens has been named the head of our Office of
40 Policy. Jennifer? So you will be working with
41 Jennifer. She will be helping us coordinate a
42 lot of policy and interagency work and MAFAC.

43 Is Brian here? Brian Pawlak? Oh,
44 okay. Brian has a -- Brian Pawlak is the new
45 head of our Management and Budget Office. He
46 works for Paul Doremus. He's in another
47 briefing. I don't know if he'll -- might be here
48 tomorrow? I don't know.

1 But Brian is -- it's great to finally
2 have this position filled. And I think it's
3 really going to help us with our budget strategy
4 and implementation. Brian is -- has a long
5 history of working with NOAA Fisheries. Knows
6 our -- both our budget process and our programs
7 extremely well. And I think this is going to be
8 a great fit.

9 Mike Seki has been named the Director
10 of the Pacific Island Science Center. Not a
11 surprise, but really great to have Mike in that
12 job on a permanent basis.

13 And our Office of Law Enforcement is
14 really the one senior office that we have not yet
15 filled. We are almost ready. We are in the
16 process. It should only be a few more weeks or
17 months before we get that filled.

18 And at that point we will have a full
19 senior leadership team at headquarters and in the
20 region. And I think that that really -- that
21 kind of stability really will help us move
22 forward on a lot of our priorities.

23 My one last announcement, which is
24 probably no secret now, is that one of our own
25 here at the table, John Henderschedt will be
26 joining us in a few weeks as the new head of our
27 merged International Affairs and Seafood
28 Inspection Office. And I really couldn't be
29 happier.

30 I think it's just going to be a
31 fabulous transition. Nobody understands the
32 council process better than somebody who's been
33 on that council himself. And really knows the
34 fishery service from the outside. Incredible
35 amount of industry and NGO experience.

36 This is an office that one of the few
37 changes that I've made in the NOAA Fisheries
38 organizational structure has been to merge these
39 two offices. And we really want to create sort
40 of a new vision of what does Fisheries -- what do
41 we want to get out of some of our RFMOs? Our
42 international arrangements with other countries?

43 How can we help reward U.S. industry,
44 which is the most sustainable industry -- fishing
45 industry in the world? How can we help promote
46 that in a responsible way?

47 How can we coordinate our efforts
48 across these two parts of NOAA Fisheries with

1 related but often differently managed programs
2 together? And I really think that somebody with
3 John's skill and vision is the absolute right
4 person to fill the job. So congratulations John.
5 Can hardly wait until you come aboard.

6 So, we're going to hear details from
7 our -- from our leg affairs office later. We're
8 all trying to get to know the new members and the
9 new committee structures. And a lot of the same
10 people, but sitting in different seats. Some new
11 folks.

12 So it's going to -- it's not all I
13 think in place yet. Or I'm not exactly sure how
14 it's all going to work. But we're going to have
15 our leg affairs folks make a presentation and a
16 couple of Hill staffers to help start us on our
17 road to understanding our new -- the new
18 committee structures and the new players in their
19 new roles on the Hill.

20 And lastly, the President's '16
21 budget. This is -- it's great to have this
22 rolled out before you guys came into town so we
23 can actually talk about something concrete and
24 not speculate at this meeting.

25 Of course this is just the beginning.
26 And Paul is going to help walk us through where
27 we are in the President's budget later today and
28 take any questions, talk in more detail about the
29 lines that concern you all the most.

30 We all know that this is just step one
31 in a lengthy process. I think even though it's
32 just step one, I guess the last -- the only thing
33 I'll say about the President's budget is I think
34 it's started in a pretty healthy place for NOAA
35 Fisheries.

36 We got overall a pretty significant
37 bump up in the ask. And although we know there's
38 a lot of bargaining yet to come, I think it shows
39 a lot of confidence in the organization on the
40 part of NOAA and the Department of Commerce and
41 the Administration that they wanted us to start
42 this process in a fairly healthy position.

43 So, I think without more ado, that we
44 should get on. We have a meaty agenda. And it's
45 great to see everybody. And I'm going to turn it
46 back to you, Mr. Chairman. Thank you everyone.

47 CHAIRMAN ANSON: Thank you Eileen.
48 Were there any questions for Eileen?

1 (No response)

2 CHAIRMAN ANSON: All right. That
3 takes us to our next agenda item, the Council
4 Reports. And what I'd like to do is follow at
5 least a little bit the agenda that's on the
6 website. There's three councils that are listed.
7 I'd like to go through those first.

8 And then the kind of going off the
9 tracks, and finish up with the Gulf Council. So,
10 that said, I'd like to do, if Brian and Bill
11 you're ready? That would take us to the
12 Northeast. Tom?

13 MR. NIES: Good morning. I'm not
14 Terry Stockwell. Terry's on the phone and if I
15 say anything wrong, I'm sure he'll correct me.
16 Here we go.

17 We never follow directions, so rather
18 than give you three priorities, we're giving you
19 five. I think that really the last two I'm only
20 going to touch on very briefly. I'm going to
21 spend most of my time on the first three.

22 And some of these are things that
23 we've been working on for quite some time. Some
24 of these are developing issues. So, it's a
25 little bit of a mix.

26 And I just want to comment that this
27 does not in any way cover everything that we're
28 dealing with. But these are just the things that
29 we expect to occupy a lot of our time in the near
30 future.

31 Probably the biggest one that's going
32 to keep us busy for the next few months is
33 finishing up our Omnibus Habitat Amendment.
34 We've been working on this Amendment for well
35 over ten years. We are expecting a final vote in
36 the next few months. Tentatively scheduled for
37 April. But a potential that it might slide until
38 June.

39 We've done a lot of work over the ten
40 years. From developing a model that analyzes the
41 impacts of fishing on habitat. A very detailed
42 model which identifies sensitive areas to
43 identifying EFH.

44 This action could dramatically change
45 the suite of closed areas used in New England to
46 mitigate fishing's impacts on EFH to the extent
47 practicable. There's a wide range of
48 alternatives. I'm not going to go over all of

1 them obviously. But this is just the
2 alternatives on Georges Bank that I've shown on
3 the screen here. So you can see that it's
4 extremely complicated.

5 The Amendment has drawn considerable
6 interest from the public. We've received over
7 150,000 organized petition comments. We've
8 received nearly 200 individual detail comment
9 letters from various organizations and
10 individuals.

11 It's going to be quite an effort to
12 sort through all these comments from the public
13 comment period which ended in early January.
14 Which is why there's a little doubt whether we'll
15 be actually voting in April.

16 It's going to be a very difficult
17 decision for the council. Unlike a lot of
18 habitat amendments that have been adopted in
19 other regions, this is addressing areas that are
20 actively fished by the fishing industry and could
21 change their access to very productive grounds
22 depending on what choices are made. And so it's
23 become very controversial.

24 I think at the heart of the question
25 is what is the best way to protect habitat?
26 There's differences of opinion whether the best
27 way to protect habitat is by large closed areas
28 or by reducing bottom contact by allowing
29 fishermen to fish where they are most productive.
30 And I think striking that balance is going to be
31 very difficult for the council as they make their
32 choices.

33 We're having increasing difficulty
34 with fisheries monitoring issues that stretches
35 across a number of our plans. Not only the
36 groundfish plan, but the Atlantic herring plan as
37 well, a sea scallop plan. We have a standardized
38 bycatch reporting methodology amendment that we
39 adopted a number of years ago. We were sued on
40 it and lost.

41 And in a nutshell, we're revising the
42 SBRM so that it will take away just about any
43 discretion that we have to assign observer
44 coverage to meet management needs. The SBRM
45 amendment will specify exactly how certain budget
46 line items need to be spent and that's where
47 nearly all of our observer money has come from.

48 So, this creates a problem when you're

1 trying to deal with issues such as bycatch by
2 herring vessels or the groundfish monitoring
3 plan. At the same time as this is going to come
4 across, we're working on an industry-funded
5 monitoring amendment which will try and delineate
6 what is the responsibility of industry? What is
7 the responsibility of government? How can those
8 funds be obtained? And we're having great
9 difficulty.

10 We're having extreme difficulty trying
11 to construct legal, cost-sharing mechanisms. And
12 frankly we're befuddled by this because we look
13 at other regions around the country where they
14 have significant cost sharing mechanisms.

15 For example, Pacific groundfish where
16 they cost share at sea monitoring. And yet in
17 our region, the legal guidance is that this is
18 illegal. And so we struggle to understand why
19 there's this difference between the two regions.

20 In any case, it's not clear that NEC
21 is going to have any money available to fund the
22 industry portion of any cost sharing program
23 anyway. Because in part of the SBRM and budget
24 limitations. So this is all coming to a head
25 very soon.

26 The regional office has told our
27 groundfish industry that it must assume the cost
28 of at sea monitoring in August. This is not at
29 100 percent of the trips. We don't know what the
30 exact number is going to be.

31 Groundfish revenues are probably at an
32 all-time low right now. There are a lot of
33 vessels whose net revenues on a daily basis
34 cannot afford the cost of an observer. So it's
35 going to be difficult to see how the industry is
36 going to afford this.

37 In the same time, we're proceeding
38 very slowly on electronic monitoring. Bluntly,
39 we don't see that being the solution to these
40 monitoring problems in the near future.

41 We are continuing to try and move
42 forward on ecosystem-based fisheries management.
43 We're at the stage now, an early stage, we had a
44 number of stops and starts on this program over
45 the years where we're trying to decide what is
46 the appropriate approach to take.

47 Gulf of Maine water temperatures are
48 some of the fastest rising water temperatures in

1 the world. So we need to get this going. But at
2 the same times, we have to make sure that the
3 approach we take is going to be compatible with
4 the approach taken by other management bodies
5 like the Mid Atlantic. Because the Northeast
6 Fisheries Science Center in the region support
7 both of us. So, we have to be trying to
8 coordinate this.

9 We are also modifying or considering
10 a modification to our herring ABC control rule.
11 We'll take into account the role of herring as
12 forage. So between bycatch, habitat, herring as
13 forage, we've made some strides towards EBFM, but
14 it's not a real formal program yet. And that's
15 what we hope to work forward.

16 There was a couple of other issues
17 that I mentioned. The first is that we expect to
18 get assessments for all our groundfish stock
19 later this year. If any of you have paid any
20 attention to New England, you know every time
21 that we get assessments, something comes out that
22 surprises the hell out of us.

23 So, we're very nervous about the
24 assessments this year. Our most recent
25 assessments for many of these stocks are based on
26 data only through 2010. Given the changes we've
27 seen in the ecosystem since 2010, the warming of
28 the Gulf of Maine, there's a lot of us that are
29 very nervous about what's going to come out of
30 these assessments at the end of the year.

31 We are not expecting that our two
32 major cod stocks are going to show much signs of
33 improvement. And this is a problem because it's
34 one of our key species up here. And then of
35 course we will follow whatever goes on with the
36 Magnuson-Stevens Act reauthorization and the
37 National Standard 1 Guidelines changes.

38 Thank you. I can answer any questions
39 at the subject of the Chair.

40 CHAIRMAN ANSON: Any questions for
41 Tom?

42 (No response)

43 CHAIRMAN ANSON: All right. Thank you
44 Tom. Next we have the South Atlantic's report.
45 And Michelle, you're going to give that report?

46 MS. DUVAL: I am. Can you guys hear
47 me okay? Do I need to yell more?

48 CHAIRMAN ANSON: If you could speak up

1 just a little bit more.

2 MS. DUVAL: How's this? Is this
3 better?

4 CHAIRMAN ANSON: That's much better.

5 MS. DUVAL: Okay. So I think Brian's
6 going to run through the slides for me. So if we
7 could go onto the second slide please.

8 I think the biggest priority that we
9 have in the South Atlantic is our Snapper Grouper
10 Visioning Project, which is planning for the
11 future of the Snapper Grouper fishery. Next
12 slide.

13 So just a little bit of background
14 about the project. We kicked this off in
15 December 2012 and we invited Chairman Robins down
16 so you'd give us the benefit of the lessons
17 learned in the Mid Atlantic from their
18 experience.

19 But basically you know, we'd like to
20 develop a proactive plan for the management of
21 the fishery that addresses stakeholder concerns
22 that incorporates new ideas and solutions from
23 our stakeholders. So that we can end up with
24 just a long term roadmap for how we want to see
25 things move forward. Next slide.

26 So we had a lot of work. In the
27 spring of 2014 we conducted 26 board meetings in
28 all four States. And staff had their work cut
29 out for them to synthesize all this information
30 that we received both by State and by sector. We
31 had a special council visioning meeting that
32 occurred in the fall so that council members
33 themselves could review all the input we've
34 received.

35 And started looking at developing some
36 draft strategies and actions. And we began
37 review of our different strategic goal documents
38 in December 2014. We have four strategic goals,
39 management, science, communication, and
40 governance. Next slide.

41 And the timeline for 2015 is just as
42 ambitious. We're going to finish reviewing those
43 in the spring. Take us out for the draft
44 blueprint out for public comment in June, between
45 June and September. And then we're hopeful that
46 by our December meeting, we will have a final
47 vision blueprint approved and prioritized action
48 to include for an upcoming amendment. Next

1 slide.

2 As always, snapper grouper tends to
3 suck up the most amount of time for our council.
4 We have several other ongoing management
5 activities including the use of spawning special
6 management zones to try to continue to find ways
7 to provide protection for species such as
8 speckled hind and Warsaw grouper. Trying to work
9 in conjunction with the industry to find where
10 some of these special areas are.

11 One of the biggest things that we deal
12 with, challenges we deal within the South
13 Atlantic, is trying to track the ACLs of our
14 species that have exceptionally low recreational
15 ACLs. We've tossed around the idea of some kind
16 of recreational harvest tag program.

17 Unfortunately, it's gotten a little
18 wrapped around the axle on that. So I'm hopeful
19 that we can move forward. We just need a
20 different alternative because that survey was
21 just not designed to accurately capture these
22 species.

23 We've also been working through our
24 South Florida Work Group to remove some species
25 from the fishery management unit that are really
26 mostly Florida-based species anyway. Next slide.

27 And one of our biggest topics over the
28 past year and continuing to be so is
29 modifications to the blueline tilefish fishery.
30 We received an assessment at the end of 2013
31 that's provided quite a few challenges for the
32 council to adjust. There have been multiple
33 concerns regarding the data that were available
34 for the assessment.

35 We've seen increased catches of
36 blueline tilefish in the Mid Atlantic, so it is
37 currently not regulated there. And we've been
38 communicating back and forth with Mid Atlantic
39 Council and staff to examine what our options are
40 for appropriate management of that species moving
41 forward.

42 Another big topic for us is looking at
43 modification of the existing prohibition on the
44 use of black sea bass pots while balancing
45 protection of North Atlantic right whales. Next
46 slide.

47 And then we have a multitude of joint
48 activities with the Gulf Council. But I'm sure

1 Kevin and Greg will also mention. Most of those
2 have to do with mackerel. We received a new
3 mackerel assessment. So we're looking at
4 modifying the boundaries in the mixing zone as
5 well as potentially discussing some separation of
6 permits. You know, this is a jointly managed
7 fishery and I think in -- over the past year
8 we've seen that there are probably some different
9 management priorities for the two councils.

10 I think some of the other priorities
11 that we have that are joint involve electronic
12 reporting for both our commercial sector as well
13 as our charter vessel sector. This is a
14 continuing trend of moving towards electronic
15 reporting that started with our head boats in the
16 region and moved onto our dealers last year.
17 Next slide.

18 And just a little bit more about our
19 joint South Florida Committee. You know, really
20 this is to try to harmonize what our suite of
21 conflicting regulations for those fishermen.
22 Mostly in the Florida Keys, but south Florida in
23 general where they have one set of regulations
24 from one council on one side of a bridge.
25 Another set on the other side of a bridge. And
26 then a third set from the State of Florida in
27 between. Next slide.

28 So we've been working really hard over
29 the past couple of years to try to adjust this.
30 And sometimes it seems like the more things we
31 come up with, the more things we create for
32 ourselves to do. But I think we're hopeful about
33 we'll be able to finalize something and give the
34 fishermen some relief by the end of this year.
35 Next slide.

36 So just a little bit about teacher
37 priorities. Again completing division and
38 contact and trying to see how we can apply those
39 lessons to some of our other fisheries. We're
40 always looking to improve our reporting and data
41 collection and that's certainly where the
42 electronic technologies plan in the southeast is
43 aimed at least for our fisheries in the South
44 Atlantic.

45 We're always looking to try to
46 increase the throughput of our SEDAR stock
47 assessment process. And you know, we have been
48 working very hard to encourage and support the

1 development of cooperative fisheries' independent
2 monitoring program. We see that there's never
3 going to be more money for science, probably only
4 less. So we're looking to try to work with the
5 agency and the industry to find as many
6 efficiencies as possible to get the data that we
7 all need. Next slide.

8 And then of course, you know, there
9 are always areas where we'd love to see
10 additional support from the agency, including our
11 stock assessment and fishery evaluation reports.
12 Having those on a more regular basis.

13 I've already mentioned the cooperative
14 monitoring and resources to support our existing
15 fishery independent surveys and independent data
16 collection. And as well as support to explore
17 some of the data limited approaches to management
18 that have been explored by a variety of folks
19 recently.

20 A system for allowing us to have more
21 timely tracking of our ACLs, particularly our
22 recreational ACL. I think that has been a little
23 bit challenging and frustrating for folks in the
24 region. And then obviously we're always looking
25 to improve communication, collaboration and other
26 activities in the region.

27 So I'm happy to take any questions.
28 Or could you even hear anything?

29 CHAIRMAN ANSON: Thank you Michelle.
30 Any questions for Michelle?

31 (No response)

32 CHAIRMAN ANSON: All right. Moving
33 onto Western Pacific. Ed?

34 MR. EBISUI: Thank you Mr. Chairman.
35 This is going to be a team effort. So leading
36 off will be John Gourley and followed by me and
37 then hitting clean up will be Kitty Simonds.
38 John?

39 MR. GOURLEY: Thank you Ed. We
40 followed the rules and just gave you three top
41 priorities. There was a big fight to get it down
42 to three, but we got three. First one goes into
43 data limited stocks. In the Western Pacific we
44 only have four of 115 ACLs that are based on a
45 stock assessment. Basically they're all bottom
46 fish. The main Hawaiian Islands deep seven
47 bottom fish and then we have -- which comprises
48 of six snappers and one grouper. And then we

1 have bottom fish from American Samoa, Guam and
2 CNMI.

3 The majority of our other ACLs are
4 based on data limited methods from depaupered
5 fisheries, data depaupered fisheries. West Pac
6 FIN is not really meeting the needs of the
7 council and has evolved over time to become
8 basically a data repository.

9 To address this problem, the Fishery
10 Data Collection and Research Committee, the FDCRC
11 was formed in 2014 by the council. The FDCRC's
12 strategic plan is a signed agreement that
13 enumerates strategies, tasks and actions to
14 improve data collection and conduct targeted
15 research with the ultimate goal of helping in the
16 development of stock assessments.

17 FDCRC is comprised of state and
18 territory fishery agency directors, the Guam
19 Bureau of Statistics and Plans, NMFS, Pacific
20 Islands Fishery Science Center, the U.S. Fish and
21 Wildlife Sport Fish Restoration Program and of
22 course the council. As no dedicated funding
23 presently exists for this regional plan, the
24 region will rely on competitive RFPs, such as SK
25 to get started.

26 In order to succeed, this program will
27 require a continuous and stable funding source
28 similar to the funding line provided to the
29 Fishery Commission to collect data in other
30 regions of the U.S. However, it is important
31 that the funding be channeled through the
32 council. Annual funding needed to support the
33 FDCRC program is 2.8 million per year. Or a
34 paltry 140,000 per area, per year, for five
35 years. Okay, Ed?

36 MR. EBISUI: West Pac's second
37 priority is the pelagic international fishery
38 management area. U.S. tuna fisheries are not
39 only losing in the Pacific, but we are being
40 hammered. The bigeye tuna quotas continue to
41 trend downward. Meanwhile, purse seine, the
42 bigeye catches are on the rise.

43 What's ironic about this entire
44 situation is that the purse seine fishery, which
45 is centered around the equator, their bigeye
46 bycatch of juveniles exceeds the entire quota of
47 longline bigeye. So it is the purse seine
48 equatorial fishery that's driving the bus for our

1 bigeye fishery. And again, the purse seine
2 fishery catches juveniles. The longline fishery
3 tends to be heavily weighted towards mature
4 animals.

5 The United States is compliant. And
6 while there seems to be no disincentive to
7 compliance in the area, for example, one country
8 exceeded their bigeye longline quota by several
9 thousand metric tons with absolutely no
10 consequence. The only consequence was an
11 increase in their quota. Their fleets continued
12 to increase.

13 The latest event is that there seems
14 to be some, not some, but a lot of under
15 reporting going on where their catches are one
16 third of what they caught in previous years. So
17 there are some issues with this fishery.

18 Expenditure to monuments. Last year
19 with the expansion of the Pacific Remote Island
20 Marine National Monument, the President took out
21 410,000 square nautical miles of fishing area to
22 our domestic fishers. It's taken the eyes and
23 ears of the U.S. fishermen off the water. It's
24 opened up the EEZ to incursions. And it in
25 effect has promoted IUU fishing. So it's ---
26 there are a lot of unintended consequences.

27 In American Samoa, our -- the second
28 largest fishery, which is the albacore longline
29 fishery, is under heavy competition from heavily
30 subsidized and increasing foreign fishing for
31 albacore. These fleets are able to deliver fish
32 to the canneries without regard to the cost of
33 production, contrary to what the American Samoa
34 fishery experience is. And so it -- that fishery
35 needs help.

36 We feel that no one in the fishery
37 service is not leading as it could in WCPFC. The
38 council has made repeated requests for the
39 Commission to look at spatial management of the
40 bigeye tuna which will we think would be much
41 more efficient and much more fair regulation of
42 the fish. Nothing has happened.

43 The council has taken initiative to
44 hold workshops on issues of great importance to
45 international tuna fishing. For example, the
46 council has hosted workshops on bigeye movement,
47 small island developing states and
48 disproportionate burden. Workshops on purse

1 seine bigeye management and also longline vessel-
2 based scheme. These workshops were attended by
3 European Union nations, as well as Asian nations.
4 So the council is taking the initiative in trying
5 to do something to the best of its abilities to
6 try and bring some mitigation to what's happening
7 in our area.

8 Another area has to do with diverging
9 reference points between the RFMOs and the
10 council process. For example, under the council
11 process our definitions -- our reference points
12 are over fishing and over fished are our Magnuson
13 reference points. Whereas the RFMOs are driven
14 by SPR values. So, these divergent reference
15 points could be potential sources for future
16 conflicts and confusion. And we have asked the
17 government to please direct its attention to
18 resolving the implications of these divergent
19 reference points.

20 So, next slide please. Oh, that's me.
21 Okay. Evaluating Hawaii longline catch shares.
22 Okay, perhaps the time has come. The Hawaii
23 longline is subject to internationally
24 established quotas in the western and central
25 Pacific, as well as the eastern Pacific. And as
26 I said earlier, these quotas are definitely
27 trending downward.

28 There are more longline vessels
29 entering, not really entering the fishery, but
30 becoming active. Previously dormant permits are
31 now being actively fished. Production is good.
32 In fact 2014 has brought record catches to the
33 fishery.

34 The council will be working with the
35 longline industry and others to start to consider
36 fishery rationalization options. I know that
37 that was a bad word a few years ago, but again,
38 perhaps the time has come. This initiative will
39 require funding. And we are looking to the
40 government to provide the funding so we can begin
41 exploration in this area. Thank you. Back to
42 John.

43 MR. GOURLEY: Thank you Ed. The
44 council five year program priorities. The fiscal
45 year 2015-2019 program plan and budget was
46 approved in March 2014. And identified five
47 program priorities with the first being to review
48 all the fishery ecosystem plans. The council was

1 the driver for the FEP review and updating of the
2 five FEPs. We've got the Hawaiian, American
3 Samoa, Marianas, Pacific Remote Island area and
4 Pelagics FEP.

5 We have itemized budgets --- have been
6 developed for FEP monitoring and reviews,
7 integrate ecosystem information and elements into
8 the FEPs, monitoring data collection research
9 programs to support management of marine
10 resources, capacity building and fishery
11 development, international is supporting U.S.
12 Fisheries highly migratory species management
13 trade compliance, and then outreach and
14 education.

15 Currently, the council staff has
16 started the FEP review by contracting external
17 technical review. Public outreach to council
18 family members for review and comment started in
19 November 2014 in the Marianas and will end this
20 month in Hawaii. The results of the initial
21 comments will be reviewed by the SSC with the
22 draft plan, hopefully, being approved by the
23 council next month. Due to the history of
24 litigation, comprehensive EISs will be developed
25 for all five FEPs. Work towards this end will
26 commence after the 162nd council meeting.

27 Annual funding needed to support the
28 NEPA review of our five FEPs is \$1 million for
29 five years. Or about \$200,000 per year for five
30 years. And that's it, unless Ms. Kitty would
31 like to finish up.

32 MS. SIMONDS: All right. I just want
33 to add a couple of things. You know, Ed very
34 carefully skirted around naming the country that
35 is scooping up all of our fish in the Pacific,
36 and that's China. China has gone from 100 boats
37 like a few years ago to 400 longline boats. So
38 our U.S. fishery in American Samoa is having a
39 very difficult time catching albacore. And not
40 only in American Samoa, but a lot of that swath,
41 Fiji and all those other countries. No one is
42 catching albacore except China.

43 So here's the thing. We were out
44 somewhere two weeks ago in American Samoa and we
45 spoke to both canneries, Starkist and Tri Marine.
46 And Starkist told us that over the last several
47 months the only albacore they're getting is from
48 China.

1 Now the interesting thing about that
2 is, that fish is being caught right next door to
3 American Samoa in the Cook Islands. And then
4 that fish goes to China, and then back to the
5 Starkist cannery in American Samoa. That's --
6 you know.

7 The other thing about the importance
8 of us taking care of our U.S. fishery there is
9 that in order for Starkist and Tri Marine to have
10 contracts with the United States for school lunch
11 and military programs, the fish have to be caught
12 by U.S. vessels. So, this is a -- this is just
13 one of the complex, interesting complex things
14 that happen out there.

15 And so we are asking the fishery
16 service to do an emergency action for us. We
17 will be doing this in March. So that right now
18 we have a 50-mile closure to boats over 50 feet.
19 And we want to allow our large boats to go in up
20 to 12 miles to fish for albacore. And we believe
21 that this is a very necessary thing. We're
22 asking this to be a temporary measure.

23 But what I just told you about is just
24 what's happening out there. And of course China
25 subsidizes everything. All the shipments,
26 everything for their vessels. And obviously our
27 longline vessels are not subsidized in any way.
28 The U.S. purse seine fishery risks, they're -- we
29 call it subsidized, but they don't call it that.
30 They call it foreign aid. But for our U.S. purse
31 seiners to fish in the other countries, we pay --
32 the U.S. pays \$21 million a year, since 1988, for
33 access.

34 So you know, things are just not right
35 out there. And I don't -- well, at least the
36 Commission out there, it does have voting for
37 certain things, but to get to the point of
38 limiting you know, the number of boats is just
39 really impossible.

40 So you know, we'll talk to the State
41 Department and you folks. But something needs to
42 be done about this proliferation of vessels,
43 including vessels from the European community.
44 So you know, our fisheries are going out down the
45 tube -- and all these other countries are
46 catching fish, and we need to support U.S.
47 fisheries or why are we here? I have other
48 things, but I'll bring them up later.

1 CHAIRMAN ANSON: Any questions? Yes,
2 Chris?

3 MR. OLIVER: Kind of an ignorant
4 question. Kitty, the China -- where are the
5 China vessels fishing? What waters are they
6 fishing?

7 MS. SIMONDS: Well I have my trusty map
8 here. So, they're fishing -- if you notice -- if
9 you know where American Samoa is, surrounded by
10 foreign countries, right next door is the Cook
11 Islands. And so they're fishing in the Cook
12 Islands. They sell permits to China and Taiwan.
13 And so American Samoa is where some of the
14 vessels come in to drop their catch off at both
15 canneries. But what is happening with the
16 albacore is they're sending it back to China, and
17 then coming back to Starkist cannery.

18 But there's Kiribati right around it
19 and so we're just right in the middle here. And
20 these are the areas that were included in the
21 Monument. No fishing. And as we said to the
22 White House, we said there's no other country in
23 the world who would not allow their fishermen to
24 fish in their own waters.

25 So there was a very ugly situation.
26 And we won half of it. And the enviros won half.
27 Whatever that means, or we both lost. But
28 there's virtually no enforcement out there okay.
29 The Coast Guard can't be enforcing all these
30 zones. The Coast Guard, also, they have ship
31 rider agreements where they enforce for these
32 other countries who are violating our zone. It's
33 messy. We just want to catch fish.

34 CHAIRMAN ANSON: No other questions?
35 So we'll go off the agenda at least. And I just
36 want to give a heads up. We'll have Pacific
37 Council next followed by the Mid Atlantic
38 Council.

39 MR. McISAAC: Well thank you Mr.
40 Chairman. Before we start our presentation, we
41 wanted to show that the daffodils are blooming in
42 Portland, Oregon when we left. And you may
43 recall that we were one of the councils looking
44 to avoid this particular week. Congress isn't in
45 session. There's just a myriad of other reasons
46 why this week is not a particularly good week.

47 But as you can see, out west the
48 daffodils are blooming, the children are playing

1 and the Congressional offices back there are
2 asking us what we think about the President's
3 budget, and we're here. So, combined with the
4 weather, we conclude this week is jinxed and
5 we'll work on the agenda for next year.

6 We have a top three that we would like
7 to bring the group=s attention here. Dorothy
8 will speak a little bit about our groundfish
9 trawl IFQ program that you've heard so much
10 about. Herb will talk a little bit about ESA and
11 Magnuson integration at the Pacific Council
12 arena. And I'll say a few things about North
13 Pacific albacore in our search for some
14 international agreement.

15 MS. LOWMAN: Thanks Don. Since the
16 west coast trawl catcher program was implemented
17 in 2011, we've been giving periodic updates to
18 the CCC every year. And today I wanted to kind
19 of catch you up on some good news about the
20 program, and also talk about some not so good
21 news.

22 So first the good news. As has been
23 the case in the last few years, the bycatch and
24 discards are dramatically reduced from prior to
25 the program. And fishermen are continuing to
26 work on innovative gear modifications that are
27 going to allow those levels I think to be
28 decreased even more. Implement -- changes to the
29 --- trading rules have been implemented. And
30 that's allowed fishermen to trade all the way
31 through the end of the year and then therefore be
32 able to match their portfolio to their fishing
33 strategies better.

34 MSC certification happened last year
35 for 13 majors, 12 caught species. And the catch
36 share was cited as one of the major factors in
37 reaching this decision by MSC, was they talked
38 about how certifying this was one of the most
39 complex fisheries that they have ever certified.

40 In addition, the Monterey Bay Aquarium
41 Seafood Watch Program did a new assessment in
42 2014. And 84 percent of the species have now
43 been upgraded to either a good alternative or
44 best choice categories. And prior to that a lot
45 of them had been red, red, red. So that's all
46 good news. In addition, we have -- work is
47 progressing and to allow electronic monitoring to
48 replace some of the human catch monitoring. As

1 you recall, we have 100 percent monitoring
2 requirement for this fishery.

3 The schedule is now to have the
4 whiting fishery regs implemented by 2016. And
5 the fix scare and bottom trawl by 2017. And the
6 region is working really hard right now in
7 completing EFP permits that the councils have
8 also supported. That will help to provide the
9 additional information so that we can stay on
10 schedule for these implementation schedules.

11 And the program is paying off in some
12 other ways too that I think maybe weren't as
13 obvious. For one thing, we're having fewer
14 lawsuits related to this fishery. And we're
15 actually seeing some unprecedented and new
16 collaborations between NGOs and the fleet.
17 Including some ongoing work on thinking --
18 talking about EFH, potential EFH revisions that
19 are currently underway.

20 So now, the not so good news. So
21 while we've had some impressive accomplishments
22 in reaching the conservation objectives, the
23 success in meeting the social and economic goals
24 are sort of lacking here, falling behind. In
25 many way I think this is sort of a timing issue.

26 You know, we've had costs come on
27 line, but the tools and policies to mitigate them
28 have not yet been implemented. Costs have gone
29 up even while we're still only accessing 35
30 percent of the ACLs. So you know, there's still
31 a large upside for revenue that's staying in the
32 water at this time. But at the same time we've
33 had cost recovery implemented in 2014.

34 The observer subsidy that Tom spoke
35 about has been gradually decreasing and is
36 scheduled to end in this September. And that
37 means that after that the fleet will cover 100
38 percent of the direct costs of observers, which
39 the current rate is about \$500 or more.

40 Observer availability has been also an
41 issue for some of the more remote ports with
42 fewer vessels. And so we are looking forward to
43 seeing the revised observer rules that we're
44 hoping that additional entities can be certified
45 to provide observers. And this is important both
46 in terms of observers and dockside monitors.

47 In addition, we have -- we certainly
48 have some key council prioritized council actions

1 and a schedule that requires a lot of work from
2 both the council and the region that are -- that
3 again, you know, I think the fleet had expected
4 to be already implemented. One of these are RCA
5 adjustments.

6 RCAs were put in place as -- to keep
7 the mortality of rockfish down. But now with 100
8 percent accountability, there's ability to allow
9 more access. And therefore more access to some
10 of this -- these sustainable levels of harvest
11 that could be taken out of the water. In
12 addition, we're working on mid water trawl season
13 changes to allow better access to some stocks
14 like yellowtail rockfish, which have a strong
15 desirability in the market. And we are also
16 working on widow reallocations now that that
17 stock has been rebuilt.

18 So we need to get these things
19 finished so that we can you know, provide more
20 opportunities to have the revenue to meet these
21 costs. And we need to do them soon so that we
22 don't have unnecessary loss of vessels in the
23 fleet. There is another issue. There's -- some
24 of you may have heard about. It's not really in
25 the council purview, but it's really critical to
26 this fleet, and that's the refinancing of the
27 buyback loan.

28 There was a strong bilaterally
29 supported piece of legislation that passed the
30 Congress at the end of last year to allow
31 refinancing of this loan to bring it back to sort
32 of today's interest rates. But there are current
33 challenges and there's styling that the
34 implementation of this critical need, which we
35 really need to get done since that would give
36 them another two percent of their -- essentially
37 of their gross revenue to be available to meet
38 these challenges that I just identified. And
39 that's it.

40 MR. POLLARD: The situation with Coho
41 salmon in the Columbia River is probably one of
42 the more complex issues of mixed stock
43 management/weak stock management. And lower
44 Columbia natural Coho have been a constraining
45 stock.

46 Now this is one out of perhaps 75
47 stocks that are mixed together in the ocean and
48 river fisheries. Mixed jurisdictions of the

1 states and international situation with Canadian
2 Coho and Chinook as well as the U.S. mixed and
3 pretty much equally recruited to the fisheries
4 and ocean -- commercial ocean recreational, in-
5 river commercial and recreational, also tribal
6 commercial and subsistence fisheries, both in
7 ocean and in the river.

8 And in 2002 the Lower Columbia Natural
9 Coho were listed as threatened under the ESA.
10 And they became quite a constraining stock. Over
11 the past two years, the council put together an
12 ad-hoc Coho committee consisting of senior
13 scientists from the various jurisdictions and
14 developed what we call shorthand, the Coho
15 matrix. An abundance and productivity based
16 sliding scale on harvest that integrates the
17 sustainable fisheries mission with the protected
18 species mission of -- in the ESA. And allows --
19 well, it addresses the recovery plans and the
20 listing recovery plans developed by NMFS as well
21 as Oregon and Washington.

22 And the matrix includes a sliding
23 scale of some specific fishery allowances that
24 may occasionally go as high as a 30 percent
25 harvest. But most of the time it will be more in
26 the range of 10 to 18 percent. Which is
27 allowable and allows the recovery actions to be
28 successful. A good example of the management
29 council and NMFS working together to develop a
30 matrix that has been accepted and is coming into
31 use, with the mixed stock fishery, it's sometimes
32 a very small adjustment. I mean even less than
33 one percent adjustment in the harvest rate on the
34 constraining stock may have some very substantial
35 benefits.

36 And through the use of this matrix,
37 the scientists have been able to show that these
38 small adjustments may not have a great
39 conservation benefit to restrict further than
40 they have a substantial fishery benefit to allow
41 some harvest. And it's -- we feel very good
42 about the way this has come out and it's a
43 successful integration of what could be
44 conflicting mandates. So, thank you.

45 MR. McISAAC: Thank you Herb. And
46 thank you Dorothy. Our last one here is North
47 Pacific albacore. It's currently one of our, if
48 it's not the most important HMS fishery on the

1 Pacific coast. The stock is healthy.

2 The Pacific Council is advocating for
3 the classic United States Magnuson Act type of
4 approach. That would be an OFL type limit
5 reference point, an ACL target reference point,
6 so a buffer in terms of what the biological
7 possible -- biologically possible catch would be.
8 We're advocating for a catch-based approach, not
9 an effort-based approach. And we would also note
10 that the international considerations are
11 proceeding quite slowly. This is all taking
12 place in the western central Pacific arena where
13 the United States, Japan, Canada and a couple of
14 other northern Pacific Asian countries are the
15 primary players.

16 There's an MFC exercise being
17 considered that could be a very good idea or it
18 could slow things down a little bit more. And I
19 guess we'd note while it's going slowly, we need
20 to remember what Kitty was saying about China
21 lurking out there. And when they're done on
22 south Pacific albacore, we don't really want them
23 looking to the north Pacific albacore next.

24 Before I go to the last slide, let me
25 say that the Pacific Council has always tried to
26 be a friendly council. And we try to do some
27 gifting whenever we can. And so we just had a --
28 we just provided for an important gift to our
29 friends in the New England area. And I know
30 we've only got three folks at the New England
31 table now.

32 But we gave them an important gift
33 just recently.

34 (Laughter)

35 MR. McISAAC: And when somebody could
36 have run, as you see they're second and goal with
37 one yard to go and you've got a hulking beastly
38 running back that could run the ball three times
39 to get one yard. Don Hanson called his old pal
40 from USC, Pete Carroll and said why don't you
41 throw one to the other team.

42 (Laughter)

43 MALE SPEAKER: And he did.

44 (Laughter)

45 MR. McISAAC: And that's all we've
46 got.

47 CHAIRMAN ANSON: Thank you Don. Any
48 questions? All right. That takes us to the Mid

1 Atlantic Council followed by the Caribbean
2 Council.

3 MR. ROBINS: Good morning Mr.
4 Chairman. If I could have the next slide. I'll
5 run through the Mid Atlantic Council's 2015
6 priorities.

7 Our first initiative is one that's
8 ongoing right now. And this is easily the most
9 significant habitat protection amendment that
10 we've ever considered. It's our Deep Sea Corals
11 Amendment. I think it's fair to say that it's
12 captured very broad public attention.

13 It's captured the imagination and
14 interest of the public. And we received over
15 120,000 public comments to date. So the level of
16 interest and input that we've had from the public
17 on this has been very exciting.

18 You may have previously heard the Mid
19 Atlantic benthic communities described as a mud
20 flat. You know, I think the work that was done
21 by the Okeanos Explorer and the other vessels in
22 the region over the past few years has really
23 provided us with stunning images of the deep sea
24 ecosystem in the region. You know, it was
25 previously largely unexplored.

26 But the impressions I think that we
27 took out of those recent cruises were truly eye
28 opening. And the diversity of those deep sea
29 marine communities has been very impressive and
30 one that we're seeking to protect through this.

31 I've thought ever since we initiated
32 this that we would be able to protect the vast
33 majority of deep sea corals in our region while
34 having a minimal impact on our existing
35 fisheries. And I think the data continue to bear
36 out that idea.

37 We started this process with an
38 interactive GIS workshop together with coral
39 researchers, the fishing industry and other
40 parties. And as we went through that, you know,
41 we had a very good engagement. And what we're
42 proposing to do before we take final action at
43 our June meeting is to have another workshop that
44 would allow for additional dialog around the
45 specifics of those discrete zone management
46 measures that we might consider.

47 We're proposing to protect up to 15
48 discreet zones. Those include all the shelf

1 slope canyons. And it also includes those
2 incised canyons along the coast. We have five in
3 our region. They're all very unique biologically
4 and ecologically.

5 Then we're proposing to protect broad
6 zones. And those measures would run from between
7 -- would begin at depths of 200 meters out to 500
8 meters and would prohibit fishing shallower to
9 that. And those broad zones are based largely on
10 a habitat suitability model that combined with
11 all the multibeam sonar imaging that's been done
12 in our region, has a very strong predicted power
13 to predict where corals would occur and where
14 suitable coral habitat exists.

15 And so you know, as we consider those
16 two different approaches, I think we'll be in a
17 very good position when we take final action to
18 have a package that adequately protects corals.
19 But does it to the extent practicable while
20 taking into consideration the needs of our
21 current fishing operations in the region.

22 The next item is our Summer Flounder
23 Amendment. It's a comprehensive amendment.
24 Summer Flounder is probably our flagship species.
25 It's very important socially and economically to
26 the region both commercially and recreationally.

27 The management plan itself was derived
28 from an overfished resource. And so most of the
29 goals and objectives were oriented around trying
30 to rebuild that resource. As such, a lot of the
31 goals and objectives in the plan are out of date.

32 And the fishery has changed a great
33 deal since the 1980s and 1990s when management
34 really first got underway. And we are trying to
35 now go in and update those goals and objectives.
36 We're also doing a comprehensive review of the
37 commercial and recreational management strategies
38 used to manage that fishery.

39 This is a very complex plan because it
40 involves state by state allocations. It's a
41 joint plan together with the Atlantic States
42 Marine Fisheries Commission. And as such, you
43 know, as we go through this, it's going to
44 require a lot of coordination with the ASMFC and
45 the States. But it's also going to be a very
46 significant undertaking to try to address some of
47 these disconnects between a historical objective
48 and the current conditions in the fishery.

1 In part the resource has expanded and
2 that has significant geographic implications.
3 The center of biomass is further north than it
4 used to be. You know, we think that's driven in
5 part by the rebuilding of the resources --- that
6 is the age structure of the population has been
7 restored. And also potentially climate forcing.

8 So, there are a number of issues in
9 play there. But we look forward to getting
10 underway with that this year.

11 The next item is coming out of our
12 strategic planning process. And that is the
13 Ecosystem Approaches to Fisheries Management.
14 That's contemplated as a guidance document.

15 We developed it through a series of
16 modules. Each one of those of topics has been
17 supported with technical workshops. And so we've
18 had a science workshop on the management of
19 forage fish. You know, the science one on that
20 suggests that single species management
21 techniques may be inadequate to really
22 effectively monitor and manage lower trophic
23 level fish.

24 So we're developing a forage fish
25 policy. We've also initiated an action to
26 preclude the development of forage fisheries on -
27 - that are currently unmanaged until such time
28 that we have adequate assessments to ensure their
29 ecological sustainability. So we'll sort of
30 reverse the burden of proof there.

31 And we're also considering climate
32 change in fisheries to have a solid adaptation
33 strategy for that. We've had a number of
34 workshops on that. One was scientific. The next
35 was a workshop that we held jointly with all
36 three Atlantic Coast Councils and the ASMFC.

37 And we were discussing the governance
38 challenges associated with that, as fish stocks
39 move potentially. You know, how can we be
40 prepared for that with respect to governance?

41 And finally the question of species
42 interactions. These are all issues that came out
43 of our visioning project that our constituents
44 wanted us to see us address more effectively.

45 The blueline tilefish issue that
46 Michelle Duval referenced in her presentation is
47 an unplanned and unscheduled priority for us.
48 But one that came to us in December. Our staff

1 reported at that point in time that this fishery
2 had expanded very dramatically in the Mid
3 Atlantic.

4 We have a long history of coordination
5 on this issue with the South Atlantic Council.
6 And we had spent a number of years trying to
7 establish a northern management area that would
8 be north of the south Atlantic's management area
9 for these species. As we have an emerging
10 fishery in our area, and we had a couple of
11 member states that took action proactively,
12 Virginia and Maryland back in 2007 and 2009 or
13 '10, to manage an emerging fishery.

14 But there was still a significant
15 regulatory loophole that existed north of
16 Maryland. And a handful of boats found and
17 exploited that loophole in 2014. And directed on
18 it commercially and landed about a quarter
19 million pounds of fish. This fish is very
20 sensitive biologically. It's like putting a red
21 snapper in a blue suit.

22 And so, you can imagine the level of
23 concern around this. We're considering
24 requesting an emergency action next week. We
25 have a webinar scheduled next Wednesday to
26 consider that. But look forward to continued
27 dialog and coordination with the South Atlantic
28 Council to discuss a longer term solution.

29 And that's all I have. Thank you. Be
30 glad to take any questions.

31 CHAIRMAN ANSON: Thank you Rick. Any
32 questions for Rick? All right. Thank you Rick.
33 Next the Caribbean Council followed by the North
34 Pacific Council.

35 MR. FARCHETTE: Thank you Mr. Chair.
36 Our top two priorities is to establish the --
37 well, we have established the Island Based
38 Fishing Management Plans for Puerto Rico, St.
39 Thomas and St. Croix.

40 With that we have recently approved
41 nominations of a 15-member advisory panel for
42 each district to review the FMPs and address
43 management recommendations. The AP members
44 represent all stakeholders to include both
45 commercial and recreational fishers, dealers,
46 charter for hire, sport fishers, taco shops and
47 NGOs.

48 Second, as a data for area we have

1 with the SSN and the Southeast Science Center,
2 Director Dr. Ponwith adopted an alternative for
3 data analysis to comply with our ACLs. And
4 finally, we have finalized the Pan-Caribbean
5 Queen Conch Fishing Management Plan which
6 involves more than 20 countries including Cuba,
7 in coordination with WCAFC, the Western and
8 Central Atlantic Fisheries Commission.

9 This management plan will be
10 implemented by each participant country and is
11 being coordinated by the WCAFC secretariate, Dr.
12 Raymond van Anrooy and the International Queen
13 Conch Initiative was started by the Caribbean
14 council in 1996, coordinated with the U.S.
15 Department of States. This Pan-Caribbean fishing
16 management plan is a combination of all these
17 years' efforts.

18 We also have the participation of the
19 International Fishery Office of NMFS and all the
20 meetings and projects related to Queen Conch
21 Fisheries. We especially want to mention the
22 hard work of Nancy Daves, liaison to the National
23 Marine Fisheries, International Fisheries Office.
24 Thank you Mr. Chair.

25 CHAIRMAN ANSON: Thank you. Any
26 questions? All right. Next we have North
27 Pacific Council followed by the Gulf Council.

28 MR. OLIVER: Thank you Mr. Chairman.
29 I will give a brief overview and look to my
30 Chairman and Vice Chairman and perhaps Mr.
31 Merrill to add to it. I don't have a PowerPoint.
32 I promise I'll have one in June.

33 Our top priority probably is
34 addressing bycatch of prohibited species. And by
35 prohibited species I'm specifically referring to
36 in this case salmon and halibut which are taken,
37 salmon in our trawl fisheries and halibut in both
38 our trawl fisheries and longline fisheries.

39 And we have implemented caps for
40 Chinook salmon in both the Gulf of Alaska and the
41 Bering Sea. Chinook salmon, I don't have to tell
42 you is an iconic species critical to cultural and
43 subsistence and commercial fisheries in Alaska.

44 And looking at our Bering Sea pollock
45 fishery for example, while it is one of the
46 cleanest fisheries literally in the world, I
47 think something like 98 or 99 percent pollock is
48 what comes up in the net. But unfortunately some

1 of that other one percent is salmon, Chinook
2 salmon and chum salmon.

3 So we've put some -- the council spent
4 a lot of time over the past five or six years
5 implementing caps for Chinook salmon bycatch and
6 chum salmon measures also in the Bering Sea.
7 We're looking at potential additional measures
8 this April.

9 It will be a big agenda item for the
10 council in April is looking at additional
11 restrictions on the trawl, pollock trawl
12 fisheries in the Bering Sea relative to Chinook
13 salmon bycatch, and also chum salmon bycatch
14 involved in that consideration as well. There's
15 a lot going on with that package, and I won't try
16 to go into the details of it. But hopefully if
17 you have questions, I'll try to answer them.

18 The other species that's really
19 captured the council's attention recently and
20 will be a huge item for us this year is halibut
21 bycatch. The halibut stocks have been, the
22 exploitable biomass of halibut fish over 32
23 inches have been in a pretty steady decline over
24 I guess about the last ten years. And the good
25 news is, there's a lot of small fish, a lot of
26 small halibut, smaller size and age. I guess
27 that's also the bad news.

28 So there's in the Bering Sea for
29 example, we've gotten recently to the point where
30 the level of bycatch -- our bycatch, we have caps
31 for halibut bycatch in both the Gulf of Alaska
32 and the Bering Sea and have for many decades.

33 But those caps were recently --- three
34 years ago we implemented 15 percent reduction in
35 the halibut bycatch caps for the trawl fisheries
36 in the Gulf of Alaska. And the council is now
37 looking at a package of halibut bycatch reduction
38 in the Bering Sea literally up to a 50 percent
39 reduction in the halibut bycatch cap by the
40 different sectors that fish in the Bering Sea,
41 both trawl fisheries and longline fisheries for
42 cod for example.

43 The exploitable biomass in the Bering
44 Sea has declined to the point where literally the
45 bycatch cap is higher than what's left over for
46 the directed commercial fishery. There's been
47 concern that some long reliant communities in the
48 Bering Sea, in the St. Paul Island area for

1 example, we're looking at a potential reduction
2 in their fishery to literally where they didn't
3 have a fishery.

4 So, the council's been working very
5 closely with the International Pacific Halibut
6 Commission to address this issue. And we are,
7 like I said, looking at a final -- we did initial
8 review of a bycatch amendment package a week or
9 two ago at our last council meeting. And we'll
10 be take -- the council's going to be taking final
11 action on that in June.

12 So that's -- those bycatch issues have
13 really been the focus of the council, the
14 council's priority. I guess a second and related
15 priority, is while most of our fishers in the
16 Bering Sea are, quote unquote, rationalized
17 either it's some type of IFQ or fishery
18 cooperative program.

19 Our fisheries in the Gulf of Alaska,
20 particularly the trawl fisheries are not. We
21 have some semi-rationalized measures like sector
22 allocations for Pacific cod. But we don't really
23 have a rationalized fishery in the Gulf of
24 Alaska.

25 So last --- over the past two years
26 that's been a high priority for the council. We
27 last developed a package of measures in October
28 that was centered around a fishery cooperative.
29 Basically a catch/share program that would
30 allocate both target species in the trawl
31 fisheries as well as the PFC species, salmon and
32 halibut.

33 And that -- we're doing a lot of
34 background analysis on that. And I'm not sure
35 whether that program's going to stay on the same
36 structure that we have in October. We're going
37 to be revisiting that this coming October. So,
38 we'll see where that goes.

39 But that has been a high priority for
40 the council. Basically to give those trawl
41 fisheries the tools to deal with bycatch
42 reductions and the tools necessary to continue to
43 minimize bycatch to the extent practicable.

44 So, and sort of related but not
45 completely, I would say our third priority is
46 further refinement of our restructured observer
47 program. We have long had a comprehensive
48 observer program for our groundfish fisheries

1 with something on the order of 500 to 600
2 observers per year deploying close to 40 thousand
3 observer days per year in the North Pacific
4 fisheries.

5 That was recently -- we're in our
6 third year, what we call a restructured program,
7 which is a fee based program where everybody pays
8 an X vessel percentage on their landings. And it
9 basically --- while we have pretty comprehensive,
10 basically 100 percent coverage on most of the
11 fisheries in the Bering Sea, we don't in the Gulf
12 of Alaska.

13 And this program allows us to move
14 that observer coverage around on an annual basis
15 to where the fisheries where we feel like the
16 best deployment of the available coverage under
17 that fee program. And including some small
18 vessels and halibut vessels that heretofore were
19 not subject to observer coverage.

20 And one problem, this is prime -- this
21 is an industry-funded program, although I think
22 the Alaska Fishery Science Center has a \$5 to \$6
23 million a year budget where they administer the
24 program. But the industry pays the direct costs
25 for that observer coverage through this fee. And
26 it's somewhere on the order of \$15 to \$20 million
27 per year.

28 Under this restructured program, this
29 is where I put my funding pitch in, it's the --
30 we do -- the cost, because of the contracting
31 process, the cost that we estimated, we
32 underestimated what the cost of the program was
33 going to be. And essentially the cost for an
34 observer day under this program is nearly twice
35 as much as the cost per day under the pay as you
36 go program, which was still the case in many of
37 the Bering Sea fisheries.

38 But we're looking at approximately \$1
39 million shortfall in 2015 for our basic observer
40 coverage program. And one of the ancillary
41 priorities of the council is electronic
42 monitoring. We've been very aggressively
43 pursuing EM solutions, particularly for our small
44 boat, fixed gear fisheries that are -- many of
45 which are -- it's impractical for them to carry a
46 human observer.

47 But we want observer coverage or some
48 type of coverage on those vessels. So we've

1 really been aggressively pursuing an electronic
2 monitoring in particular for those fisheries.

3 And so that's an area too that
4 requires funding and we're hopeful that in
5 addition to the money generated under the fee
6 program which could be used to you know, deploy
7 either human or a camera, that internal funding
8 availability that will help us get EM actually
9 implemented in our 2016 Fisheries.

10 So those are, I guess what I would
11 consider our top three priorities. I'll just
12 stop there and Mr. Hull may have some additional
13 comments.

14 MR. HULL: All right, thank you Mr.
15 Chair. Dan Hull, North Pacific Council Chairman.
16 I'll add to Chris' report with a couple of
17 thoughts and observations. First about the
18 council's ability to manage bycatch and quantify
19 impacts and measure the success of our programs.

20 With respect to Chinook salmon bycatch
21 management, I think a couple of important
22 elements stand out in our ability to do that
23 successfully. First, the State of Alaska has a
24 really good accounting annually of the harvests
25 and the spawning populations of salmon.

26 In the observer program in the Bering
27 Sea for the pollock fisheries, there's a census
28 of the salmon bycatch. And a sampling, a really
29 strict sampling protocol for genetic stock
30 identification. And then subsequent estimates of
31 the river of origin of those Chinook caught as
32 bycatch. And then an approach to turn that into
33 an adult equivalent of the returns to those
34 rivers of origin.

35 And then third important element of
36 that program is our devolution of the
37 responsibility to achieve the bycatch reductions
38 to the pollock fleet itself through their
39 cooperative agreements and their incentive plans
40 to try to control on the vessel level the bycatch
41 of Chinook salmon.

42 In contrast, halibut's quite a bit
43 differently, quite a bit different. We don't
44 have a lot of those same types of elements yet in
45 our management of halibut bycatch. First of all,
46 it requires a really close coordination with the
47 International Pacific Halibut Commission.

48 That institution has undergone some

1 significant changes internally over the last
2 probably three to five years. The stock itself
3 has changed significantly as Chris pointed out.
4 I think the average size of halibut, coast wide
5 over the last ten years, has dropped some 30
6 percent or more.

7 And they've also undergone significant
8 changes in their stock assessment methods. So the
9 council is only as good in managing halibut
10 bycatch as the data that and the information it
11 gets about the stock from the Halibut Commission.
12 And that's in progress at the Commission.

13 I guess the flip side of that is the
14 Commission is only as good in its stock
15 assessment as the data it gets from the council
16 and through our observer program. And so this is
17 particularly important since halibut as bycatch
18 is primarily the juvenile fish. It's important
19 to know what the size and sex proportions are of
20 that bycatch.

21 We don't yet have the kind of exact
22 accounting that we need for the Commission. It
23 also applies to the discards in our directed
24 halibut fisheries. These areas are, I think
25 we've embarked on some closer coordination with
26 the Halibut Commission and recently had a joint
27 meeting with them.

28 And so I expect further development.
29 But again, with as significant contrast I think
30 between Chinook and halibut management. This is,
31 I guess then leads into what I would say is the
32 critical importance of collecting fisheries'
33 dependent data for catch accounting and for stock
34 assessment and I think especially in the Gulf of
35 Alaska.

36 As Chris mentioned, we've put a
37 significant amount of effort as a council and
38 with the region and the Alaska Fishery Science
39 Center in trying to develop electronic monitoring
40 for small boats. And also in the restructuring
41 of our observer program.

42 With respect to electronic monitoring,
43 we do have a plan for a pre-implementation year
44 in 2016 in which we will actually be collecting
45 the data on discarded species in the directed
46 longline fleets for vessels for whom carrying an
47 observer is problematic. So, I think we've made
48 great progress in the council generally along

1 with the region and the State agencies has really
2 been actively engaged with all stakeholders to
3 try to make good progress.

4 But, with electronic monitoring, it
5 really is critical to have adequate funding in
6 order to develop the technologies and the
7 structure that the agency needs to be able to
8 implement it. And I really think our success in
9 2016 hinges on that.

10 So, I'll turn it to the Vice Chair,
11 Mr. Merrill for, you know. Thank you.

12 CHAIRMAN ANSON: Thank you. Any
13 questions? Yes, Don?

14 MR. McISAAC: Thank you Mr. Chairman,
15 a question back to the halibut bycatch matter. I
16 can't imagine anything getting quite as sticky as
17 what you guys had to go through.

18 But my question has to do with the
19 international nature of that, particularly up in
20 the Bering Sea. Does the Russian connection on
21 Pacific halibut come into play at any point in
22 all these discussions?

23 MR. HULL: Mr. Chairman, no, it does
24 not. I don't recall at any of the Commission
25 meetings that the Russians have had any input
26 into it at all.

27 CHAIRMAN ANSON: All right, thank you.
28 That will take us last to -- I've asked Doug to
29 go ahead and provide the presentation, and I'll
30 remind him that we are ten minutes into our 15
31 minute break Doug, so.

32 MR. GREGORY: Right. Therefore, I'll
33 reserve the right to go first in June.

34 With the Gulf Council, manages the
35 fisheries in federal waters across five States
36 and America's sea. If you look at the grant,
37 you'll see lots of bays and barrier islands and
38 overlapping jurisdictions. And that becomes
39 important. And at the very bottom right you'll
40 see the Florida Keys, which is our jurisdictional
41 boundary with the South Atlantic Council. Oops,
42 did the same thing.

43 We had three top priorities. Red
44 snapper regional management, allocation issues on
45 red snapper and now on king mackerel, and cross
46 jurisdictional management in South Florida that
47 Michelle Duval touched on in her presentation.

48 We also have some other priorities

1 real quick. Rebuilding greater amberjack. We're
2 having a difficult time doing that. We have
3 recently made some more changes to try to get
4 that. That was not rebuilt within the ten-year
5 time period.

6 IFQ modifications in both their
7 grouper IFQ program and our red snapper IFQ
8 program. Electronic monitoring, and like the
9 other councils, we're eager to expand into
10 electronic monitoring. Our big hang up seems to
11 be the lack of funding by the centers to do that.
12 And of course National Standard 1 guidelines and
13 reauthorization.

14 Back to our top priority, red snapper
15 regional management. We've been working on this
16 for a couple of years. We would like to try to
17 institute differing regulations among States
18 and/or regions. Initially we looked at
19 delegation to the States and now we're exploring
20 the similar flounder model.

21 The important thing here is we're only
22 looking at recreational management; the
23 commercial management for red snapper is IFQ that
24 will remain federal. So we're only looking at
25 recreational. And of course allocation as
26 everybody knows is intrinsically difficult, and
27 it's even more difficult when your recreational
28 harvest assessments change every year. Your
29 historical estimates change every year.

30 This is a little snapshot of our
31 different allocation issues. Of course regional
32 management is an allocation issue among the five
33 Gulf States. We're also looking at, as I
34 mentioned last year, intersector allocations
35 between the commercial and recreational sectors
36 of red snapper. The difficulty there is that
37 both sectors are fully utilizing their respective
38 quotas.

39 And now, with sector separation, we're
40 looking at within sector allocations between
41 private vessels and the for-hire vessels. And
42 because of the way the for-hire harvest estimates
43 are made and we don't have individual catch or
44 vessel estimates in recreational fishery other
45 than head boat/party boat, the for-hire industry
46 is very eager to adopt electronic monitoring
47 including VMS, which I thought was interesting.

48 Now in king mackerel, that's a fishery

1 that's above optimum yield. It's been rebuilt.
2 We have got to kind of -- we have different
3 fishing zones because it's a highly migratory
4 species throughout the coast. And the fishing
5 zones and seasons were established to give all
6 areas of the Gulf equal access or appropriate
7 access to the resource.

8 We had a shared resource with the
9 South Atlantic Council, and the mixing zone or
10 the shared part of that has changed dramatically
11 in the last stock assessment. So that's going to
12 cause us to reevaluate all the zones and the
13 harvest levels in each of the zones.

14 And then we've also got the situation
15 where, because of changing recreational
16 estimates, it turns out the recreational quota
17 that was established 40 years ago has not been
18 met by the recreational industry historically due
19 to these recalibrations. So they're probably
20 meeting half of their allocation. So we're
21 looking at transplanting some of that quota to
22 the commercial sector.

23 South Florida issues, our third major
24 priority is to coordinate shallow water grouper
25 closure so that along the Florida Keys, which is
26 120 mile area, multi-jurisdictional area, that's
27 one of the most heavily fished areas in the Gulf
28 of Mexico for, you know, species other than
29 shrimp and red snapper. We need to consolidate
30 regulations to minimize confusion and problems
31 both within public and the enforcement people.

32 So we've been meeting jointly as
33 Michelle explained to address this. And we hope
34 to have something to the councils in June with
35 public hearings in July and final results and
36 implementation by the end of this year.

37 With that I'll answer any questions.
38 Thank you very much.

39 CHAIRMAN ANSON: Any questions for
40 Doug?

41 (No response)

42 CHAIRMAN ANSON: All right. So that
43 wraps up all the councils' reports. And that
44 takes us to our break scheduled for today. It's
45 15 minutes. I would say, let's plan on ten
46 minutes. Try to recapture a little bit of the
47 time and make sure we try to get back on the
48 track.

1 So in ten minutes from now, please be
2 back. Thank you.

3 (Whereupon, the above-entitled matter
4 went off the record at 10:45 a.m. and resumed at
5 10:59 a.m.)

6 CHAIRMAN ANSON: So there were a
7 couple of people that came in during the council
8 reports. And John, if you want to go ahead and
9 introduce yourself.

10 MR. QUINN: John Quinn, the
11 beleaguered Vice Chairman from New England.

12 CHAIRMAN ANSON: Thank you. Thank you
13 for making it. And then we have one other. Sam?

14 MR. RAUCH: Sam Rauch, Deputy
15 Assistant Administrator for Regulator Programs at
16 NOAA Fisheries.

17 CHAIRMAN ANSON: And we have one more.

18 MR. PENTONY: Thanks. Mike Pentony,
19 ARA4SF from the Greater Atlantic Region.

20 CHAIRMAN ANSON: Thank you. So that
21 brings us to the next scheduled item, which is
22 the Management and Budget Update. Dr. Doremus?

23 DR. DOREMUS: Thank you Mr. Chairman.
24 It's a pleasure to have the opportunity to speak
25 to you today about where we stand overall with
26 our budget.

27 Before we get underway with the
28 specifics here, I wanted to also add my personal
29 voice to Eileen's in congratulating John
30 Henderschedt to his new position as Director of
31 our International Affairs Seafood Inspection
32 effort. And we're really looking forward to
33 getting underway on that front.

34 And also, I do regret not having the
35 opportunity today to introduce to you, those of
36 you who haven't met our CFO and Director of our
37 Management and Budget Operation, Brian Pawlak.
38 He has been acting in that capacity for about
39 nine months. We have had a combination of people
40 in that position since I've been with Fisheries;
41 it's a great pleasure to me to have that position
42 now fully encumbered by Brian.

43 He has a background in budget. He
44 worked in our Formulation Division. He ran our
45 Formulation Division for a period of time, and
46 has had a number of years in Habitat Program.
47 Was the Deputy Director of the Habitat Program.

48 So he has his feet on the ground in

1 terms of our programmatic functions. And he is
2 today -- was going to be here to meet all of you,
3 but is doing our budget briefing for the
4 Association of Fish and Wildlife Agencies.
5 That's a traditional annual budget process that
6 we do.

7 So we're having to send him over to
8 that event. And I'm sorry I'm not able to
9 introduce him to you here today. So he's
10 replacing the last permanent person who has held
11 that person was Gary Reisner. Gary as many of
12 you know, has moved on to be NOAA's Budget
13 Director.

14 So we have a lot of Fisheries
15 knowledge and expertise downtown and that's a
16 great service to us given the frankly a rather
17 complicated nature of our budget. And the
18 challenges that we are all facing in this type of
19 budget environment moving forward. So we're
20 overall in good shape there. And I'll look
21 forward to future opportunity for all of you to
22 meet Brian.

23 We're covering here today the status
24 of where we are in FY '15. In particular we'll
25 look closely at the table for council funding as
26 we do every year at this time.

27 And we also want to spend a little bit
28 of our time here today looking at the FY '16
29 proposal that was just put out. We have gone
30 through our traditional engagements with our
31 Appropriations Committees on the House and the
32 Senate.

33 And that process is moving forward
34 fairly well. And provided overall look at our
35 budget with some concluding notes. That's really
36 part one in your agenda; that's listed as the
37 10:45 to 11:45 slot. We do have -- and we'll
38 pause at that point for questions, discussion
39 about budget.

40 And then we'll move into an
41 administrative update if you will, heads up on
42 our overall approach to records management for
43 the agency, which will affect the work of the
44 councils in some measure. As well as a very
45 important few minutes on our S-K Grant process,
46 which you all are contributing to in a rather
47 substantial way. And we want to review where we
48 are and make -- have the opportunity to discuss

1 what is coming and what to expect.

2 We do have here with us today from our
3 Management and Budget Operation, Dan Namur, who
4 is the Program Manager for the S-K Grant process
5 and he may contribute to that discussion. I
6 think Dan's around. He's in the back.

7 He has been extraordinarily helpful.
8 We have quite a big lift in moving that one
9 forward this year. So we'll spend some time on
10 that.

11 Overall, in 2015 our bottom line
12 number as it were is \$958.2. That is down from
13 FY '14. But FY '14, as you recall, was a bit of
14 an aberration because it had \$75 million in
15 disaster mitigation funds.

16 So overall, for our operations,
17 research and facilities funding, our core
18 programs, as we have it here, it's a modest
19 increase, 1.6 percent over FY '14. And we are
20 pleased to be able to work with that in this
21 environment. And I'll go through where our
22 programs evolved during the course of the last
23 few years.

24 This is a table we conventionally use.
25 It might be a little difficult to read from the
26 table. But what you have here, this is our
27 budget broken down into major subactivities as
28 our budget has been structured up to this point
29 in time. And I'll get into that issue in a
30 little bit.

31 But we have our protected resources
32 line, our fisheries resource and management line,
33 enforcement and observers and habitat. Those are
34 the primary programmatic buckets, if you will, of
35 our program. There are a range of expenditures
36 in other activities supporting Fisheries as
37 you've become familiar with.

38 This is one of the areas of our budget
39 and I'm going to talk later. We do have in our
40 FY '16 proposal, it is in a different
41 configuration. We have along with other parts of
42 NOAA, are proposing a consolidation of our budget
43 so that it's actually structurally more sensible.
44 We have like things with like things.

45 And when we get to this table for FY
46 '16, you'll see some difference there. But that
47 other activity supporting Fisheries is the main
48 thing to change. There's a lot of science-funded

1 programs there and they got put in different
2 buckets, if you will.

3 What I'd like to point out on this
4 table and my laser is a little bit weak and
5 difficult to use, but I won't use it. The
6 enacted line, if you look at the last two
7 columns, that's our request line relative to what
8 actually came forward.

9 And one of the major take aways there
10 just scanning down you'll see that the FY15
11 enacted and we understand that Congress had just
12 changed its composition. The FY '15 budget was
13 largely a continuity budget. And many of the
14 increases that were proposed, with the exception
15 of habitat, where we got some unexpected changes
16 in the Congressional enacted budget.

17 In all instances while our budget is
18 up slightly from FY '14, in all instances we were
19 down from the President's FY '15 request. That
20 was a very strong request. It recognized a
21 number of significant needs in our program in all
22 areas, protected resources, fisheries, research
23 and management, and many of those got pushed to
24 the right.

25 We did see an increase in our habitat
26 conservation and restoration line. There was an
27 addition of a \$5 million grant effort there that
28 I'll talk about at a little bit further.

29 The other thing I always encourage
30 people to do is also look by subactivity over
31 time. So if you use 2011 as a bit of a reference
32 point, you can see in each of these areas where
33 we are today relative to FY '10, FY '11, which
34 were essentially the high-water marks in recent
35 years for our budget.

36 So while we are up slightly from FY
37 '14, we are trying to move out of a hole from
38 sequestration years in FY '13. We are still down
39 about nine percent in our ORF budget off of where
40 we were in FY '10.

41 And you can see that in comparing the
42 first and the last columns where we are today,
43 with the FY '15 being the last column and the
44 first column is a few years back in FY '11. And
45 across the board we are with the exception of our
46 enforcement and observers area and our habitat
47 areas, our major lines are down relative to the
48 historical expenditures there.

1 So I wanted to point those major
2 features out about where we are in FY '15.

3 This is our detailed council funding
4 table. The primary line is the regional council
5 PPA line that is enacted by Congress.

6 And as you know, we've gone over in
7 great detail in prior years, there are also
8 detailed additional contributions to council
9 resources from NEPA, from our fisheries research
10 and management PPA and specific areas that are
11 broken out here, ACL implementation, regulatory
12 streamlining, SSC stipends and in the peer review
13 funding. And that varies by council.

14 And we have the breakout here for each
15 of the councils. There's also some expended
16 annual stock assessment money, a small amount
17 that flows to some councils.

18 So we have a bottom line on the FY '15
19 number, if my laser seems to last and in the
20 second, is down at the bottom there, FY2015 spent
21 plan, basically \$27.9. So we're seeing an
22 increase of about 2.5 percent available to the
23 councils. It's up about \$670.5 thousand off of
24 last year.

25 These numbers do reflect an across the
26 board reduction that OMB levied on all of our
27 PPAs. It was small, .28 percent. Just under .3
28 percent. So that's built into what you're seeing
29 here as well as our M&A, which is very, very
30 close. It's the same practice as last year, very
31 close to the same amount. Just a small variation
32 in our M&A at 4 percent this year from 3.9 last
33 year.

34 So that's the council funding. We
35 have gone to great efforts -- given the review,
36 the grant renewal process -- to get an allocation
37 from Office of Management and Budget early. And
38 to accelerate that process we have sent some
39 information out to all of you about where we
40 stand.

41 We're working very closely on a daily
42 basis through our grants staff. That is our
43 highest priority. We're moving it very, very
44 quickly. And we anticipate having most of the
45 grant process done within a few weeks.

46 So we are accelerating that as much as
47 the system can tolerate and just wanted to
48 confirm our commitment to doing that and that we

1 feel like we're pretty close to the end of the
2 line there.

3 And with that, let me just make some
4 observations about the '16 budget. It was just
5 released. We were pleased to have it released on
6 time; it has not been in recent years given the
7 difficulties in the last few years with the
8 overall budget environment.

9 We've got a link here to the Blue
10 Book. As is always the case, we make all of our
11 budget information available online. You can
12 actually see our entire Congressional submission.
13 If you really want to punish yourself, there's
14 hundreds of pages there that you can work through
15 to see the details on what we've asked for, what
16 the justification looks like, at every level.

17 I'll go through the fundamental
18 changes in FY16. But I want to do this in the
19 context of the realities that we are currently
20 seeing and expect to hear more in specific terms
21 with the budget on the Hill.

22 As is the case across the board for
23 domestic discretionary spending, the President's
24 budget was a very strong budget. We are
25 continuing to see as we did see in '14 and in
26 '15, very strong recognition by NOAA, by the
27 Department, by the Office of Management and
28 Budget.

29 Very strong recognition of our program
30 requirements, of shortfalls in key areas in our
31 budget. And a lot of those are recognized here,
32 in very good measure, both with Fisheries' budget
33 and in other areas of NOAA's overall budget that
34 we rely on. And I'll point that out on one slide
35 coming up.

36 This is a very, very strong budget for
37 us. But we also need to acknowledge the overall
38 policy and political environment that this budget
39 is being received in. Our discussions with
40 Congressional Appropriations Staff have gone
41 very, very well. But we do not yet know what the
42 top-line pressure is going to be.

43 This is a substantial increase off of
44 where a lot of the thinking has been in Congress
45 on appropriations and elsewhere. And I think you
46 can see that a little bit in the FY '15 budget,
47 which basically was a continuity budget with some
48 minor adjustments.

1 There's a great likelihood of
2 something like that in the future. It would not
3 be a surprise. There are also a lot of
4 discussions about what the relevant reference
5 point is for our budget. We tend to look at FY
6 '10, FY '11 before we hit the economically driven
7 reductions that showed up across the board for
8 domestic discretionary spending.

9 The sequestration law that was put
10 into place was one measure for dealing with that.
11 And that remains to be fully played out. So a
12 lot of uncertainty. That's the bottom line with
13 our budget. We emphasize it every time we talk
14 about it.

15 This could go a number of different
16 ways. If it goes towards the President's budget,
17 which we all obviously hope for and are making a
18 case for, that would be a great thing. And I'll
19 detail exactly why that's the case in the coming
20 few slides.

21 So starting here, it's the big
22 picture. It's about \$957 million in
23 discretionary. That's really where our
24 operations funding is. Operations, research and
25 facilities. This is about a 3.3 increase over
26 the enacted budget. So we're building back
27 again, continuing to progress back towards what
28 we might consider to be more reasonable budgets
29 given our mission requirements.

30 And this just shows you the big puts
31 and takes with technical adjustments,
32 inflationary adjustments. And the large one is
33 where I'm going to focus on, which is where our
34 efforts are outlined and focused on in our
35 Congressional interactions. And that's on the
36 \$55 million in program changes that are built
37 into our budget.

38 This is a real key slide. It really
39 explains the overarching strategy for what we're
40 trying to do. We can step through the puts and
41 takes, but they really come down to three
42 fundamental things.

43 The first two, actually all of them,
44 but the third one is an accent on what we always
45 call our core mission funding. We have very,
46 very distinct statutory requirements, drivers,
47 Magnuson, ESA and MMPA being the primary ones.
48 We're responsible for something on the order of

1 85 statutory requirements drivers. But those are
2 the three that drive our mission.

3 We are in the sustainable fisheries
4 business. We are in the business of conserving,
5 recovering protected resources. And investing in
6 habitat science and restoration is required to do
7 those two things. Our budget reflects that.

8 These first two elements involve a
9 series of increases on the order of \$14 million
10 for domestic fisheries management with better
11 science, new technologies. We have increases in
12 electronic monitoring.

13 Aquaculture and some habitat
14 investments to improve coastal resiliencies that
15 are linked to Fisheries' needs and considerations
16 that go into this category. So that's about \$17
17 million for strategy one, if you will.

18 The second strategy on the protective
19 resources front is a very significant series of
20 investments -- just under \$19 million -- that are
21 designed to improve our ability to protected
22 threatened and endangered species.

23 It centers really on consultation
24 capacity. We are seeing a huge increase in
25 demand. We don't have the capacity right now to
26 meet it. I'll step through that in a few
27 seconds.

28 And the more recent one Eileen
29 mentioned, recent activities, a lot of
30 Presidentially-directed focus as well as enormous
31 interest in all sectors in IUU came up in their
32 context of some of the discussions and report
33 outs from the councils here today. And we have
34 an increase in our budget that's directed towards
35 that. And it's an area where we anticipate
36 additional focus in the future.

37 So that's our overall '16 strategy.
38 Before getting into the pieces, I do want to
39 highlight where Fisheries stands in the context
40 of NOAA's budget.

41 So there is a \$6 billion ask for NOAA.
42 The largest portion of this, close to 40 percent
43 is for our satellite data and information
44 service. That's a very capital intensive line of
45 business. We have some refresh on-key satellite
46 technologies that are driving that number.

47 The National Weather Service accounts
48 for approximately 18 percent. And Fisheries is

1 third in terms of the composition of NOAA's total
2 budget at just under 16 percent of the budget.

3 I do want to highlight, we have strong
4 interdependencies with the rest of NOAA across
5 all of these areas. We are increasingly
6 collaborating with the National Weather Service
7 in a variety of areas where their hydrological
8 and weather predictive capacity has a large
9 bearing on some of our management considerations.
10 We're doing that very heavily out west, related
11 to drought and other matters.

12 Other particular areas that I want to
13 point out. In program support, not aptly titled,
14 about 11 percent of the total budget, the biggest
15 piece in there is the Office of Marine and
16 Aviation Operations. We are consistently asking
17 for, the Administration supported, we're very
18 pleased to see that.

19 But it's a big lift to get the
20 recapitalization requirement acknowledged in our
21 budget for the fleet. So there is a dependency
22 on our ocean going assets. It's in protected
23 serve -- the protected support -- I'm sorry,
24 program support line that we always go out of our
25 way to point to.

26 We also have a lot of collaboration
27 with the National Ocean Service. Particularly on
28 habitat related investments that have the dual
29 benefit of improving coastal resiliency as well
30 as conditions for our trust resources and our
31 fisheries resources.

32 As well, we have substantial
33 interactions with the Office of Oceanic and
34 Atmospheric Research. Particularly in the
35 climate arena, ocean acidification. The FY16
36 budget has a very strong increase of over \$20
37 million for ocean acidification we would benefit
38 quite a bit from. As well as a small number in
39 there for aquaculture that would complement our
40 activities in aquaculture. Also a program
41 request, increase request in FY '16.

42 So it's not just our piece. It's our
43 interactions with all of these that is going to
44 be a considerable part of our ability to meet our
45 mission requirements in the future.

46 So this is the analog to the
47 subactivity table. But in our new structure.
48 Again, the FY '16 budget, with the support of the

1 Administration, has a simplified budget
2 structure. We simply aggregated largely for
3 efficiency but also for sensibility.

4 Our budget was kind of an amalgamation
5 of historical budget items. Some of them
6 earmarks. We had functions split across multiple
7 budgets. It was very difficult to tell, for
8 instance, where some of our science investments
9 were. What we were spending on observers. We
10 had enforcement and observers put together.

11 So we took and essentially kind of
12 rationalized our budget so that we could have
13 instead of some total of 50 PPAs, we reduced that
14 substantially. And we're hoping that this would
15 be a great benefit to all of those involved in
16 understanding the rationale behind our budget and
17 our presentation of our budget.

18 In our program accounts and in
19 operations, research and facilities, we had 37
20 separate PPAs. We combined that in ways to get
21 us down to ten. And they roll up into these
22 subactivities. So these are much more sensible
23 subactivities.

24 When we had for instance fisheries
25 research and management before, it did not well
26 represent what we were actually spending in
27 fisheries research and management because we had
28 an enormous amount of activity in the
29 subactivities previously called inelegantly,
30 other activities supporting fisheries. A lot of
31 that were actually science investments. Some of
32 them were support for observations and other
33 functions there.

34 So this new structure can totally
35 compare it, but we have crosswalk tables that
36 make that easy over time. But you see the same
37 type of pattern. Here what we did, is instead of
38 providing the historical reference point, we're
39 looking at '14/'15 in its various dimensions.

40 So we have our spend plan where we are
41 today in the FY '15 enacted. It's the first two
42 columns. Then you can see the President's
43 request relative to those two lines. The program
44 changes, listed in the second to last column
45 there -- FY '16 program changes -- are off of
46 '15. And you can see where the accumulation of
47 our specific investments play out.

48 So we have about \$29.6 million in

1 requested program augmentations in our protected
2 resources, science and management. Area, that's
3 the core consultation-oriented focus of our
4 protective resources work. We have \$17.5, as I
5 mentioned, in fishery science and management.
6 And an increase of just under \$4 million for
7 enforcement functions.

8 Those are where our changes are really
9 concentrated. And what I'll do is step through
10 the actual program changes quickly so you can see
11 what they are.

12 So the first one is really the two
13 components. I mentioned \$17 odd million. The
14 two components of that are the Endangered Species
15 Act recovery consultation related work. That's a
16 \$13.2 million increase. And then a \$5.7 million
17 increase in our EFH related work to support
18 Magnuson.

19 We have an enormous amount of growth
20 in demand for consultation capacity. Think
21 corals affecting the southeast and the Pacific.
22 Think the work related to on the west coast
23 related to drought conditions. Think deep
24 continued consultation work related to Deepwater
25 Horizon in the Gulf.

26 Those are among our major programmatic
27 drivers. We have a strong increase in demand for
28 section seven. In particular consultations. And
29 we have the same and slightly declined staff.
30 And those two things don't go well together.

31 So we're trying to build back that
32 capability so that we do not slow down and
33 inhibit all of the economic activity that resides
34 both public sector spending as well as private
35 sector spending. It's dependent on efficient
36 functioning of the permitting process in the
37 Federal Government. So that's the core logic
38 there.

39 On the Species Recovery Grants front,
40 we are looking at an increase of \$17 million.
41 This strategy will be familiar to you from prior
42 presidents' budgets. We have advanced this on a
43 number of occasions.

44 This will provide additional grants to
45 States and tribes to focus on priority ESA
46 species. We do have a substantial effort --
47 Eileen alluded to this in her opening comments -
48 - a substantial effort to focus on recovery and

1 to improve our ability to prioritize species.
2 And the focus of species recovery grants in the
3 future would be affected by that prioritization
4 process.

5 So that's pretty key. We have a small
6 increase here for Atlantic and Pacific salmon.
7 The Pacific salmon piece is actually a
8 consultation capacity. It's related to the first
9 one that I talked about.

10 And Atlantic salmon is a key issue.
11 We've got a species there hanging by a thread.
12 Our investments, in collaboration with our
13 northeast States, are designed to keep that from
14 going completely out of commission. And we hope
15 to be able to see Congressional acknowledgment in
16 support of that effort for fish passage, dam
17 removal, continued work to ensure the survival of
18 that species, which is very much in question.

19 On the second strategy front, fishery
20 science and management, we have a series of
21 increases here. One of great interest to all of
22 you, referenced a number of times in the report
23 outs, the council report outs this morning.

24 Two pieces of our electronic
25 technologies, a \$7.1 million ask on electronic
26 technologies. We don't have dedicated funding.
27 We anticipate this year in FY '15 spending on the
28 order of \$3 million on electronic technology.

29 We would really like to have the
30 ability with the support to accelerate the
31 application of electronic monitoring and
32 reporting technologies into practice. And that's
33 what these would be designed to do.

34 Building on pilot projects that we
35 have. Work in the northwest, northeast, in the
36 Gulf, elsewhere to tailor electronic monitoring
37 capabilities to specific fisheries and get those
38 capabilities into action.

39 As I think Tom quickly pointed out,
40 and I do like to emphasize this whenever we talk
41 about electronic monitoring, reporting, we've
42 been doing a lot of Hill engagement on this. We
43 do want to hasten to add: this is not a solution
44 to observer costs.

45 There seemed to be a lot of thinking
46 on the Hill that if you invest in cameras you can
47 invest less in people. We don't see that
48 actually working that way. You're collecting

1 different information through these different
2 techniques.

3 We want to be able to meet our
4 observing requirements in the most efficient way
5 possible. Sometimes that will allow for
6 electronic monitoring; sometimes it will require
7 continued use of observers.

8 So this is not a path towards --
9 necessarily a path towards lower observing costs.
10 We want to be as cost effective as possible. We
11 want to invest in these technologies. But what
12 we expect to get is larger, better, more ready
13 access to data.

14 But I wouldn't expect necessarily our
15 cost structure to ultimately change enormously.
16 That all remains to be determined and this
17 investment will help us figure that out.

18 There's a holdover here. The
19 Distributed Biological Observatory is a \$500
20 thousand investment. This was present, you saw
21 this last year. In last year's budget it wasn't
22 approved. It was readded into this request.

23 We have also continued investments in
24 expand annual stock assessments in our National
25 Catch Share Program. This is core business that
26 we've been advancing for a number of years and
27 have had fairly steady Congressional support
28 certainly for the annual stock assessments. And
29 more gradually than we had anticipated, but still
30 a strong understanding and support for the
31 continued progress on our Catch Share Program.

32 So those are fairly modest increase
33 requests there. Looking broadly in a number of
34 areas, we're very pleased the recognition here in
35 the President's budget for FY '16 of the need for
36 improved investments in collaboration cross
37 sector on aquaculture.

38 So there's a \$2 million augmentation
39 here. There's also \$2.5 million in the Office of
40 Oceanic and Atmospheric Research budget line.
41 This is very much focused on the science to
42 accelerate rules that will allow the more rapid
43 implementation and investment in aquaculture
44 technologies around the country.

45 I think all of you are well aware of
46 domestic aquaculture production relative to
47 international production capabilities and how
48 much that's driving our total seafood demand and

1 consumption in the United States. And we believe
2 this is a long term, very important strategy for
3 domestic seafood production. A very modest
4 request would be a great assistance to us.

5 We're also recognizing as I mentioned
6 earlier, increased demand for enforcement
7 capabilities related to IUU. So there's a \$3
8 million increase request here as well as an
9 additional \$0.9 that would support supporting
10 capabilities such as but not limited to forensics
11 and some compliance assistance. But the core of
12 that is IUU related enforcement activities.

13 Small increase in observers and
14 training here. And we have what looks like a
15 very large number. This is the issue that
16 Dorothy mentioned on the refinance of the Pacific
17 Trawl Loan Program. And I'll spare you a really
18 long story. If you'd like to get into it, we
19 could. It would take some time.

20 But the upshot of it is, Congress has
21 asked us to refinance that program. The
22 Administration determined that an appropriation
23 was required to actually do that. And what this
24 does, this would be the appropriation in FY '16,
25 this would essentially pay off the old loan.

26 The difference between the old loan
27 and the new loan, according to OMB's rules for
28 scoring, we would need to return \$10 million to
29 the Treasury. That doesn't go to us. That's not
30 a program that we have to implement. That's \$10
31 million that goes to the Treasury that accounts
32 for the differential between the old loan, which
33 was at a high rate, the new loan which is at a
34 lower rate.

35 The Government technically is
36 foregoing an anticipated \$10 million that had
37 already been scored in the budget. So we have to
38 basically make the books whole and \$300 thousand
39 of that is basically the one percent required to
40 start the new loan.

41 So that's what that number is. It's
42 not program money that we have to spend; it is
43 pretty much an accounting requirement that we
44 have been recognized through this process that we
45 have been confronted with.

46 So that's there. I guess the good
47 news of the story, while it's been difficult, the
48 Administration does recognize the importance of

1 this refinance effort and is going to
2 considerable lengths to try to make that happen.
3 And I would be happy to talk to those who are
4 interested in greater detail.

5 A few decreases. These are modest
6 decreases and are related to decreases that you
7 have seen before. So about a \$7 million total
8 reduction. Some slowing of the pace under salmon
9 management activity of our Mitchell Act Hatchery
10 Reform effort. There's still considerable
11 investment in that area. This kind of slows the
12 pace a little bit.

13 Prescott, we've gone back and forth in
14 recent years on what the right level is. And
15 there may still be some discussion on that. But
16 this reduces it to a level that we executed in FY
17 '13.

18 And we also have here an adjustment in
19 our Coastal Resiliency Ecosystem Grants line in
20 FY '16. In light of a substantial request that's
21 made by the Administration in the National Ocean
22 Service account for a large ecosystem habitat
23 management and restoration effort that's focused
24 on coastal resiliency.

25 So that is a large new grant program.
26 About \$50 million in NOS's budget. And this
27 reduction of \$5 million is part of that
28 consolidated approach. So that would be
29 continued, but under a program that would be -- a
30 grant program that would be run through the
31 National Ocean Service.

32 PCSRF always has been a volatile
33 budget number. We're pleased here that the
34 reduction of \$7 million is considerably less than
35 previous proposed reductions as our budget has
36 come under pressure. And that compares to about
37 \$65 million, which has been the Congressionally
38 enacted level for a number of years.

39 So, we're pleased that at least
40 there's less of a gap between the President's
41 request and prior Congressional funding than has
42 been the case in the past. So, that's our
43 decrease set. And where we go from here, really
44 is to continue to work with Congress, with our
45 stakeholders.

46 We're having constituent stakeholder
47 engagement in a variety of ways to explain the
48 request that you have here. The screen shot of

1 the cover of our Blue Book. We are a long way
2 from an enacted budget. So what we're going to
3 do is really focus on what we've been allocated
4 in FY '15 and get the greatest value for the
5 taxpayer out of that.

6 This is our message externally as well
7 as internally. With all the uncertainty in our
8 budget, a lot of the disruption to our external
9 partners as well as our internal staff from
10 budget reductions in prior years, we still have
11 \$958 million to execute on behalf of the American
12 public. And we can do a really good job with
13 that. And that's where our focus is going to be
14 going forward.

15 And we look forward to continued
16 collaboration with the councils -- an essential
17 element in our core business of fishery research
18 and management -- in executing our
19 responsibilities for Magnuson and other areas
20 with that \$958 million allocation.

21 So our success there will largely
22 shape the receptivity of future Congresses to our
23 budget requests. And that's where our
24 operational and strategic focus is in the coming
25 year.

26 So I'm going to Mr. Chair, conclude
27 here for the budget portion of our discussion.
28 And open things up for questioning before we get
29 into part two, which centers on records
30 management and S-K Funding.

31 CHAIRMAN ANSON: Thank you Paul for
32 the presentation. Are there any questions from
33 the group? Don?

34 MR. McISAAC: Thank you, Mr. Chairman.
35 Let me try to make a few points. The first one
36 is: it's a little tough to react to all this
37 information because we haven't seen it before.

38 So, maybe one comment would be, to
39 whatever extent this could be in the future
40 distributed at least the day before, we would
41 have had a chance to think about some of this in
42 a council caucus for example. Or even a week
43 before, sure would make it a little easier to try
44 to digest the importance of all this.

45 Let me just offer a few observations
46 and then maybe ask a couple of questions. I'm
47 not sure I've got any of this right because as I
48 said you know, it's first glance.

1 The line item for the council funding
2 in 2015 seems to have gone up a little bit. I
3 didn't see the Council and Commission's PPA line
4 item in the 2015 clustering of programs. I
5 didn't see the Council and Commission's PPA or
6 line item in the 2016 proposals. You mentioned
7 something about reorganizing those.

8 So I'm not sure where we're lumped in
9 there. If that's under science and management or
10 what. But some other scratching I've done, shows
11 that the 2015 Council and Commission's line item
12 was a little bit higher than 2014.

13 So it looks like that increase got
14 carried forward to your very detailed table on
15 what the councils get. And what slide is that
16 here? Let's see that would be slide number five,
17 I believe.

18 So, my first observation is that's
19 good if the Council and Commission's line item
20 has gone up and it's carried forward. I did a
21 quick calculation here and looks like it's up
22 about 2.99 percent, which is not the same as that
23 other favorite number we talked about a year ago
24 that's only one percentage point higher. But at
25 any rate, this time it's up. So, my reaction is:
26 that's good.

27 It's a question about where we are in
28 terms of being lumped in from the rest of them.
29 We don't see on this table that's on number --
30 slide number five -- anything different in terms
31 of the other sub-items that the councils have
32 normally got money from.

33 So maybe if you could switch to slide
34 number five, whoever has control of the screen
35 there. We see the normal ones. ACL, regulatory
36 streamlining, SSC stipends and the rest. So,
37 it's unclear in terms of a process of as you
38 built these numbers whether you considered any
39 other -- I mean what we've called soft funding in
40 the past -- differences for 2015.

41 Yesterday we talked a little bit about
42 EM. In the past we've talked a little bit about
43 Catch Share. I'm going to lump some of this 2016
44 discussion in here as well. But anyway, one
45 thing when we look on here is we don't see any
46 new line items where the councils have gotten
47 money.

48 In 2016, in the proposal, it's unclear

1 again where we're lumped into. What is proposed
2 for the Council and Commission's PPA? Is it up?
3 Is it down? What did you all put in for that?
4 What was your thinking in terms of coming up with
5 a number?

6 We haven't had a chance to provide our
7 input to you on what we think it ought to be in
8 2016. So there's a little bit of a process
9 question there.

10 When you run through the 2016 other
11 special projects, there are many that have some
12 increases. Protected resources, science and
13 management, as you indicated Eileen spoke to that
14 in her opening remarks. You emphasized it again.
15 That's something you'd hoped to do better on in
16 2016.

17 Protected resources, science and
18 management, makes us think about the council
19 arena; that's where a lot of the real protection
20 can come forward if there's some new twists
21 there.

22 In 2016 is there more money for the
23 councils to try to help in that regard? And plus
24 \$5.6 million in 2016; is there any expectation
25 that the councils ought to do a little bit more
26 on that?

27 We weren't able to see a line item
28 here for 2015 that said electronic monitoring,
29 but we're kind of hoping there might be one. But
30 there's not. Is there one in 2016?

31 Magnuson Act, EFH, there's a whole
32 bunch of them in there that the councils would
33 like to help on your priorities on, but we're
34 unclear whether or not you're providing some
35 emphasis on that to the councils or not.

36 So, let me try to go back to my
37 reactions, which again, are a little tough. And
38 what a couple of questions might be. Oh, and the
39 last one here before I get to them is the New
40 Horizon money. So I'll have a question about
41 that too.

42 So, first of all, thanks for the
43 presentation. If you could get it a little bit
44 earlier to us, that would have been very helpful.
45 But at least it shows some increase in 2015.
46 Let's not miss that that's a positive. That
47 that's a good thing.

48 Your process for 2015 and how you

1 decided on these line items or sub-line items, is
2 a question: What went into your thinking on
3 those?

4 For 2016, again, a process question:
5 What did you consider when you put forward in the
6 President's budget, something for the councils?
7 Is there any expectation that some of these other
8 plus-ups have something in them for the councils
9 or not?

10 And then that last one, of the
11 Deepwater Horizon, when you get all that money
12 back. Are you going to get any of that money?
13 Maybe is the question.

14 So there's a blast. I apologize for
15 it. But again, not having seen this until a
16 moment ago, it's a little touch.

17 DR. DOREMUS: Thank you, Mr. Chair.
18 Thank you, Don, for your detailed questions.
19 Just a couple of observations.

20 One is this information has been
21 available. When the President's budget was
22 released, we put all this information online.
23 And I do apologize for not drawing your attention
24 to that. But it has been out there -- not this
25 detailed table, but the fundamentals on the
26 President's request -- have been out there for a
27 couple of weeks.

28 And in the future, we'll make it a
29 point to draw your attention to when that is
30 available. This is essentially a synthesis of
31 publically available information with the
32 exception of this detailed breakout on the
33 council line, which actually takes a while to
34 compute.

35 Some of the things that get factored
36 into here are in the small print, such as the
37 note at the bottom there that there is rescission
38 for Hollings Scholarship. That's required by
39 Congress. There's also the smaller programing of
40 2.28 percent.

41 Okay. Thank you. I didn't include
42 here and should have, relative to your question,
43 a good one. On the '16 Pres Bud, is -- we should
44 have added that -- a column here. And I just
45 hadn't thought of it.

46 But the top line there, the Regional
47 Council PPA, which you see moving from '13 and
48 '14 to a request of \$23.233 in FY '15. We have

1 in the President's budget a \$25.1 number there.
2 We do not -- to your question about changing the
3 composition of the additional lines that support
4 the councils under NEPA, fisheries research and
5 management, the specific piece is there and it's
6 been in annual stock assessments.

7 We don't at this time have any plans
8 to change the composition of funding that would
9 go directly to the councils along those lines.
10 These are well-worked out methodologies to
11 determine by council what each of these pieces is
12 program funding to support those needs. And ACL
13 implementations and regulatory streamlining and
14 the like.

15 That said, if you look at details like
16 our electronic monitoring proposal, there's a
17 portion of that, that's focused on the continued
18 technology development research work. And
19 there's a portion that's directed towards the
20 management effort that's required to get some of
21 those into place. Which presumably we anticipate
22 would augment our capability to work productively
23 with the councils on the implementation of
24 electronic monitoring technologies.

25 So these asks can effect what we're
26 able to work on, how we're able to collaborate
27 with you and at what speed. But we don't at this
28 time have any proposed changes in '16 in the
29 composition of funding.

30 You did ask where we fit the Council
31 and Commission line. Regional council, it's
32 called here regional council PPA. That is in the
33 fisheries research and management. We have a
34 detailed slide which I could maybe page to very,
35 very quickly, although it's out there.

36 We had a slide in backup that shows
37 the composition of each of these major pieces of
38 our budget. We have our budget now centered on
39 these four major activities, our fisheries
40 science and management, enforcement, habitat and
41 protected resources.

42 And if you look on the top right box
43 there, those PPAs are the PPAs that fit under
44 research -- sorry, fishery science and
45 management. And the regional councils and
46 Fishery Commission's line, or PPA, is there
47 untouched.

48 So that is not changing. It will

1 still be as visible as it always has been.
2 Ultimately what gets provided under that line to
3 the councils and the Commission is a
4 Congressional allocation.

5 It's a Congressional decision. And
6 what we see with the current year, and what we
7 hope to see in FY '16, ultimately will require
8 that support as you well know.

9 Deepwater Horizon is a big unknown in
10 terms of where as your third major stream of
11 questioning. As to where the litigation is going
12 to bounce on all of that and what resources we
13 will technically have to work with.

14 So I really can't speak to how that's
15 going to function in the future and what kind of
16 impact that might have on the relevant councils
17 who participate in related activities.

18 Thank you, Mr. Chair.

19 CHAIRMAN ANSON: Doug?

20 MR. GREGORY: Yes. I want to support
21 some of what Don said. We're you know, at our
22 limit as far as staff time and effort. And
23 council meetings time and effort in dealing with
24 what we have.

25 Six years was a big burden to put on
26 us in addressing that. I see if standardized
27 bycatch reduction efforts have to be made, that's
28 going to be an additional burden on the council.
29 Electronic monitoring, we've already undertaken
30 some of that.

31 And this is all additional workload.
32 It would be nice to have some support for those
33 things. But contrary to what Don said, any
34 Deepwater Horizon money should all go to the Gulf
35 of Mexico.

36 (Laughter)

37 MR. GREGORY: So just take it easy.

38 CHAIRMAN ANSON: Yes, Tom?

39 MR. NIES: Thanks Paul. I might
40 reiterate a few of the things Don and Doug said,
41 but I think they're kind of important. And I've
42 tried to wade through your President's budget and
43 your Congressional justification document as
44 well.

45 And I struggle to make things match
46 up. The first thing is that while I'm glad to
47 see an increase from last year=s budget, it looks
48 like to me that at least in the New England

1 Council, we're still not where we were in 2010.
2 So you know, we're essentially getting less money
3 than we got whatever that is, five or six years
4 ago.

5 And you know, that's starting to
6 become a real problem with us. If you look at
7 how much money we've spent the last couple of
8 years, we've been spending roughly \$4 million or
9 \$4.1 million. So that's just to do our job.

10 The longer we stay at that level,
11 we're going to have to start cutting back on what
12 we're doing. And the way this gets connected to
13 the President's 2016 budget is when I read your
14 Congressional justification documents and you
15 talk about, I think it's close to a total of \$7
16 million for electronic monitoring and \$2 million
17 for catch share projects, when I read your
18 Congressional justification, it talks about all
19 this stuff you're going to do to plus up support
20 in the agency with additional staff positions at
21 the regions for electronic monitoring and all
22 this stuff.

23 And it says you're going to work very
24 closely with the councils in order to get these
25 things in place. But there's nothing in the
26 justification that says any of these dollars are
27 going to flow to the councils. There's nothing
28 explicit that says that.

29 And so it makes me very nervous that
30 what's going on here is the agency is staffing
31 themselves up to do more at the same time that
32 they're expecting the council to do more with
33 less, effectively. And so this is a problem.

34 So then you know, I go through the --
35 both the Blue Book and it looks like you're
36 moving the \$2.5 million from the Inter-
37 jurisdictional Fisheries Grants to the Council
38 and Commission's line item if I read that
39 correctly in the crosswalk. I think that's what
40 it says.

41 And so, it's hard for me to figure out
42 exactly how all these numbers match out. But
43 when I look at the President's budget and it says
44 on the Regional Councils and Fisheries Commission
45 line, fiscal year 2016 program changes, zero. It
46 looks to me like you're anticipating either a
47 flat or nearly a flat.

48 And so I think you just mentioned

1 something about a \$2 million increase in that
2 line. And I don't see that in this President's
3 budget. Or at least I can't interpret it from
4 what's in there.

5 So I guess there's a couple of points
6 there. The first is you know, are we really
7 looking at an increase in the Regional Councils
8 and Commissions line in 2016 or is it obscured by
9 moving these pots of money around? Or is it
10 really going to be a zero program changes?

11 And if you're talking about basically
12 being flat from 2010 through 2016, we're not
13 going to be able to help you with all of these
14 initiatives that you're talking about in your
15 Congressional justification.

16 DR. DOREMUS: Thank you Mr. Chair and
17 thank you for the questions, Tom, as well as
18 Doug. To put things in context and we have
19 talked about this in prior meetings. Fishery is
20 going to great lengths during the course of the
21 strongest downward pressure in our budget from
22 '10 to '11 to '13, '12 and '13 where our overall
23 budget went down about 12.5 percent.

24 We held the line on the Council and
25 Commission funding as well as very limited other
26 areas. Enforcement was the only other areas
27 where we were able to keep it relatively flat
28 during that time period.

29 With the exception of sequestration
30 where it was rule driven and it went through
31 every PPA. We did have the additional
32 complication as Don pointed out of a requirement
33 to charge M&A, management and administrative
34 costs on all the PPAs. We've been through that.
35 It's a requirement. We're dealing with it and
36 we've made back what that differential is.

37 Nevertheless, I think when you look
38 out of that time period from '10 to today, other
39 activities in fisheries were pushed down
40 substantially more than the Council and
41 Commission lines. We lost well over 300 people.
42 We've built back a fraction of that.

43 We're still down on the order of 280
44 plus people over that time period. So while yes
45 this budget does, if it is supported, allow us to
46 pull back and put more staff on the ground for
47 things like consultations that had real and
48 immediate economic impacts if we continue to be a

1 bottleneck for those decisions.

2 It does not put us anywhere close to
3 where we were back at that same time period. So
4 we're down on the order of nine to ten percent
5 overall. The Council and Commission line
6 relative to '10, I don't have the number off the
7 top of my head, I could look at it, but I'm quite
8 certain it's substantially less than that.

9 There is an increase in the '16
10 request. The number I gave you, \$25.1 has not
11 yet been corrected for the M&A charge there. But
12 it will be an increase. And we can give you the
13 specific numbers and I'll add them in here.

14 We'll make them available to the
15 councils on how the request looks for '16.
16 That's for the first line up there, which is
17 really the primary driver of the bottom line for
18 all of the councils. And we are pleased with
19 both the '15 and the '16 being able to see
20 progressive increases so that we can go back on
21 lost ground.

22 But I do what to emphasize there was
23 considerably less lost ground on the Council and
24 Commission line then elsewhere in our budget.
25 And we had felt that directly in terms of our
26 staff.

27 We'd be happy to provide the detailed
28 historical numbers so that you're interpretative
29 would be -- any interpretative questions you have
30 about what has happened over time can be
31 clarified. The structural changes we have made
32 in our budget do not affect the Council and
33 Commission PPA. That's not changing.

34 A table like this we'll be putting
35 forward next year once we're able to see when we
36 get an actual appropriation. And we have
37 whatever adjustments to it need to be made. The
38 principal ones typically are, as they have been
39 here, the adjustment for Hollings, the
40 Scholarship Program and also the adjustment for
41 any reprogramming requirement that OMB determines
42 is necessary for the overall NOAA budget
43 adjustment process.

44 So these are all very good questions.
45 Everybody has a reference point back in time to a
46 healthier budget. We would all like to be there.
47 We're doing better than a lot of other pieces of
48 the Federal Government.

1 But all of us across the board are
2 feeling the same pressures that all the councils
3 are. And we'll have to work together to be as
4 efficient as we can under the circumstances.

5 CHAIRMAN ANSON: All right. I have
6 actually, Bob LaHood is on the phone. And then
7 followed by John Quinn, then Kitty. Bob?

8 MR. LaHOOD: All right. Yes. Are you
9 getting an echo on your end?

10 CHAIRMAN ANSON: No, but if you could
11 speak up though.

12 MR. LaHOOD: Okay. Just a quick
13 question is all. 2015 and 2016 budgets, there is
14 increases for loss percent. And what -- how are
15 the joint -- are there? Are they -- line item
16 questions or is it all in one?

17 DR. DOREMUS: Bob, it was very
18 difficult to make you -- make out your question.
19 I think I heard you asking about the joint
20 enforcement agreement funding. Is that what you
21 were trying to ask about?

22 MR. LaHOOD: Yes, correct.

23 DR. DOREMUS: Okay. That's a key
24 element of our enforcement line. And we
25 anticipate that being steady throughout this
26 process. To the extent that the enforcement line
27 grows a little bit, it is likely that that will.
28 I can provide detailed numbers to you later.

29 But the basic story is we don't
30 anticipate any changes in the joint enforcement
31 agreement program. We have had some increases
32 there in recent years. And we hope to be able to
33 sustain those.

34 MR. LaHOOD: Okay. Well, that is
35 incorporated within the overall enforcement
36 budget. It used to be a separate line item. And
37 I just wondered if that's still the case?

38 DR. DOREMUS: We can provide
39 historical detail and current detail on any piece
40 of this budget at any time. We have tried
41 through this restructuring effort with the
42 encouragement of OMB and others to make the
43 overall request to be as strategic and
44 understandable as possible.

45 We would be happy for any interested
46 party, the councils among them, to provide break
47 outs related to the detail on council funding or
48 the detail on any other line such as the JEA

1 component of the enforcement line.

2 But yes, Bob, in the current budget,
3 it is within the enforcement line. And we do not
4 foresee changes in that program in FY16.

5 MR. LaHOOD: All right. And I may
6 give you a call and ask a couple of questions.
7 We're going to discuss it at our next council
8 meeting in a couple of weeks. So, if you -- if
9 that's okay, I'll give you a call.

10 DR. DOREMUS: Absolutely Don. I
11 encourage you to do that. Sorry we're having a
12 hard time hearing you. But please do call me and
13 we can cover any detail you need.

14 MR. LaHOOD: All right. Thanks.

15 CHAIRMAN ANSON: All right, John
16 Quinn.

17 MR. QUINN: Thank you. I've got more
18 of a political question than a budget question.
19 Just you know, we know this is the President's
20 proposed budget. And with the changes in
21 Congress, particularly in the Senate, you know,
22 how reliable is this proposed budget for our
23 planning purposes going forward?

24 I think this is different than years
25 passed when the different parties controlled the
26 House and the Senate. I think this is the first
27 year that both branches are controlled not by the
28 President's party.

29 DR. DOREMUS: That is a very good
30 question. I don't think I can answer that any
31 better than you might get from a good read of the
32 current media that follows the Hill and follows
33 budget matters in particular.

34 I don't think if you agree that the
35 general account of the circumstances, I don't
36 think anybody expects the President's budget to
37 be agreed at anywhere close to its current
38 levels. There's going to be some very, very
39 large policy issues way more significant than our
40 specific ask.

41 I do expect the overall level for
42 domestic discretionary spending increases that
43 Congress enacts to be considerably less than has
44 been requested. But we don't know how that's
45 going to shake out.

46 It's a very uncertain environment.
47 There is a lot of strong support and interest in
48 Fishery's programs. We have the great benefit of

1 having direct and very visible economic impacts
2 and relevance for around the nation.

3 And I think if we can make sure that
4 people understand that the value to constituent
5 communities around the country that rely on ocean
6 and coastal resources that we manage, that that
7 will be a helpful thing in trying to sustain a
8 budget like this.

9 MS. SOBECK: If I can just comment.
10 You know, we've had our first two presentations
11 of the overall NOAA budget last Friday and the
12 Friday before to the House and Senate Committees.
13 And you know, I would say that we had a positive
14 reception. Because we don't know and I don't
15 think they know where they're going to end up.

16 But I think you know what, they really
17 wanted to know the details and what our
18 justifications were. We really want to help them
19 understand the basis for why we think we need
20 more.

21 And so I think that you know, that's
22 the information that all of us need to get out
23 there. I certainly wasn't getting the sense that
24 they were sending us the signal that we didn't
25 have a lot of really good substantial justified
26 asks.

27 What I got the message was wow, we are
28 really going to have to know the absolute details
29 and the best arguments you can give us for why
30 you need these. Because it's going to be a tough
31 year.

32 There was no initial indication of
33 hey, this area isn't going to fly or we're
34 getting a lot of pressure. I think everybody's I
35 mean, I hope you guys ask the representatives
36 from the Hill this afternoon I think what their
37 thoughts are.

38 But I think that we're all feeling our
39 way in the dark at the moment.

40 CHAIRMAN ANSON: I think you have
41 Kitty followed by Chris Oliver.

42 MS. SIMONDS: I guess my question is
43 this. It looks like we're you know, three
44 percent of your total budget. And my question
45 is, in terms of priorities, where are we with
46 NMFS?

47 In the past we've been told that you
48 know, we're 90 percent of the client and so we're

1 out there to do this, and this and that. And
2 several years ago, there were different
3 approaches that we suggested.

4 One was look at our budget and take
5 five percent of all the line items that are
6 effective by us or that we are affected by and
7 give us that percentage. It's so easy to do
8 that.

9 And when we did that actually, I'll
10 show you Hogarth to think about that. It turned
11 out to be a sum that we had all figured out we
12 should get. And that was \$30 million. This was
13 what, seven years ago. Seven, eight years ago.

14 And the thing is that we all have very
15 small offices. None of us have increased our,
16 you know, our staff all these years. I don't
17 think any council has more than 20 staffers
18 working for them. And as you've heard, I mean,
19 well you know, all of these mandates that we have
20 to abide by, follow, do the work.

21 I mean we end up helping the NMFS by
22 doing preliminary assessments. By hiring PhD
23 students so that NMFS doesn't have to do that.
24 And I know that's fed into whatever stock
25 assessments we get. And I just heard we only get
26 four.

27 So where are we? How do you think of
28 us? We have all these other you know, applicable
29 laws. But it seems to me that they're all
30 creeping up either, you know, unbalanced the same
31 as we are. I think that we should be at a higher
32 level. Be thought of at a higher level.

33 I love these philosophical talks.

34 DR. DOREMUS: So do I, Kitty.

35 MS. SIMONDS: I know. Last time I
36 said something to you, you were --

37 DR. DOREMUS: I'm just saying we
38 should all be at a higher level.

39 MS. SIMONDS: Yes. No. No, not you
40 all. I'm talking about us, the clients.

41 DR. DOREMUS: Yes. Well we're all in
42 the same line of business. I do think that the
43 budget history that I was just reflecting on in
44 response to Tom's question indicates the central
45 role that Fisheries holds the councils and the
46 Commissions in.

47 We have tried to if you will, protect
48 this line from downward budget pressure. And

1 we've been relatively successful in doing so.

2 We don't ultimately control the
3 resources here. We don't have the liberty to
4 move money across PPAs. That would be a program
5 -- a reprogramming request that we would have to
6 get Congressional and Administration support for.

7 But, in any event, we would also need
8 to demonstrate need. Any part of our
9 organization as is true probably across every
10 area of federal and I would say state and other
11 public sector spending that's been under pressure
12 for such a while, increasing something is
13 decreasing something else.

14 There are constituencies for
15 everything in our budget. And to make a case for
16 doing that would require incontrovertibly strong
17 case for what is not being done today? And what
18 is the unacceptable impact of that?

19 So while we all have notions of
20 historical benchmarks, equity notions and other
21 kinds of things, these budgets spin on the
22 anticipated impacts of the public expenditure.
23 And we hope that our continued collaboration and
24 executing our budget through the councils would
25 allow us to continue to make the case in this
26 adverse budget environment for the entire mission
27 function.

28 We routinely deal with as Eileen was
29 just saying, the detailed discussions in the
30 House Appropriations and the Senate
31 Appropriations staff. They're acutely aware of
32 where we spend our money and what on.

33 And as I said to a constituency
34 survey, every piece of our budget. So we do need
35 to keep the broader context in consideration and
36 ultimately implement the budget that Congress
37 gives us.

38 I think our ability to look at the
39 whole and the impacts of our total mission will
40 ultimately be the tide that floats all boats.

41 MS. SIMONDS: That's a very good
42 speech. You're very good.

43 DR. DOREMUS: I would add to that, we
44 all speak in Washington in the currency of
45 budget. And people think that if there is take
46 some for you know, any program, that within your
47 increase or decrease is the measure of support
48 for the program.

1 And while there is reality to budgets,
2 we all know that. And you all are suffering the
3 same impacts we are from reductions. The budget
4 is not the only measure of the strategic
5 significance of a function to the agency.

6 And I just wanted to put that final
7 note there.

8 MS. SOBECK: I would suggest that
9 every member, every council member who has a
10 Representative or a Senator on the Appropriations
11 Committee and on the related other Committees,
12 you should be talking to them.

13 One year, you remember when we were
14 having these similar discussions, we all decided
15 to visit OAD. And that was a very interesting
16 exercise because it was very you know, forthright
17 about our needs. And so, there are other things
18 I'm sure that we can do rather than waiting for
19 the number.

20 So, I'm just suggesting that.

21 CHAIRMAN ANSON: Chris Oliver?

22 MR. OLIVER: Thank you. I have a
23 specific question. But I wanted to make a
24 general comment along the lines of Kitty's and
25 Tom Nies' remarks.

26 As we are just ending our five-year
27 award and entering a new five year award period,
28 but I tend to use 2012 as the reference point.
29 Because I think, it was just somewhere in the
30 middle of our five-year award when we realized
31 that we were going to be suffering budget
32 reductions.

33 A lot of us began cutting back on
34 spending. We had contracting we didn't do. I
35 have had in my case two or three during that
36 award period, staff moving on and not rehiring
37 those positions right away. And frankly,
38 actually still have one open that I haven't hired
39 yet.

40 And so that allowed us to accumulate,
41 I think many of us, many of the councils, most of
42 the councils had some carryover funding from our
43 previous five-year award. Substantial in our
44 case.

45 And first of all I want to thank you
46 for whatever role you had in getting that
47 expedited, those approvals for that carryover
48 expedited through NOAA grants. Because it's

1 saving our butt in 2015.

2 But, I just want to be clear that the
3 fact that we had that carryover shouldn't be
4 viewed as a reflection of a reduced need.
5 Because I remember arguing in 2011, we were all
6 saying we need more money. \$30 million I think
7 was the number.

8 And we actually took an 11 percent
9 reduction in 2013. And another four percent
10 through the M&A. And last year for essentially a
11 15 percent reduction in our council funding over
12 that two-year period.

13 So, I'm more worried that we're good,
14 in our case, we're fine for 2015. I'm more
15 worried about 2016, '17, '18 and the future. And
16 the fact that we're now, you know, we used to
17 argue for \$30 million. Now it's like geez, I
18 hope we can get back to the 2012 level.

19 So, I'm really happy to see that
20 there's at least a slight upward trend in that
21 over 2015 and 2016. But I just want to
22 reestablish the perspective of where we're at.
23 We're 15 percent down this year from where we
24 were two years ago.

25 And we need to get back up that amount
26 in the future because while we're good for 2015,
27 I'm pretty concerned. I want to refill the
28 positions we have open. I want to hire an
29 additional position. At least one. But I'm
30 scared to do it because I'm worried, well, we
31 were good for 2015, but I've got to let you go in
32 2016.

33 So, that's really critical to see that
34 upward trend back in '16 and '17. So that was my
35 comment. I have a specific question on your
36 presentation, Paul.

37 On the 2016 budget you had a plus up
38 for observers and training on the order of \$44.8
39 million. I think it was \$44. One more slide I
40 believe. Ah, no, keep going. Yes. Observers in
41 training with -- oh, from plus .5 to \$44.

42 Okay. So it's basically the same
43 number. But I misread it and thought there was a
44 big increase there. But it's essentially flat.

45 But I guess my question still is can
46 you give us a little more detail on where that
47 \$45 million is distributed?

48 DR. DOREMUS: If you don't mind, we'd

1 be happy to talk about the distribution of
2 observer money. It's more detailed then I can
3 get into now with the time that we have. But
4 that is something we could follow up with.

5 And yes, that is indeed, the \$44.8 is
6 a total for the program. So it's a half million
7 dollar increase.

8 And I don't know if there are other
9 questions on the budget. But I would like to
10 make one concluding note before we shift quickly
11 given our time to some remaining information.

12 I do want to note and I'm queuing off
13 of Chris and thank you for your comments and your
14 observations are well taken. I don't want to
15 queue off your sense that you know, we can do
16 okay today but you're worried about '16, '17 and
17 '18, where we're going here.

18 That and Kitty's comment about you
19 know, encouraging people to make it clear what
20 our needs and requirements are. We are
21 ultimately working in our view strategically,
22 collaboratively to achieve benefits for the
23 American people that are consistent with our
24 statutory requirements under Magnuson, ESA and
25 MMPA.

26 The American people are the client in
27 the end of the day. And I really do view our
28 budget holistically in our ability to generate
29 value perceived of good value through the types
30 of very democratic decision making processes that
31 are embedded in Magnuson and carried out by all
32 of you.

33 That is how we work. It's how we
34 deliver mission solutions that people care about.
35 And that's what's going to determine our
36 circumstances in '16, '17 and '18. So we're, in
37 terms of the federal budget, we're a small boat
38 in really heavy seas.

39 And I think we need to focus on the
40 direction of the entire effort to be able to
41 weather this kind of environment and encourage
42 all of you to keep our broader mission
43 responsibilities in mind as you do interact with
44 members. Because you cannot take that for
45 granted.

46 We have had strong bicameral,
47 bipartisan support for Fisheries Research and
48 Management in particular. It was deflected

1 substantially less than other pieces of our
2 budget and other pieces of the federal
3 government's budget.

4 And with this time period from '10 and
5 '11 to '13, that line went down 4.5 percent.
6 Protected resources went down 19 percent.
7 Habitat went down over 30 percent.

8 So there's different degrees of
9 support and we have the good benefit, the great
10 benefit, and I think it's largely through the
11 combined work of all of us. Of being seen as
12 delivering value proportionate if not well in
13 excess of our appropriation.

14 And that's where I hope we can focus
15 so that we can continue to sustain increases that
16 we hope future Administrations support beyond the
17 President's budget in FY16. Thank you, Mr.
18 Chairman.

19 CHAIRMAN ANSON: Thank you Paul for
20 that explanation. As you mentioned we have some
21 time constraints here and you have an additional
22 item under this particular topic.

23 So if you wouldn't mind going ahead
24 and then getting into that. We are basically at
25 the break. So you might have to reduce some of
26 our lunchtime to try to get back on track here.

27 DR. DOREMUS: I do not want to do
28 that. So in four minutes or less. A big heads
29 up on Records Management. So we have a
30 requirement handling all council records, handled
31 in accordance with NOAA Records Management Office
32 procedures across, and this is just one slide on
33 this issue. It is really a heads up.

34 We're looking across our organization,
35 all of our work at Records Management,
36 requirements, we're developing a long term plan
37 to deal with that. It's going to require annual
38 training for all of Fisheries to do. And we're
39 trying to leverage that for an appropriate
40 application to councils as well.

41 We have run into a number of different
42 issues with inconsistent adherence to records
43 management requirements. And we have a global
44 challenge with handling digital records in
45 particular. We just don't have standard
46 operating procedures for digital recordings of
47 various types and how those get handled.

48 We're clarifying that. There's going

1 to be new guidance. We're going to ask you as is
2 a requirement for all of us, to amp up our
3 efforts on records management so we don't have
4 the inconsistencies in application that we have
5 seen and run into problems in specific areas.

6 So that's coming. And we're hoping to
7 leverage our total effort so that it can be as
8 efficient and effective as possible with the
9 training tools, et cetera, for council staff.

10 So we wanted to draw that to your
11 attention. We could talk about that further if
12 you'd like offline.

13 S-K. You want a good news piece of
14 budget? This is it. A very substantial increase
15 in S-K Grant process for FY14/15. As you well
16 know, we've talked to you before.

17 We're combining FY14 and '15 into one
18 large grant process. We anticipate spending on
19 the order of \$22 million. Perhaps more and get
20 that obligated in the third and fourth quarters
21 of FY15.

22 We have been approaching this in a
23 completely different way. We've talked to you
24 about it. We've got new priorities. Thank you
25 all for contributing to that.

26 We looked at the regional research
27 plans. We looked at all of the input that you
28 all provided and modified, not just the
29 priorities but the themes under the detail under
30 each of these themes. And we are going to as you
31 know, and have heard from me on a number of
32 occasions, involve you in the process so that we
33 have our feet on the ground in the regions for
34 the evaluation of these proposals.

35 This is a competitively managed grant
36 program. It is a funding allocated on the basis
37 of merit. That's a first order principal for us.
38 But we want to make sure that we do respond to
39 regional needs and we are looking forward to your
40 continued contribution along those lines.

41 Our evaluation criteria are
42 importance/relevance, scientific and technical
43 merit is the primary one there. The ability of
44 the applicant to actually deliver. Do they have
45 a good business plan and are they going to be
46 able to get the results out? That's the outreach
47 and education component.

48 So we are looking at on the order of

1 285 applications. They have to go through this
2 merit review process. And we're looking at an
3 approach that would allow -- what we will be
4 doing is an approach that would allow the
5 councils to comment on this set of proposals that
6 go through basically phase one of the review
7 process.

8 So we're going to review everything
9 for merit. Determine something about double what
10 we actually have funds for as meeting the
11 fundamental requirements. And then we will ask
12 the councils to review for balance and
13 distribution.

14 So that is the key thing that we're
15 going to be looking at. And I'm going to detail
16 that really in the next slide what that will look
17 like.

18 But this is the overall process where
19 we will get your input on balance. We'll go
20 through the constituent review process. And then
21 we'll fund on the basis ultimately of the top
22 applications that go through that three-part
23 process.

24 So the council and Commission
25 contribution centers on the creation of
26 priorities. We already did that. We will
27 revisit that in the future is if we hope to have
28 the continued benefit of an S-K Program in future
29 funding years. It does seem to be well supported
30 by Congress.

31 Your contribution to identifying
32 reviewers is extraordinarily helpful. And I want
33 to thank you for working closely with your
34 regional fisheries staff as well as with our
35 National S-K Manager. Dan is here with us today.
36 During the whole nomination process for
37 constituent panels in particular.

38 We were not able to do that piece in
39 FY13 because the appropriation was received so
40 late. And we view it as a very important step in
41 this year=s process. And your contributions to
42 the selecting people for those panels is very,
43 very helpful.

44 So we're going to ask you as this set
45 of proposals comes forward to look at balance and
46 distribution by priority. Do we have the right
47 distribution across these four major priority
48 areas?

1 By project type. By the nature of the
2 applicants and partners associated with those
3 applicants as well as geographic distribution.
4 So this is not about evaluating individual
5 proposals. It is about looking at what is coming
6 through the merit process.

7 And to look and see if we have from
8 your regional perspective the right balance
9 across those areas. Particularly the priority
10 type. You know, are we overweighted in one
11 priority and under weighted in another?

12 If we do need to make changes, they
13 are going to be based on the merit review
14 outcome. So if we're going to increase the
15 balance in one area, we would go up the list of
16 the technical review outcome. It literally gets
17 translated into a number. It's very
18 straightforward.

19 And if we were to decrease in area, we
20 would take off from the bottom. The lowest rated
21 one. So it's not about selecting individual
22 projects, it's about looking at balance and
23 distribution.

24 Again, the competitive review, merit
25 based competitive review is axiomatic in this
26 whole process. So, I do what to thank you all
27 for your contributions.

28 We think that this is an enormous
29 improvement to how we're running this program.
30 It's increased in size and it's always been
31 significant. We anticipate that in the future as
32 well.

33 And we always welcome your views on
34 how we can improve the process once we get
35 through all of this for FY14/15. It's on rails
36 now. It's an enormous work effort and we're
37 talking about on the order of 900 reviews that
38 need to be done to get to the step where we can
39 ask you about balance and distribution.

40 So it's a big effort. I want to thank
41 Dan Namur again. And happy to answer questions
42 you might have about either this or the records
43 management topic.

44 CHAIRMAN ANSON: Chris?

45 MR. OLIVER: Thanks. I had maybe a
46 two-part timing question, Paul. And I appreciate
47 that you reached out and asked the councils to
48 help nominate folks for the review panel.

1 We submitted a nomination package that
2 actually included a couple of council members and
3 myself. And so, my question is, have the dates
4 of that been finalized so that we're sort of
5 planning as I understood it the week of the 13th
6 or 14th, which is right on the tail end of a
7 council meeting for us.

8 So my question is, had the dates been
9 formed for that? And then my second question,
10 also kind of timing is, you say you're going to
11 have the councils review the initial rank order
12 for balance and distribution. What's the timing
13 of that given that we don't necessarily have
14 council meetings occurring right during this
15 period?

16 Or we're seeing that as maybe a not
17 necessarily a full council review, but a function
18 of council leadership such as the Chairman and
19 myself? How did you see that occurring?

20 DR. DOREMUS: The entire schedule is
21 constrained by the grant cycle for the year and
22 what targets we need to make to be able to ensure
23 that we can actually get these funds expended
24 through the grant process in this fiscal year.

25 We've worked out detailed schedules.
26 I don't know the dates off the top of my head.
27 But we could provide that detail to you as much
28 as we have it now. And I would anticipate
29 sending out information to you along those lines
30 in the coming days.

31 But we're working off of a master
32 schedule that's driven by the grant's management
33 process. And it probably will not give you what
34 you think to be adequate time. I'll tell you
35 that right off the top. And that's the case for
36 every segment of this.

37 Whereas we're doing 855 technical
38 reviews in a really short amount of time. So
39 everything's compressed. Each phase has been
40 given a maximum amount of time. And in every
41 phrase it's not enough. We'll lay out a detailed
42 schedule for you so you can see what to expect in
43 the coming days.

44 CHAIRMAN ANSON: Tom?

45 MR. NIES: Well, I'm going to talk out
46 of both sides of my mouth here just to warn you
47 ahead of time. But we really appreciate you
48 giving us a greater role in the S-K Program.

1 I have one question. Either I missed
2 or I don't believe I received any request for
3 naming people for the constituent review panel.
4 So if you could resend that to me, it would be
5 appreciated.

6 The other problem is that we're
7 involved in some other technical review programs.
8 For example Research Set Aside Programs that are
9 within our own region. And you combine that with
10 the S-K Programs and you know, typically, my
11 staff gets tagged for technical reviews.

12 And we like to help out. But the
13 reality is that our ability to support technical
14 reviews from a wide range is falling. And you
15 know, to tie this to your earlier discussion,
16 additional budget support would be helpful. And
17 you know, in the future I don't know how much
18 support we're going to be able to give this
19 program.

20 I know this year we had to scale back
21 our technical review. And the amount of staff
22 time we devoted to technical reviews. And I
23 recognize it's kind of shooting ourselves in the
24 foot because we all benefit from the S-K Program.
25 But it's just a reality.

26 We went through a priority setting
27 exercise this past fall with our council. And it
28 was clear that when they give input on what they
29 want the council staff to do, performing these
30 technical reviews for external research programs
31 falls pretty low. So that's a problem going
32 forward.

33 DR. DOREMUS: Point's well taken Tom.
34 And we certainly recognize those pressures and
35 feel them across the board. Thank you. And
36 we'll make sure you get information sent out
37 before all the constituent panels.

38 Thank you Mr. Chairman.

39 CHAIRMAN ANSON: Thank you. Any other
40 questions? Yes, Eileen?

41 MS. SOBECK: Are we about ready to
42 break?

43 CHAIRMAN ANSON: I think we are about
44 ready, yes.

45 MS. SOBECK: Hey, I was just going to
46 make one comment about the budget, which is we
47 really appreciate your support and participation
48 in the budget process going forward for 2016.

1 And we've had a lot of discussions about the
2 points at which we can share with you and work
3 collectively towards our budget goals and the
4 points during which we can't.

5 And obviously before the President's
6 budget is released, we really can't share much
7 about how that has been undertaken. And now we
8 are at the point where we can share more. And we
9 are. And this is the beginning of that.

10 I wanted to just make it clear that
11 Paul is our diplomatic spokesperson here. But we
12 all participated. I participated. NOAA
13 leadership participated in the work up of these
14 budgets. The President's budget as you guys know
15 full well goes all the way up to the ethereal
16 reaches at OMB and then rolls back down to us.

17 And so, what goes in and what comes
18 out is sometimes different. But at the end of
19 the day, I still think that we have an incredibly
20 strong budget compared to some of the other
21 agencies that are out there.

22 And I fully support it. So please
23 don't shoot the messenger. Thanks.

24 CHAIRMAN ANSON: All right, thank you.
25 So I guess we'll go ahead and break for lunch.
26 We'll still try to maintain the schedule and
27 reconvene at 1:45.

28 Brian can we leave the computers here?
29 Will someone be here? Or will it be locked up?
30 You'll be here? Okay. All right, thank you.

31 (Whereupon, the above-entitled matter
32 went off the record at 12:24 p.m. and
33 resumed at 1:46 p.m.)

34 CHAIRMAN ANSON: All right, everyone,
35 we're going to go ahead and reconvene. Our next
36 item on the Agenda is the Legislative Outlook.
37 And then we have our Rob Moller, Kiel Weaver,
38 Matt Strickler, and Sara Decker, here. And I
39 don't know, Rob, if you have any comments, or
40 anything, do you want to start it off?

41 MR. MOLLER: Yes. I want to first
42 thank, of course, these three --

43 (Off microphone discussion)

44 MR. MOLLER: Oh, okay. Sorry about
45 that. I want to start just by thanking these
46 three for taking the time to come up and do this.
47 We actually sent out a document earlier today
48 that shows each of the committees that have

1 jurisdiction over NOAA and the membership thus
2 far, including the ranking members and chairman.
3 So you should have gotten an email from Bill
4 Chappell with that document.

5 So you can, sort of, see how the lay
6 of the land has shaken out and who the committee
7 chair is and ranking members are for our
8 committees and subcommittees.

9 Obviously, there have been some big
10 changes. I know you guys have questions about
11 that and thankfully these guys are here to answer
12 them, probably much, much better than I could.

13 So today we're just going to have a
14 quick discussion about, you know, where these
15 guys see things going on MSA in this Congress,
16 and, sort of, what their bosses' priorities might
17 be, or will be, going forward.

18 So as Kevin said, we have Sara Decker
19 here. She's the Legislative Director for Senator
20 Rubio, and is our main point of contact on the
21 Senate Commerce Committee and the Subcommittee
22 for everything fish and MSA.

23 Matt Strickler, he works for the
24 House's Natural Resources Committee Minority
25 Staff, and Kiel Weaver, who is the new Staff
26 Director at the House of Natural Resources
27 Committee for the new Subcommittee on Water,
28 Power and Oceans, which has jurisdiction over
29 fisheries issues. So I'm just going to turn it
30 right over to Sara. I think that's how the coin
31 checked out.

32 (Off microphone discussion)

33 MR. MOLLER: No. No.

34 (Off microphone discussion)

35 MR. WEAVER: Can they hear me? Okay.

36 So Matt and I have to do this tomorrow about this
37 time, so this is a good warmup, so he will
38 quickly find out that I'm a professional smart
39 alec, so welcome to the group here. And this is
40 what I'll say tomorrow too, I'm from the Federal
41 Government, and I'm here to help.

42 So I want to recognize Bill Ball.
43 Stand up, Bill. He's actually the expert at the
44 Subcommittee. I actually hired him about two
45 weeks ago from Senator Collins' office, which
46 means he is from Maine, and I forget where from
47 Maine; it's along the coast somewhere.

48 I'm originally from Minnesota, so

1 walleye fisheries I know all about. But, no,
2 that said, for the past 12 years I have been at
3 the Water and Power Subcommittee and dealing with
4 California water. I don't know if anyone knows
5 about that, but three-inch smelt and a lot of
6 salmon have taken a considerable amount of my
7 time over the years, and we still don't have a
8 solution, but hopefully we will get there.

9 So one of the things I've been asked
10 to talk about today is how this subcommittee sort
11 of came about and sort of where we're going to go
12 with MSA and some other issues.

13 So I'll just be candid with you; I was
14 sort of handed this portfolio, and when Chairman
15 Bishop from Utah took over, and I think he may
16 have sent all these people out, but Chairman
17 Bishop is the Full Committee of the House Natural
18 Resources Committee.

19 He is from Utah. Not sure how many
20 fisheries there are in the Great Salt Lake, but
21 he wanted to really create an oversight
22 subcommittee, and really wanted to focus on
23 oversight. So as a result of that, you know, one
24 of the subcommittees had to go, and so what he
25 ended up doing was he sort of divvied up what was
26 the Fisheries, Wildlife, and Oceans Subcommittee,
27 and then divvied it up. The fisheries and oceans
28 part came to water and power, so now it's called
29 Water, Power and Oceans. The wildlife part was
30 given to what's now the Federal Land
31 Subcommittee.

32 And, am I missing anything? So
33 that's, and then, there was a third thing, but I
34 guess it's not important. They may kick my butt
35 for that, but most importantly for this, the
36 Fisheries and Oceans is here now.

37 So we do have a Louisianan, as a
38 Subcommittee Chair, Dr. John Fleming. Although
39 he is from landlocked Louisiana, I have met with
40 him numerous times over the past few weeks and he
41 has a good understanding of these issues.

42 So we also have five other members
43 from coastal districts, I should say, Louisiana,
44 Alabama, Alaska, South Carolina, and others. And
45 if you look at the subcommittee split, it's very
46 interesting.

47 We have six people from coastal
48 issues, from coastal states, or from the East,

1 per se, and then you have six people from the
2 West, so it's really a composite of people. You
3 have, you know, people from the Inter Mountain
4 West and you have people from fisheries areas.
5 So it'll be fascinating to see how we go about
6 doing this.

7 I actually think there will be a lot
8 of good interaction, because those in the Inter
9 Mountain West may not know a whole lot about
10 coastal fisheries and vice versa, so I actually
11 think it'll be a good opportunity to create a
12 dialog on that.

13 But I don't want to leave it just to
14 the six members of the coastal fisheries part of
15 this subcommittee. I will say that there were
16 other members that are on the committee that are
17 not on the subcommittee, Garret Graves, from
18 Louisiana, being one.

19 But there are also other members who,
20 you know, represent coastal areas, other
21 Republicans, I'll leave the Democrats to you, but
22 other Republicans who represent coastal areas.

23 And, you know, I have a large
24 spreadsheet that we're going to meet with each
25 and every one of the Republican members. I mean,
26 they go down from Coastal Maine all the way to
27 Alaska, of course, but if you look at who's not
28 on the Subcommittee, yes, you'll go from coastal
29 Maine to Long Island, all the way down to the
30 Carolinas and, of course, the Gulf.

31 And then, if I recall, there's only
32 one on the West Coast and that would be Jaime
33 Herrera Beutler, and so, you know, we're going to
34 meet with all those folks.

35 And I'm the kind of guy who, I've been
36 in and out of D.C., or in and out of Congress for
37 18 years, which, you know, to me is a lifetime,
38 and it's certainly not what I presumed that I
39 would be doing, but I enjoy it and I enjoy the
40 politics of it and I, obviously, enjoy the
41 substance. And so it'll be interesting.

42 But I will say one of the first things
43 that we are going to handle is MSA
44 reauthorization. And I can, if you guys have
45 questions about that, I can be more than happy to
46 get those questions.

47 And by the way, I'd rather not speak
48 at, because you're going to hear me speak enough

1 tomorrow, so I'd rather get some questions from
2 you all. And, you know, we're here to learn.
3 We're here to listen, learn, get that input, and
4 then take it back.

5 But, you know, one of the things I owe
6 the Republican members is to simply, you know,
7 listen to them and try to find ways to find
8 consensus.

9 For those of you in the Gulf, I know
10 that there are a number of red snapper issues.
11 And I'm understanding now that there's some sort
12 of "consensus," and I put that in quotes, between
13 the five states. I'll be curious to see what
14 that exactly means and how that translates into
15 the efforts of the past.

16 But my feeling is this, and poor
17 Bill's heard me say this again and again, if I
18 can deal with California water issues and the
19 divisions of that and all the egos with that, I
20 could probably deal with anything, so I actually
21 look, very much look forward to that.

22 But, you know, some of you in the
23 audience know that we've been meeting with a lot
24 of people over the last month or so, and I've
25 noticed quite a few things.

26 Each region is very different in, for
27 example, Alaska -- and this is just an over
28 generalization -- but Alaska and the Pacific
29 Northwest, it's been going along pretty well.
30 And, you know, when people look at MSA they also
31 think, hey well, don't fix it if it's not broken.

32 But at the other hand they do have a
33 few fixes. But there are others, you know, for
34 example, maybe in the Gulf and sometimes in the
35 Atlantic that people say, "Hey, we need to look
36 at this seriously and make some changes."

37 So there are regional differences and
38 I think whenever we do an MSA it has to reflect
39 that; a one-size fits all policy is not going to
40 work.

41 The one thing that I've also heard,
42 particularly in some regions is, you know, there
43 needs to be more data; there needs to be more
44 robust science. Now, of course, science is in
45 quotes, you know, and it's either the beauty of
46 the beholder, but, you know, there will be a lot
47 of focus on, for example, I mean, I hate to go
48 back to red snapper, but there will be some data

1 collection efforts on red snapper without
2 question. And there ought to be, you know, from
3 what I'm hearing, better data collection period,
4 but then the question is, how do you pay for
5 that, and who does it?

6 You know, I'll just conclude by saying
7 MSA is at the top of our agenda and, you know, I
8 would presume that we were going to focus on that
9 in March or April. You know, I would presume
10 that the bill that was passed out of the
11 Committee last Congress will be, or last, yes,
12 last Congress, will be the main vehicle thus far
13 and then we'll, sort of, go through the Committee
14 and through the Floor, and see what amendments
15 are added at that point.

16 And then, you know, we also are going
17 to focus on something called the National Ocean
18 Policy. We're also going to focus on Marine
19 Mammal Protection Act and how it interacts with
20 fisheries.

21 And so, you know, I wrote this on the
22 cab ride down here, and I need reading glasses,
23 but the bottom line is, you know, we're going to
24 do a lot of things, but we're obviously not going
25 to do it on our own.

26 I'd like to say, you know, Washington
27 doesn't know best. Some people may disagree with
28 that, but, I mean, again, we're here to learn,
29 we're here to listen, and, you know, I'm not king
30 for a day, although sometimes I wish I was, you
31 know, we're going to really focus and try to work
32 with you guys as much as we can and go from
33 there. So with that, I'll just defer to you
34 guys.

35 MR. STRICKLER: Hey, everybody. My
36 name's Matt; I work for the Natural Resources
37 Committee on the minority side. Mr. Grijalva
38 from Arizona there is in the Third District, he's
39 our new ranking member.

40 As Kiel mentioned, we've had a lot of
41 turnover on our Committee, both member-wise at
42 the top and with staff. We've gone from having
43 two ranking members and a chairman from coastal
44 states to a ranking member, and a chairman from
45 not coastal states that don't, you know, have a
46 lot of baseline knowledge, or constituencies in
47 fisheries, but I guess that's what we're here for
48 is to help educate and serve them, so looking

1 forward to doing that.

2 And as Kiel mentioned, the
3 Subcommittee on Water, Power and Oceans is going
4 to handle Magnuson reauthorization and all things
5 fisheries.

6 Our ranking member on that
7 subcommittee is Jared Huffman, from California,
8 who some of you all might know. He's a really
9 bright guy. He has commercial and recreational
10 fisheries in his district, so he's really looking
11 forward to, you know, getting more involved with
12 some of these issues and playing a role in
13 reauthorization.

14 As I mentioned before, last year, and
15 talking to some of you all throughout the year
16 and throughout the process of considering
17 Chairman Hastings' bill and some of the other
18 legislation that was moving through Congress at
19 various times, our members have been and remain
20 very interested in seeing, you know, what
21 problems can be solved by the revisions to the
22 National Standard Guidelines.

23 I know that those were released last
24 month, which we think is a great step. We've
25 taken a look at those and are curious to see what
26 all of your reactions are to those proposed
27 revisions and kind of hopefully be able to, you
28 know, to make some positive changes to Magnuson
29 implementation through that process.

30 You know, as far as reauthorization,
31 I think, you know, a lot of folks agree that it
32 would be good to re-authorize Magnuson, it is the
33 most important fisheries law that we have.

34 At the same time, we and our members
35 on the democratic side, didn't think that the
36 bill from last year, HR4742, was a constructive
37 starting point for a lot of reasons, and so we're
38 looking forward to working with Kiel and Chairman
39 Fleming on the Subcommittee and others, to see if
40 we can find a little more common ground this time
41 around.

42 So like Kiel, I'm more interested in
43 your questions and what you all have to say, I
44 think, today, and I'm happy to, you know, to
45 answer those at the right time.

46 MS. DECKER: Thank you. First of all,
47 thank you for having us here today. It's a
48 pleasure to be in front of you, a couple of new

1 faces and old faces and great to see everyone.

2 As Rob mentioned, I'm Sara Decker, and
3 I'm currently serving as Senator Marco Rubio's
4 Legislative Director, but prior to that position,
5 I was his Professional Staff Member on the Ocean
6 Subcommittee.

7 We are working to have somebody fill
8 that spot, and in the interim you guys are stuck
9 with me. But, as far as committee structure in
10 the Senate, my boss is, obviously, now serving as
11 Chairman of the Subcommittee.

12 We just found out last week our
13 ranking member is Senator Peters from Michigan, I
14 believe, also not an ocean's member, but a Great
15 Lakes member, so that should add a new
16 perspective.

17 And, of course, at the Full Committee
18 level, we have now Chairman Thune, and then
19 Ranking Member Nelson from Florida. So I think
20 that the structure of the Committee says a lot
21 about the prospects of MSA going forward.

22 You know, I think last year we did a
23 lot of work with then-Chairman Begich, meeting
24 with folks from all over the country to hear some
25 of these issues out and pull together what we
26 thought in the Senate was a workable draft,
27 unfortunately, we were never able to introduce
28 the draft we worked on with Mr. Begich, but my
29 boss did introduce his own bill, the Florida
30 Fisheries Improvement Act, speaking to the
31 regional differences that I think we all are
32 fully aware of.

33 Naturally, our legislation focused
34 very much on the Gulf and the South Atlantic. We
35 too feel that that bill is probably the best
36 starting point for us in the Senate. You know, I
37 think that hearing the House's time line is great
38 to know, it's why I wanted you guys to go first.
39 I was very curious about that.

40 (Off microphone discussion)

41 MS. DECKER: But I do think that if we
42 do do anything on MSA it will happen sooner
43 rather than later, and I think that, I think it's
44 going to be, perhaps, even hyper regional focus,
45 given the politics and dynamics in the Senate.

46 You know, we know that it's working
47 for a lot of folks, particularly in the Pacific
48 that are happy with the bill; we know that the

1 conservation community is not interested in any
2 broad changes and feels that if it's not broken
3 don't fix it. And what that leaves us with is
4 the Gulf coast snapper issue, which I know Dr.
5 Crabtree is very familiar with.

6 So I can tell you that there's already
7 conversations happening at the staff level to
8 sort of figure out how we want to handle that and
9 if we want to handle it legislatively.

10 Conversations are not broader than that.

11 And, I guess, we would be curious to
12 know if they should be broader than that, but at
13 this point, you know, particularly, with our
14 Ranking Member also being from Florida, we know
15 where we would like to focus our efforts.

16 In regards to the rest of the agenda
17 for the Subcommittee, I think that there will be
18 a lot of oversight of the Agency, whether they're
19 happy to hear that, or not, I suppose, and I also
20 anticipate, you know, as Kiel mentioned, there's
21 a focus on the National Oceans Policy.

22 There's also a focus on the current
23 sanctuaries nomination process and what that will
24 mean going forward for access to fisheries. And,
25 you know, should legislation be incapable of
26 moving within the first few months of this
27 Congress, then I would expect the turn to be much
28 more oversight than a focus on any legislative
29 priorities. So with that, I will open it for
30 questions.

31 CHAIRMAN ANSON: All right, thank you
32 for the comments thus far. Any questions? Don?

33 MR. MCISAAC: Thank you, Mr. Chairman.
34 Don McIsaac, with the Pacific Fishery Management
35 Council. One question about timing, and then,
36 maybe, just a clarification on your request that
37 you want to hear from us, or you want to listen
38 to our perspectives.

39 But on the timing matter, we're going
40 to talk a little bit about this tomorrow. It's
41 going to be a strong thing on our agenda when we
42 get back together for our annual meeting in June,
43 so when we hear something like something might
44 happen soon, is that something that you conceive
45 of happening before June, and that you are
46 interested in hearing from us well before June,
47 or is this something that if we refine positions
48 that June is still going to come in advance of

1 something soon?

2 MR. WEAVER: I'll try that first. I
3 will say that the bill that was passed out of the
4 Committee last Congress is going to be the base.
5 But that's not to say that it's going to be the
6 end product.

7 And so what I sort of envision is us
8 marking something up, passing something out of
9 the Committee in April, but it's going to take
10 some time to sort of focus on that when it comes
11 to the Floor.

12 Frankly, when you look at something
13 between when it passes the Committee and the
14 Floor, it usually takes a while, so I can't give
15 you a definitive time line. But, I will say that
16 June is probably, June/July, would probably be
17 the time, it all depends on how much time we have
18 on the Floor.

19 And, frankly, it depends on how
20 confrontational it might be, which is why I'm
21 relying on this guy to be a nice guy and not
22 offer a lot of amendments. But we have to feel
23 that out. But I would say that June, you'll
24 probably have some time before June, but my guess
25 is June/July that we pass it.

26 But, again, you know, to be honest, I
27 mean, once of the questions I have, and this is
28 internal baseball to D.C., but the last Congress,
29 you know, the last Congress' bill that passed out
30 of Committee, normally what happens is the
31 Congressional Budget Office, you know, assesses
32 the cost of these bills and assigns the cost to
33 it and, you know, it had a \$1.5 billion cost to
34 it.

35 So one of the questions I have to the
36 Congressional Budget Office is: okay, out of that
37 \$1.5 billion cost, how much of that is already
38 ongoing versus how much of it is new?

39 And so to be candid, I mean, I don't
40 have an answer to that, yet. So we need to find
41 that out, because, you know, if members from, you
42 know, Iowa, or landlocked states come up and say
43 hey, why are we giving \$1.5 Billion to coastal
44 fisheries? You know, I got to come back with a
45 response to say hey, bottom line is a lot of this
46 is already being spent this is baseline spending,
47 it's not necessarily new. But, you know, I got
48 to work with CBO in finding that out.

1 So I guess what I'm, it's a long way
2 of telling you that I may have a good goal, and I
3 think my Chairman has told Mr. Young from Alaska
4 that the goal is to pass it out sooner rather
5 than later.

6 My guess is, you know, passing it on
7 the Floor will come June/July at the earliest.
8 But I will tell you this: the goal is to get this
9 out of here and potentially done by the end of
10 the year.

11 MR. STRICKLER: If I could just add a
12 little bit to that? I mean, Mr. Bishop and Mr.
13 Fleming and Kiel have the luxury of being able to
14 drive the train on this. We in the minority kind
15 of read and react, so the timing is going to be
16 largely up to them.

17 That said, I would like to reiterate
18 that our members don't think that it's
19 appropriate to be considering reauthorization
20 legislation without first hearing from the
21 councils and from others on the National Standard
22 Guideline revisions, which the public comment
23 period is open until June.

24 So to the extent that we hear from
25 people before anything moves, that's great;
26 however, you know, we think that it's important
27 to let that process pay out, or play out, excuse
28 me, and give, you know, give people time to
29 review and give, you know, good, thorough
30 comments.

31 MS. DECKER: I'll just say, from the
32 Senate perspective, I mean, and from my boss'
33 perspective, we put a lot of effort into this
34 process in the last Congress, and I don't think
35 that there's appetite to sort of reinvent the
36 wheel in those discussions and the things that we
37 look at.

38 That said, you know, having just got
39 a ranking member, you know, I don't currently
40 have the ability to say how they'd like to run
41 the Subcommittee and deal with the issue, and
42 that's a conversation that I think the members
43 need to have.

44 All of that said, I will just
45 reiterate that there's already conversations
46 happening at the staff level, in particular
47 related to the Gulf Coast snapper issue. It's a
48 regional conversation.

1 And the other thing I'll add is that,
2 you know, the Senate now has a functioning
3 amendment process, and so there are many more
4 opportunities for us to move something a little
5 bit more quickly than perhaps we would've in the
6 last Congress.

7 So with all of that said, if you have
8 concerns that we should be aware of that maybe
9 weren't raised in the last Congress, I think
10 those are the issues that I would be most
11 interested in hearing about.

12 And the other thing I will say is
13 that, should we go in a regional direction,
14 that's not to say that further down the road we
15 couldn't have a more broader overview of the
16 issue, generally, and be looking at a broader
17 reauthorization, so it won't be necessarily the
18 first bite at the apple.

19 CHAIRMAN ANSON: All right. John
20 Bullard?

21 MR. BULLARD: Hi. My name's John
22 Bullard. I'm the Regional Administrator from the
23 Greater Atlantic Region, which used to be the
24 Northeast, now Greater Atlantic.

25 And I don't want to talk about
26 Magnuson-Stevens, but you said after that you
27 might focus on ocean policy, or ocean planning,
28 and I wanted, and you said you were here to
29 listen and learn, and so I wanted, not knowing
30 what focus might mean, to give you a perspective
31 from our region on that, because ocean planning
32 can be a loaded term.

33 And I just wanted to tell you, kind
34 of, what it means in practicality with the two
35 councils that I work with in the Mid-Atlantic in
36 New England.

37 And because, one way, when you hear
38 the term ocean planning it's all the agencies
39 involved in the oceans in some way, it can be
40 positioned as government over-reach, and it's a
41 bad thing.

42 But in our region there's a lot lease
43 sales going on with renewable energy, and I come
44 from a fishing port in New Bedford and the
45 fishing industry there looks at renewable energy
46 and sometimes feels left out of that
47 conversation, or maybe the last to be consulted.

48 And their voice box to be consulted

1 are the councils -- the New England Council in
2 the case of New Bedford, but further down the
3 coast it's the Mid-Atlantic.

4 And so the way that you deal with a
5 potential conflict between a fishing industry and
6 an emerging industry, like renewable energy, is
7 with science, first of all, what usage should go
8 where, and then, frequent and science-based
9 communication between various users and various
10 regulatory agencies.

11 And that has happened in our regions
12 with the New England Council and the Mid-Atlantic
13 Council and BOEM and others, being the forum.
14 And often times the science is provided by data
15 provided by the fishing industry, shared with
16 BOEM, by lots of energy meetings.

17 So when you don't call it ocean
18 planning, it seems to work really well. And
19 everyone learns a lot from each other and better
20 decisions get made.

21 But it is involvement by lots of
22 government agencies, Coast Guard, BOEM, NOAA, et
23 cetera, and convening of existing historical
24 industries like fishing, new emerging industries,
25 like renewable energy together. And it is
26 facilitated, or it can fall under the rubric of
27 ocean planning.

28 And all I wanted to say is that I
29 think it is not just a good thing; it is
30 absolutely an essential thing, because without it
31 an industry like fishing gets walked over.

32 And so when something like ocean
33 planning gets this moniker that makes it easy to
34 attack just because a) it's big government and,
35 you know, all right, a real service to an
36 industry like fishing that provides a necessary
37 form through the people in this room, through the
38 councils, it's collateral damage, and on the
39 ground this exchange of information is really,
40 really helpful.

41 And so when you look at it in
42 specifics, on the ground, that exchange of views
43 that use of data and science to make decisions
44 happen better, works. It's just, somehow, the
45 name it doesn't work.

46 And so as you focus on that, after you
47 do MSA, I think if you get examples of things
48 like that, you'll see, well there's some things,

1 they don't necessarily cost any money even; it's
2 just a way of having people come and converse,
3 and you can get examples from the Mid-Atlantic
4 and from New England of how these conversations
5 take place, and they provide a real service, and
6 decisions get made in a much better way. Thank
7 you.

8 MR. WEAVER: That's very helpful. I
9 appreciate that. I will say that, I don't know
10 how many field hearings I've done, or how many
11 oversight hearings I've done, probably, probably
12 more than I can count, but, you know, oftentimes
13 when you do those you obviously go into a
14 situation, you know, that you have the answers,
15 but that doesn't necessarily bear fruit all the
16 time.

17 And so, I mean, one of the things I
18 expect us to hear more about how government
19 agencies are actually working together better as
20 a result of this.

21 That said, there, of course, other
22 people on the other side of the spectrum, so that
23 would be just one of those things that we go
24 about. But what we're not going to do, though,
25 is not have any hearings and just assume
26 everything is well.

27 Because, to me, what I've heard, and,
28 you know, correct me if I'm wrong, but there sort
29 of has to be, there's a lack of transparency, I
30 guess, from the feds, in general, that's been the
31 notion anyway, and so one of the things the
32 hearing will focus on is transparent data,
33 transparent communication, and all that kind of
34 stuff.

35 And, you know, frankly, if NOAA, which
36 is very good at marketing itself -- I'm used to
37 agencies that are, you know, basic, bottom line
38 is they just wants us to go away and then hide in
39 caves; NOAA's the exact opposite. They're very,
40 very good at marketing themselves, and so they
41 will have every opportunity to talk about how
42 transparent they are and how well they
43 communicate.

44 MS. DECKER: I just want to concur
45 with that. I mean, I think nobody is against
46 having a dialog and making sure that
47 stakeholders, you know, all stakeholders are
48 involved in whatever process moves forward, but

1 it's really on the Administration to keep that
2 process transparent. And, you know, frankly, I
3 think the mistrust of the planning policy is the
4 result of their lack of transparency up to this
5 point.

6 MR. WEAVER: But thank you, though; we
7 appreciate that.

8 CHAIRMAN ANSON: All right, I have
9 Kitty Simonds, followed by Rick Robins.

10 MS. SIMONDS: Two things. One is,
11 because I knew it was going to be introduced, do
12 all our comments from last year get dumped and we
13 have to resend them to you?

14 MR. WEAVER: No, I have all the files.

15 MS. SIMONDS: Okay. That's good to
16 hear, though. As do I.

17 MR. WEAVER: You know, if I just had,
18 you know, I've finally been cleared to go to the
19 gym, and so I'm going to start taking all my
20 files and reading them on the elliptical and all
21 that. I don't have time to work out like --

22 MS. SIMONDS: Yes, I know.

23 (Simultaneous Speaking)

24 MR. STRICKLER: You have our
25 permission to revise and extend your remarks,
26 however.

27 MS. SIMONDS: Well, I might just do
28 it.

29 MR. WEAVER: No, I have all them. So
30 no, I don't think you need to resubmit them.

31 MS. SIMONDS: My other question is I'm
32 very curious, you mentioned that, that you would
33 be, you all would likely be looking at the Marine
34 Mammal Protection Act, and so I'm curious to
35 know, are you thinking about adding things, or
36 deleting things, because I hope you get rid of
37 two words: zero tolerance.

38 MR. WEAVER: I think what we'll do,
39 there have been a number of conflicts that we've
40 heard between the statutes. And, well, Marine
41 Mammal Protection Act, ESA.

42 MS. SIMONDS: Yes.

43 MR. WEAVER: You know, the whole deal.
44 And if you look at, you know, I'm putting on my
45 other hat now for power stuff, if you look at
46 what's happening at Bonneville Dam, for example,
47 you have a number of sea lions coming in just
48 gobbling up salmon at the base of Bonneville Dam,

1 and that's a serious issue. And that's just one
2 of numerous things that I've been told.

3 (Off microphone discussion)

4 MR. WEAVER: So I don't want to say
5 that we have something specific in mind in terms
6 of legislation, but I think there needs to be a
7 big emphasis on, sort of, where they're
8 compatible and where they conflict. So stay
9 tuned.

10 MS. SIMONDS: Right. Well, our
11 problem is with the false killer whales, they're
12 gobbling up our fish too, and they just leave the
13 heads. So that's kind of cute right? You're
14 looking at all these lines and all you see are
15 fish heads.

16 MR. WEAVER: Where are you from,
17 ma'am? I couldn't see over there.

18 MS. SIMONDS: Honolulu.

19 MR. WEAVER: Oh, okay. All right,
20 thank you.

21 (Off microphone discussion)

22 CHAIRMAN ANSON: All right, Rick.

23 MR. ROBINS: Thank you, Mr. Chairman.
24 I'm Rick Robins, with the Mid-Atlantic Council.
25 I want to thank you all for the briefing today
26 and being with us to do this.

27 I just wanted to see the -- it sounds
28 like the starting points are going to be
29 potentially significantly different between the
30 House and the Senate, if the Senate is going to
31 be focused on mainly a more regionally-focused
32 bill.

33 And so given the time line, again, the
34 CCC won't reconvene until June, so I just wanted
35 to see if you all were open to the individual
36 councils refreshing their regional priorities and
37 transmitting those to you, relative to the
38 reauthorization process? Because, you know,
39 there are a number issues that regionally-
40 specific that are going to be particularly
41 important.

42 Just thinking about the Northeast, or
43 now the Greater Atlantic Region, we share
44 resources together with the New England Council,
45 then the Mid-Atlantic State Fisheries Commission,
46 but one of the challenges we face -- and this is
47 particularly acute, I think looking forward to
48 the next decade -- is just making sure that we

1 have the tools we need there in legislation to
2 effectively monitor our regional fisheries.

3 And if you look at the provisions for
4 the observer program that are spelled out in
5 Section 313 of the Act, those establish very
6 clear authorities and provisions for the North
7 Pacific Council. And those are limited to that
8 Council.

9 But, you know, I think in the
10 Northeast Region, we have been significantly
11 limited in our ability to meet our, just for
12 example, our observant coverage requirements. I
13 mean, there are a lot of factors that restrain
14 our ability to be successful there.

15 But we really need a long-term
16 solution that ensures that we have the tools that
17 we need there in the Act to effectively monitor
18 our fisheries. And, you know, it may be an
19 expansion of Section 313, but whatever it is, it
20 needs to be robust to the needs of the future.

21 And we've highlighted that some in our
22 previous testimony, but, you know, I think, just
23 thinking about it at a reasonable level, we're
24 ultimately going to need to make sure that we
25 have those provisions, or adequate provisions, in
26 the Act.

27 And, obviously, the, you know, some of
28 the discussion about monitorings, the shifting
29 over, and being driven by changes in technology,
30 we need to make sure the Act is ready for those
31 technological changes, as well.

32 But I think that's going to be an
33 important priority. And that won't be our only
34 regional priority brought up to the
35 reauthorization, but I just want to see if you
36 all are open to hearing from us about updating
37 regional priorities before that June time frame,
38 because if you're going to try to move something
39 in April, I would think that time would be of the
40 essence for that.

41 MR. MOLLER: I'm very open to that.

42 MR. WEAVER: When you say tools, what
43 do you mean? Do you mean money, or what else?

44 MR. ROBINS: Well it's a combination
45 of things. The, you know, in the Northeast
46 Region, we've had several amendments between our
47 two councils where we identified levels of
48 observer coverage that we wanted to require in

1 the fishery management plans, and we haven't been
2 able to implement those.

3 And the inability to implement those,
4 in part, it's been funding. And one of the
5 difficulties is, you know, we talked about trying
6 to create a cost sharing mechanism, and the
7 industry has come forward and said in some cases
8 that they're willing to fund a certain amount of
9 FC portion of the observer coverage, but we
10 haven't been able to fully implement that yet.

11 And there is an amendment that would
12 essentially be a work around to that challenge,
13 but I think, ultimately, those tools need to be
14 specified in the Act.

15 MR. WEAVER: Okay. All right, thank
16 you.

17 (Off microphone discussion)

18 MR. WEAVER: Thank you.

19 MR. ROBINS: Sure.

20 MS. DECKER: Like I said, I don't
21 think that, you know, I don't think that whatever
22 moves, at least in the Senate, will be the first
23 bite at the apple, so we would absolutely welcome
24 any additional, specific comments that you guys
25 feel are necessary.

26 But I would also encourage you to work
27 with your delegation state senators on the
28 Commerce Committee with that, as well; I think
29 they'd be best positioned to help you with that
30 part.

31 CHAIRMAN ANSON: All right, Dorothy.

32 MS. LOWMAN: Thank you, Chair. This
33 is Dorothy Lowman, Pacific Council. And thank
34 you all for coming here today; we really
35 appreciate it. Last year, as we were working on
36 the bill that you are going to have as a startup
37 for your markup, we didn't have the National
38 Standard 1 Guideline proposed rules.

39 And, you know, there was a lot of
40 discussion, well, does this really have to be in
41 the Act, or could it be handled through the
42 Guidelines, et cetera, but we didn't see any
43 language.

44 So now that they are there and you're
45 thinking about your next markup, I heard Matt
46 talk about wanting to hear our comments on the
47 proposed rule before something was finished, but
48 I was wondering what your strategy is to thinking

1 about them in the, sort of, bill that will be
2 marked up?

3 (Off microphone discussion)

4 MR. STRICKLER: It's not going to be
5 our bill.

6 MS. LOWMAN: So I think I was really
7 directing this towards you, Kiel.

8 (Off microphone discussion)

9 MR. WEAVER: Well, I mean, of course,
10 I want to hear from everybody on that, but I
11 guess, my question back to you is, well, do you
12 think there will be unanimity between the regions
13 on the Standard 1? I would assume not, but I may
14 be wrong.

15 MS. LOWMAN: Well, you know, this is
16 a discussion where, next on our agenda, --

17 MR. WEAVER: Yes.

18 MS. LOWMAN: -- as a beginning place.
19 I think in our little meeting yesterday we talked
20 about how important it will be for us to be
21 talking about where we have the levels of, and we
22 didn't have a complete consensus on --

23 MR. WEAVER: Right.

24 MS. LOWMAN: -- the Magnuson --

25 MR. WEAVER: I'll just get a --

26 MS. LOWMAN: -- Act, so.

27 MR. WEAVER: I'll get a stay for some
28 of that, if that's okay?

29 (Simultaneous Speaking)

30 MS. LOWMAN: Oh yes.

31 MR. WEAVER: Yes.

32 MS. LOWMAN: Yes. And we hope to, you
33 know, flush that out a lot between now and our
34 June council meeting too, so.

35 MR. WEAVER: All right.

36 MR. STRICKLER: Just to follow-up real
37 quick. And thank you, Dorothy, for the question.
38 You know, we had the Managing Our Nation's
39 Fisheries Conference almost two years ago now,
40 and what came out of there is that there were a
41 lot of things that; there were some things that
42 people thought needed to be handled through
43 revisions to the law, there were a lot of things
44 that people thought could be dealt with
45 administratively, and this National Standard 1,
46 3, and 7 Guideline Revision Proposal is the
47 vehicle for doing that.

48 And what came out of that conference

1 was that potentially as much as 80 percent of the
2 changes that people thought needed to be made to
3 implementing Magnuson can be done in this way.
4 So what we're curious to find out is, you know,
5 how much of that do you all think got in, how
6 good of a job has NOAA done in meeting the needs
7 that everyone has, and can, in a final rule, they
8 do even more, based on the comments that you all
9 submit?

10 So that's the information that we
11 want, and then, after that, then I think the goal
12 would be to see, kind of, what's leftover that
13 needs to be done through a reauthorization, if
14 that makes sense?

15 CHAIRMAN ANSON: Tom.

16 MR. NIES: Hi. I'm Tom Nies, with the
17 New England Fishery Management Council, Executive
18 Director. I guess, I think a couple of us have
19 hinted at a question, and I just want to make
20 sure I get a clear answer. And then the other is
21 related to the National Standard Guidelines.

22 The first is that, I think last year
23 when we were working on the, when the draft bills
24 were being worked on, the councils all got
25 specific requests from the various subcommittees
26 to provide comments.

27 And I'm assuming from your comments
28 that you feel like those requests are still out
29 there, and that we should feel free with giving
30 you those comments and educating you on the
31 implications?

32 The other thing relates with National
33 Standard Guidelines. You know, we get very
34 nervous about the timing of these things, because
35 we've got a draft rule out with a comment period
36 ending June 30th, we don't really know how long
37 the Agency's going to take to refer to the
38 comments.

39 And so often there's a big gap between
40 the draft and the final. And so we get, kind of,
41 put in a bind when you ask us the question, well,
42 do you think the draft guidelines address all
43 your issues, or not, because the draft might
44 address many of our issues, but we don't know
45 what's going to be in the final.

46 MR. WEAVER: Okay. Those are both
47 fair points.

48 CHAIRMAN ANSON: Any other questions?

1 I just wanted to follow-up on Kiel, your
2 statement, I appreciate you all coming and
3 providing your remarks. I'm with the Gulf
4 Council, and red snapper is an issue, and so I'll
5 take a few more minutes to talk about red
6 snapper.

7 And that, certainly, we are engaged,
8 at least at the state level, and we had a meeting
9 last week with the state directors, and we'll be
10 supplying you some information on specific ideas
11 and thoughts for the plan, and so be looking out
12 for that in the next couple of weeks. And
13 hopefully that will be useful for you all and the
14 time line that you described.

15 MR. WEAVER: Okay.

16 CHAIRMAN ANSON: But, again, thank you
17 for your time. So I guess that will take us, if
18 there are no other questions then, for the group?
19 You are all welcome to stay, of course --

20 MR. WEAVER: Thank you.

21 CHAIRMAN ANSON: -- and listen to the
22 rest of the meeting. But that'll take us to the
23 next item on the Agenda is National Standard 1.
24 Sam.

25 (Off microphone discussion)

26 MR. RAUCH: All right, so we've issued
27 National Standard 1. I think you've heard a
28 little bit about the history; I won't repeat all
29 that history. We have our expert on National
30 Standard 1, who is going to walk you through the
31 high level of presentation, Wes Patrick. He'll
32 come up here and guide you through all the
33 details.

34 We're also intending -- and I think
35 many of you know this -- to talk specifically to
36 each council. The comment period goes through
37 June in large measure, so that we can have
38 adequate time to talk with all the councils, so
39 that you can fully understand what we're
40 proposing here, what the implications are, and
41 those kinds of issues.

42 So without any further issues, I'm
43 going to be up here and can help, but Wes will
44 lead us through the presentation.

45 MR. PATRICK: Hello, everyone. So as
46 you've all already heard, we had the proposed
47 rule out, it came out in January, the 20th, of
48 this year, and we're accepting comments through

1 June 30th. We did the long comment period to
2 make sure that the councils had enough time to
3 meet a few times and provide us with some good
4 feedback.

5 We are going to be setting up some,
6 hopefully, some presentations with you all at
7 your council meetings. We already heard back
8 from many of you, and some of the ones here
9 coming up.

10 Just to give you another, kind of,
11 background slide here is that, you know, National
12 Standard 1 is about achieving optimum yield while
13 preventing overfishing, and the last time that we
14 revised these guidelines was back in 2009 when we
15 were implementing the annual catch limits and
16 accountability measures that came out of the
17 Magnuson-Stevens Reauthorization Act.

18 And since we've implemented those
19 Guidelines in 2009, we've been getting a lot of
20 comments and issues raised by councils and
21 fishery managers, NGOs, a lot of different
22 comments.

23 We had our Managing Our Nation's
24 Fisheries 3 that we mentioned earlier. And so
25 through this process over the last couple of
26 years, we've been taking that information that
27 we've been gathering and trying to resolve those
28 issues in this proposed rule that we have.

29 The real takeaway you need to have
30 about these guidelines is that they do not
31 establish any new requirements; they don't
32 require councils to revise their current
33 management plans.

34 What they mainly do is they provide
35 clarity and some potential flexibility in how we
36 can meet the current MSA mandates, and so what
37 this proposed rule does is try to stay within
38 those sideboards of what we have in the MSA.

39 So what you're going to see is that
40 we're still, the proposed rule still requires
41 that stocks in need of conservation management
42 must have annual catch limits, the accountability
43 measures, and other reference points.

44 And that some of the issues, as you've
45 all mentioned, will hopefully be addressing some
46 of the points raised by Congress over the last
47 couple of years with MSA.

48 And lastly, we wanted to point out

1 that any type of proposed flexibilities that we
2 have in the Rule still need to meet the National
3 Standard 2 requirements, so using the best
4 scientific information available.

5 So we have seven major elements that
6 we're going to be talking about in this
7 presentation. This kind of hits on the
8 highlights of the proposed rule, and it will
9 touch on things like rebuilding, stability, and
10 annual catch limits, and looking at the routine
11 review of management plans.

12 So starting with rebuilding plans.
13 There's five sub topics that we cover in the
14 proposed rule. The first one is on calculating
15 T_{max} , then I'll move into adequate progress,
16 interim measures, extending rebuilding time
17 lines, and then, just continuing rebuilding
18 plans.

19 So first up is T_{max} . So what the
20 proposed rule has here is that we're trying to
21 address the concerns of: how do you calculate
22 T_{max} whenever you're developing a rebuilding
23 plan? And our current approach now is that you
24 have to calculate that by doing T_{min} plus one
25 generation time.

26 However, the calculation of generation
27 time can be a data intensive process, because you
28 have to know a lot of information about that
29 stock to calculate generation time.

30 And so what we have here are two
31 additional methods of calculating T_{max} that are
32 not as data intensive but also give you some of
33 the same results in calculating T_{max} .

34 The first one is two times T_{min} . This
35 was the approach that was mentioned in the
36 National Research Council's report on rebuilding,
37 and it's an approach that New Zealand uses for
38 the rebuilding stocks.

39 And the second approach is the time
40 needed to rebuild B_{msy} when fished at 75 percent
41 of your fishing mortality rate. And, as you all
42 are probably aware, we already have that in the
43 guidelines, this 75 percent of F_{msy} .

44 We say that when you reach the
45 rebuilding plan and you haven't yet rebuilt, you
46 can continue with your rebuilding plan with the
47 $F_{rebuild}$, or setting 75 percent of F_{msy} ,
48 whichever is lower.

1 And what this slide here shows you is
2 how these three different ways of calculating
3 Tmax compare with one another. As I said, they
4 are very comparable with one another.

5 On the X axis here, what I have is the
6 productivity of the stock. So if you're on the
7 far left-hand side of this graph, you're a slow
8 growing species, like a shark, and if you're on
9 the right-hand side of this graph, you're a fast
10 growing species like tuna.

11 And then, on the Y axis we have years
12 for rebuilding. And so as you can see here, all
13 of these lines here pretty much overlap. You are
14 going to see a little bit of variation here and
15 there, but for the most part, they're very
16 similar.

17 The next topic under rebuilding was
18 Adequate Progress. So our current guidelines
19 don't really provide any advice on what Adequate
20 Progress is. We do know from the Magnuson Act
21 that the Secretary is supposed to determine if
22 adequate progress is being made in a rebuilding
23 plan and that they should be doing that every two
24 years.

25 And in the past, the way that we've
26 done this is relied on stock assessments to
27 determine if adequate progress is occurring. But
28 with our implementation of annual catch limits in
29 2009, we know that several councils have been
30 using that to look at adequate progress, and
31 there may be some other appropriate measures.
32 And so what we've done here is added in these
33 other ways of looking at adequate progress.

34 We also wanted to point out that, give
35 kind of a definition for what adequate progress
36 is, and it's, you're not making adequate progress
37 if your catch is exceeding your Frebuild, or the
38 associated annual catch limit, and the AMs are
39 not effective.

40 And so this isn't if you exceed your
41 ACL for one year; it's if you are continually
42 exceeding your ACLs, or your Frebuild, and your
43 accountability measures aren't adequate for
44 correcting that overage, you could be determined
45 to not be making adequate progress.

46 And the other way you can do that is
47 if you have a new stock assessment that
48 significantly changes your understanding of the

1 status of the stock.

2 A good example of that is what
3 happened a few years ago in New England with
4 Atlantic cod. They were rebuilding the stock and
5 having catch limits less than their annual catch
6 limit, but they got a new stock assessment that
7 totally revised their understanding of the status
8 of the stock, and therefore triggered inadequate
9 progress determination.

10 So following on with what happens when
11 you have an inadequate progress determination
12 with a significant change in understanding of the
13 status of the stock is that you can sometimes
14 have the Secretary implement interim measures
15 that reduce, but not necessarily, end
16 overfishing.

17 And so in our guidelines, we have this
18 section in our guidelines, and it basically
19 repeats verbatim what's in the Magnuson Act. And
20 what we wanted to do in this proposed rule is
21 actually outline, what does it mean, or when can
22 you use interim measures, and what are the
23 criteria that's needed to trigger those?

24 And so we've only triggered interim
25 measures twice that we're aware of, in recent
26 history. One was in Northeast, like I just said,
27 and then also, more recently, in the Southeast, I
28 think, with tilefish.

29 And so the guidance that we've been
30 providing in the past is what we've put in the
31 proposed rule here, which is that, as I said
32 before, there's an unanticipated and
33 significantly changed understanding of the status
34 of the stock that ending overfishing immediately
35 would result in severe social and ecological, or
36 economic impacts, and that whatever measures you
37 do put into place, you need to make sure that the
38 biomass must increase during that interim period.

39 Next up is on extending time lines.
40 With rebuilding plans, you go through this
41 process of calculating a minimum time to rebuild
42 and a maximum time to rebuild, and then you
43 identify some target time in between that
44 balances out the quickest time to rebuild that
45 stock.

46 And as you get new stock assessments,
47 you might want to revise those reference points.
48 And that can be a process that is very time

1 consuming to the council process, and so what we
2 wanted to do is try to emphasize that needing to
3 revise, or routinely modify, your rebuilding plan
4 -- or changing these reference points -- isn't
5 always needed.

6 And sometimes the driving force behind
7 those revisions is because you're looking at the
8 biomass of the stock to see how well it's meeting
9 your milestones for rebuilding. And then our, I
10 think, you know, the last year the National
11 Research Council had their rebuilding report that
12 said that we shouldn't be putting so much
13 emphasis in looking at the biomass of the stock,
14 but what we should be focusing on is the fishing
15 mortality rate for that rebuilding plan.

16 And so what we're trying to emphasize
17 here is not focus so much on the biomass of the
18 stock, which you can partially manage through
19 fishing mortality rates, but also has a huge
20 component to it of environmental factors that you
21 don't have any control over. And so rather than
22 modify your reference points to try to meet that
23 deadline that you can't really control, because
24 of environmental factors, let's try to focus more
25 on just maintaining your F below F rebuild.

26 And then the last part under this
27 rebuilding section is about discontinuing
28 rebuilding plans. As you all know, currently,
29 what we do is, once you're in a rebuilding plan
30 you need to stay in the rebuilding plan until
31 that stock's been rebuilt.

32 But we know, from recent studies, like
33 the National Research Council, that there's a lot
34 of scientific uncertainty about the biomass of
35 stocks, and that whenever they did a review of
36 our currently rebuilding stocks, 30 percent of
37 those stocks were found to never have been
38 overfished whenever they did a new stock
39 assessment later down the road.

40 And so if you're in this situation
41 where you're in a rebuilding plan, but you find
42 out that you shouldn't really ever have been in a
43 rebuilding plan, it can cause some problems.

44 And so what we're trying to do here is
45 allow for these rebuilding plans to be
46 discontinued, and so our proposed rule here is
47 just outlining that if the Secretary determines
48 that the stock was never overfished, as

1 originally thought, then you can discontinue that
2 rebuilding plan.

3 So you have a new stock assessment,
4 you find out that the stock was never overfished
5 in the past, like you originally thought, well
6 then, you can come off of that rebuilding plan,
7 if you also find that the current biomass of the
8 stock is not overfished. So there's kind of a
9 two-point criteria there.

10 The next element I'm going to talk
11 about is Improving Management of Data-Limited
12 Stocks. Basically, what we're doing in the
13 guidelines here is that we're trying to resolve
14 some of the problems that we've had in more of
15 our data-poor regions, where our scientists
16 weren't able to calculate maximum sustainable
17 yield for these data-limited stocks.

18 And what that resulted in was that you
19 had several stocks that maybe had an annual catch
20 limit and acceptable biological catch, but they
21 wouldn't have an overfishing limit, because there
22 was no equivalent estimate of what that would be
23 in maximum sustainable yield, or its proxy.

24 And since these 2009 guidelines came
25 out, there's been a lot of differently viewed
26 data-poor methods that have been developed to
27 help you all estimate what the sustainable levels
28 of catch are for these data-poor stocks.

29 And while those estimates aren't
30 MSY-based in some cases, they do provide you with
31 a sustainable level of catch. And so what we're
32 clarifying in the guidelines here is that when
33 you can't estimate MSY, or MSY proxy, it is okay
34 to calculate some sustainable level of catch and
35 still set your annual catch limits and
36 overfishing limits with those new methods out
37 there.

38 So I just have a couple of examples
39 here of ones that councils are already using and
40 we just highlighted those in the guidelines as
41 appropriate ways of calculating catch, like, Only
42 Reliable Catch Methods, which they use down in
43 the Southeast, or the Depleted Correction
44 Adjusted Catch is a method that they commonly use
45 on the West Coast.

46 Let's see here. We also wanted to
47 emphasize that, in our guidelines here, that
48 another approach for managing data-poor stocks is

1 using stock complexes, which is basically putting
2 a lot of data-limited stocks into one complex and
3 measure them as one unit.

4 And in our guidelines we found that
5 sometimes whenever you have this stock complex
6 and you would go in and assess one of those
7 stocks within the complex, it would often be
8 taken out of the complex, because our guidelines
9 would say, well if you were able to identify the
10 status of the stock, you should be managing it on
11 an individual basis.

12 But then we also said later on in the
13 guidelines that if you have an indicator stock we
14 would like you to use that in your stock complex.
15 And so there was some discontinuity in what kind
16 of guidance we were giving on these stock
17 complexes.

18 And so what we've done is we've taken
19 out that statement about needing to manage stocks
20 on an individual basis, and that where
21 practicable, we would prefer that indicator
22 stocks be left in the stock complexes to better
23 manage them.

24 So here's another section that is on
25 stocks that require conservation and management.
26 This was essentially a lot of revisions to the
27 guidelines.

28 It looks like a lot, but what all
29 we've really done is consolidated the guidance
30 that we had in National Standard 1, National
31 Standard 3, and National Standard 7, on what
32 stocks need conservation and management.

33 And so currently what we have in the
34 guidelines is that guidance for councils for
35 identifying what stocks need to be included in
36 the FMP occur throughout those three guidelines,
37 and it can be confusing.

38 So what we've done is consolidated all
39 of that information, we haven't really deleted
40 any of that guidance, we just put it all together
41 and we moved it up to the General Section of the
42 National Standard Guidelines, so that it's all
43 there in one place.

44 And what those guidelines say is that
45 stocks that need conservation management and need
46 to be included in an FMP are those stocks that
47 are predominantly caught in federal waters and
48 are overfished, subject to overfishing, or likely

1 to become so.

2 So if you have those two criteria,
3 then you should be including an FMP and you
4 should have annual catch limits, MSY estimated
5 for those stocks, et cetera.

6 We also have a list of ten other
7 factors that come from National Standard 7 that
8 kind of lay out all these other factors that
9 councils have been using over the years for what
10 stocks could be included in the FMP.

11 This list of ten factors aren't must
12 be included in the FMP, these are factors that
13 you can consider, as well as other factors that
14 you might come up with.

15 So it's not exhaustive list, but it
16 gives you some guidance on what kind of other
17 factors you might want to consider for including
18 the stock in the FMP.

19 So for example, if we were to look at
20 Number 6, the fishery is important to the Nation
21 and to the regional economy. Just because maybe
22 that stock is important to the regional economy,
23 doesn't, by itself, maybe mean it needs to be
24 included in the FMP and managed with ACLs. You
25 might want to have multiple objectives that gets
26 you into that next level.

27 It's only those first two criteria
28 about, in federal waters, and you're overfished,
29 or likely to become so that definitely gets you
30 in the FMP.

31 And through this process of
32 consolidating the different guidance we had in
33 National Standard 1, 3, and 7, we re-labeled what
34 stocks are in need of conservation and
35 management, and then we had stocks that are not
36 in need of conservation and management, and we
37 have other managed stocks.

38 And we realized that the last time
39 that we went through the guidelines and created
40 new categories it caused some frustration,
41 because it meant that the councils needed to go
42 through and revise their FMPs to use these new
43 terminologies and align with the annual catch
44 limit terminology.

45 And so in this round we were trying to
46 minimize any of your council's work to have to go
47 through and re-categorize stocks again. And so
48 basically, what we say is that, currently, what

1 you have in your FMP as stocks in the fishery,
2 which is the old term, are stocks that require
3 conservation and management, and we're going to
4 assume that those stocks are equivalent.

5 The same thing for ecosystem component
6 species. We're going to assume those are
7 equivalent to stocks in need of conservation and
8 management.

9 And then there's this oddball group
10 here, other managed stocks that are stocks that
11 are captured in two different FMPs. One FMP will
12 be the primary FMP, the other FMP will be the
13 secondary FMP. And you really only need to have
14 your annual catch limits and reference points and
15 stuff described in the primary FMP, not in the
16 secondary.

17 The next element is on Ecosystem
18 Approaches to Management and Optimum Yield. So
19 our guidelines, we've heard a lot from the
20 councils and from stakeholders that we weren't
21 very clear in how optimum yield aligns with
22 annual catch limit framework.

23 And so we're just clarifying here, as
24 many councils here have already done in their
25 guidelines, is that optimum yield is equal to
26 annual catch limit. If you were to do that on an
27 annualized basis, it's the same thing as MSY's
28 equivalent to the over fishing limit.

29 We also put in the guidelines some new
30 ways of calculating maximum sustainable yield.
31 Currently, the way that we calculate maximum
32 sustainable yield in most cases is on an
33 individual basis.

34 And what we wanted to do is introduce
35 this term called aggregate maximum sustainable
36 yield that scientists have been using for years,
37 but you don't often see it in FMPs, because it's
38 one, not what we're used to, because we're
39 supposed to be, in the past we had used status
40 determination for individual species. Aggregate
41 MSY, what it does is it treats multiple stocks
42 together and calculates the maximum sustainable
43 yield.

44 And so the reason that we wanted to
45 introduce this is that it takes into account some
46 of those multi-species interactions that go along
47 with ecosystem-based management, and it may come
48 in handy with the optimum yield specification, if

1 you wanted to try to identify optimum yield at
2 the higher fishery level, rather than on an
3 individual species level.

4 And the last point I'll make about
5 this slide is that, in the past when we've been
6 talking about optimum yield specifications, we've
7 always had it in there as a quantitative
8 analysis, and that's caused some problems with
9 different councils where maybe they don't have
10 the information on socioeconomics of the
11 fisheries.

12 And so whenever you go through your
13 analysis you have, maybe, a lot of quantitative
14 information about the biology of the stock, but
15 not so much the socioeconomic factors. And so
16 we're just clarifying in the guidelines here
17 that, when you don't have the quantitative
18 information to do these analyses, a qualitative
19 approach is acceptable.

20 This fifth element is to provide more
21 stability to catch levels in fisheries. This is
22 one of the major things that we've heard over the
23 last couple of years from you all and from other
24 stakeholders, is that our annual catch limit
25 framework has thought to cause instability in our
26 fisheries, and that we do these knee jerk
27 reactions to when we have a new stock assessment,
28 we have to reset ACLs, and it can cause this
29 instability in the fisheries.

30 And so we have three main things here
31 that we have in the guidelines, to try to help
32 stabilize these levels of catch in fisheries.
33 First one is our multi-year overfishing
34 definitions, which is relating to how we make
35 status determinations for our stocks.

36 The second one's going to be on
37 phase-in of stock assessment results, and so
38 that's how do we react to new information from
39 stock assessments?

40 And then the third one is about
41 carryover of unused portions of annual catch
42 limits, and that's more related to how we handle
43 projections from stock assessments, and also
44 address some of these safety at sea concerns with
45 how fishery managers have to work with this
46 annual catch limit and developing quotas.

47 So the reason that we keep hearing and
48 recognize that there's issues with stability with

1 fisheries is that we, of course, work in a very
2 uncertain field where, even though we have stock
3 assessments for these data-rich species, there's
4 often a lot of uncertainty related to them.

5 And so for example, you all are
6 familiar with retrospective bias where the stock
7 assessment's most uncertain point often is the
8 newest, or terminal year, point in the stock
9 assessment.

10 So if you had a stock assessment in
11 2014 that's looking at the first year of data is
12 in 2012 that data is usually the most uncertain,
13 often because of these retrospective biases. And
14 as you look further and further back in time
15 those uncertainties tend to dissolve away and
16 become more accurate.

17 Another reason that we're looking at
18 stability in fisheries is because we recognize
19 that the reference points that you all use will
20 vary from year to year.

21 And so for example here, what I've
22 done is I looked at some West Coast fisheries
23 that have stock assessments every couple of
24 years, and what we have is their reference points
25 for Fmsy, Bmsy, and maximum sustainable yield.

26 And you look down at the bottom here,
27 what you can see is that the average variability
28 in those reference points from one assessment to
29 the next varies by 20 percent. And so you can
30 definitely recognize that whenever you get a new
31 stock assessment and these reference points
32 change that can sometimes result in very
33 different changes in catch, even though, maybe,
34 your catch has been stable but the reference
35 points have started changing.

36 So one of the things that we're
37 introducing in the proposed rule here is that
38 maybe we can look at multi-year overfishing
39 definitions to try to smooth out some of this
40 uncertainty from stock assessments.

41 This might come in handy whenever
42 you're trying to look at the status of the stock.
43 So this is more of, you've done the stock
44 assessment, you're trying to determine the
45 status, and may or may not affect how you show up
46 on these Red Lists with the different groups out
47 there that do eco-labeling.

48 And so currently what we do in our

1 guidelines is you look at the most terminal year
2 in a stock assessment and determine the status of
3 that stock. Is it overfished? Is it under going
4 overfishing, or not? What we want to do is try
5 to minimize some of those false negatives and
6 false positives that occur from the stock
7 assessments.

8 And so through a multi-year
9 overfishing approach in the proposed rule, we're
10 saying that you can look at a three-year period
11 from the stock assessment to look at the status
12 of your stock.

13 As long as you go through the process,
14 if you do decide to use this approach, that
15 documents how this approach will not jeopardize
16 the capacity of stock to produce MSY.

17 And so what that might look like is,
18 what the Southeast is already doing and as, you
19 know, a good example that we built our proposed
20 rule off of, is the snowy grouper stock
21 assessment.

22 They realized that they do have a lot
23 of uncertainty in that terminal year estimate
24 from their stock assessment, and so what they've
25 been doing is using a three-year average from
26 their stock assessment.

27 And it shows that if you use the
28 three-year average here that the overfishing rate
29 here, or the fishing mortality rate, is actually
30 below the overfishing level.

31 So if you're below the green line
32 here, you're not overfishing. And they have a
33 ratio of .59, so they're well below the
34 overfishing level. But if they'd only looked at
35 the last data point in their stock assessment, it
36 would have showed them up here around 1.2 and
37 they would have labeled them as overfishing.

38 And so understanding the uncertainty
39 related to your stock assessment and using a
40 multi-year approach can help resolve some of
41 those false negatives and false positives.

42 So the next one was on Phase-in of ABC
43 Control Rules. So this is basically a tool that
44 we're using to try to minimize those dramatic
45 shifts in catch that can occur from stock
46 assessment to stock assessment.

47 They've been used in other places like
48 the International Pacific Halibut Commission, as

1 used in the European Union has these types of
2 control rules.

3 And just like the multi-year
4 overfishing approach, we're proposing in our
5 guidelines that you can use a phase-in approach,
6 if it doesn't exceed more than three years, and
7 that you provide a comprehensive analysis of how
8 this phase-in control rule prevents overfishing,
9 and when the control rule should and should not
10 be used.

11 So you might find some situations,
12 such as a declining population, where using a
13 phase-in approach isn't maybe a proper tool to
14 use. So with this approach you'll want to make
15 sure that whatever method you use doesn't
16 jeopardize the capacity of the stock.

17 Example of how a phase-in approach
18 might work is here I have what you're used to is
19 an overfishing limit, it's the red line at the
20 top, and the blue line down at the bottom is your
21 acceptable biological catch.

22 And for this example I'm going to
23 pretend that the ABC is 75 percent of OFL. And
24 you can see that this assumes that there's a
25 stock assessment every three years. And rather
26 than have projections, they just set their
27 overfishing limit as the static level for those
28 three-year periods.

29 And so you can see that, here in 2014,
30 they got a new stock assessment, it says that the
31 catch should be something much lower. So they
32 would need to reduce their catch, if they were to
33 use their ABC Control Rule, as written, reduce it
34 from 500 metric tons down to 360 metric tons.

35 And so what a phase-in approach could
36 do is, maybe, you could phase-in that catch over
37 that three-year period. And so rather than
38 taking that 140 metric ton cut in the first year,
39 maybe you take only, say, 100 metric tons, or 60
40 metric tons, in that first year and continue on
41 until you finally hit that point in your third
42 year. And just to note here that that dotted line
43 in 2015 is still below the overfishing limit for
44 that year, so this would be acceptable.

45 Lastly, Carry-over ABC Control Rules.
46 This is something that we put in, as I said, as a
47 way to improve safety at sea, but also, looking
48 at how we use projections from stock assessments

1 and thinking about how much of the catch do we
2 actually take of our annual catch limit, and how
3 does that affect next year's yield? We also have
4 used this a lot in catch share fisheries over the
5 past, and the more recent years we've been using
6 it in other fisheries.

7 And we actually got sued over the way
8 that we were using carryover a year or two ago,
9 on where the catch limit was being set above the
10 acceptable biological, ABC, set by the SSC. So
11 the reason we lost on that is because we're not
12 allowed to set catch above what the SSC has
13 specified.

14 And so we've put this into a control
15 rule so that we can always modify our ABC with
16 the carryover approach. Or, if your carryover
17 never, say, if you have an ACL that is set below
18 ABC, and the amount of carryover you have doesn't
19 exceed the ABC, well then, maybe, you don't need
20 to mess with an ABC calculation, because you
21 already have that buffer built into your existing
22 system.

23 And I understand that's the way that
24 several of the councils have been handling
25 carryovers, that there's already a buffer between
26 the ACL and the ABC, you might have that
27 flexibility to take some carryover without
28 adjusting your ABC.

29 But if your carryover's going to
30 exceed your ABC, well then, you will need to
31 modify your ABC so that it's in line with the
32 court case.

33 So what we have here is in the
34 guidelines is we recognize that carryover is a
35 very useful tool in fisheries and want to
36 encourage its use.

37 And I have an example here, you know,
38 it's just like your cell phone bill where you can
39 carryover the minutes, you can carryover the
40 catch that you didn't use in last year's fishing
41 year to the next year, because you realized that
42 in fisheries we kind of always assume that we're
43 going to catch the ACL perfectly, especially in
44 these stock assessments where we have projections
45 of catch.

46 And if we don't catch ACL perfectly,
47 well then that's some additional biomass that
48 could be taken in the following year. And our

1 example here, what we've done is we're saying
2 that it's not really a one-to-one carryover,
3 because you could account for a thing such as
4 annual survival rate and natural mortality.

5 The sixth element is on Defining
6 Depleted Stocks. This is something that we've
7 been hearing for decades. I think we actually
8 had this in a proposed rule in 2005. And we've
9 decided to bring it up again here in this
10 proposed rule, which is that we understand that
11 our current definition for an overfished stock
12 means that the biomass of the stock has fallen
13 below this limit, the minimum stock size
14 threshold, and when it does we call it
15 overfished, regardless of whether that decline in
16 the population was due to fishing, or
17 environmental factors, or some other unknown
18 factor that we don't know.

19 And so our stakeholders have been
20 saying for years that, you know, when we call it
21 overfished it puts the onus on the fishermen as
22 the cause when maybe they weren't.

23 And so what we did here was try to
24 separate out the difference between what an
25 overfished stock is versus a depleted stock. And
26 what we're trying to resolve here is that, if we
27 keep both definitions of an overfished and a
28 depleted stock, we need to have some period of
29 time where we know for sure overfishing hasn't
30 been occurring, so that your scientists can
31 easily identify an overfished stock versus
32 depleted stock.

33 And so if your -- depleted is whenever
34 you have declined below your minimum stock size
35 threshold and the stock hasn't been experiencing
36 overfishing at any point over a period of two
37 generation times of the stock.

38 Or, if you have a stock that's already
39 overfished, it's in a rebuilding plan, and you've
40 been rebuilding that stock for years and you've
41 reached your Ttarget time, or your target time to
42 rebuild, and the stock, its biomass, hasn't shown
43 any significant signs of increase, despite being
44 fished at, or below, levels consistent with
45 Frebuild, then you can call that stock depleted.

46 Depleted stocks still need to have
47 rebuilding plans, however, but what a depleted
48 stock does is it changes the onus from it being a

1 fishing-related cause to something else, and so
2 in that process in your rebuilding plan, you
3 might want to focus on some other
4 non-fishery-related issues like looking at
5 habitat, or other environmental mitigation
6 issues.

7 And the last element I have here is
8 about Improving the Routine Review of Fishery
9 Management Plans. And so this is, basically, a
10 reflection of things that we've been hearing from
11 our stakeholders, in that, we recognize that the
12 councils have very busy agendas, and some
13 stakeholders believe that some of the goals and
14 objectives of these fisheries need to be
15 re-evaluated on a more regular basis.

16 For example, looking at the allocation
17 of how harvest is distributed among different
18 sectors of the fishery. And also, if you have
19 more up-to-date goals and objectives of your
20 fisheries, they become more relevant whenever
21 you're looking at your optimum yield
22 specifications for your fishery, also.

23 So what we have in the proposed rule
24 is that you should reassess the goals and
25 objectives of your fishery on a regular basis.
26 We do not define what a regular basis is, only
27 that it's set upon the schedule that the council
28 agrees upon, will be a review period every five,
29 ten, 15, 20 years, whatever they agree is a
30 regular basis.

31 We did give you all an example,
32 though, in proposed rule, like in the Magnuson
33 Act they have the catch shares re-evaluation
34 period, which I think is, the first time is seven
35 years, and then after that it's five years after
36 you review the performance of these catch share
37 programs. And so we gave that as an example,
38 but, again, we didn't define it.

39 So just to summarize, the main points
40 is that what we're trying to do here is improve
41 and clarify and streamline the guidelines to one,
42 recognize the great things that the councils have
43 been doing and put those into the codified text.

44 We're trying to stay within the guide
45 rails of the Magnuson Act, and trying to address
46 all of the different comments that we've been
47 receiving over the last five, or six, years,
48 since we've been implementing the annual catch

1 limits.

2 And if you want we have a lot more
3 resources online, if you'd like to go visit that.
4 We also have a redline version that you can
5 download and see all the individual comments, or
6 revision stuff we made to these guidelines. With
7 that --

8 MR. RAUCH: All right. So that was a
9 lot of information, as I said, we're going to try
10 to get to all the councils, but we're happy to
11 take questions now while you've got the expert
12 here.

13 Let me just reiterate at the outset,
14 our purpose here was, after listening to a lot of
15 what we'd heard through Managing Our Nation's
16 Fisheries and everywhere else, is to make the
17 changes that we thought the statute gave us, the
18 flexibility that we thought the statute gave us
19 that we were willing to make.

20 There are some things we've heard, a
21 few things that we've heard that we can't
22 address. This works within the current statutory
23 construct.

24 This deals with a lot of the kind of
25 issues we've heard from people who thought there
26 should be more flexibility. They thought that
27 there needed to be more stability, this sort of
28 the tyranny of the last data point, something we
29 heard a lot of, so this is an attempt to address
30 a lot of that. But, Mr. Chairman, we're happy to
31 take questions now, if there are any questions.

32 CHAIRMAN ANSON: And, are there any
33 questions? Don.

34 MR. MCISAAC: Thank you, Mr. Chairman.
35 Sam, you heard the folks earlier say that,
36 perhaps, compared to all the ideas that came out
37 in our Nation's Fisheries 3 Conference that maybe
38 80 percent could be taken care of by National
39 Standard 1 Guidelines.

40
41 One of the slides here said it doesn't
42 look like there would be a mandatory FMP
43 amendment, by any of these ideas. So could you
44 speak to whether or not you see this as a major
45 overhaul that could be accomplished this way, or
46 not, or if when you went through this you
47 thought, well, this will certainly take care of
48 the councils' concern about Magnuson

1 reauthorization on that, or this, or the other
2 things?

3 MR. RAUCH: So the one thing that we
4 heard repeatedly through the entire process is
5 that there was not a need for a major overhaul.
6 Almost universally people believe that the
7 Magnuson-Stevens Act was working, but there was a
8 need for some small changes to the whole issue.

9 So it's not a major overhaul. We
10 didn't hear that. We didn't hear a need for
11 that. What we heard is that people were -- there
12 was a lot of fish being left on the table, a lot
13 of economic value, actually, more so than the
14 fish, more economic value being left on the table
15 by the constant raising and lowering of quotas
16 every year, in response to the last data point.

17 We heard in a lot of data-poor
18 fisheries that we hadn't give clear guidance that
19 not every fishery can be managed as if it's the
20 Alaska pollock fishery. All right? That there
21 are a lot of fisheries around the country in
22 which we have very limited data, and to try to
23 model them on a data-rich fishery creates
24 inequities, creates difficulties, not only for
25 the councils, but for the fishermen and the
26 scientists who have to deal with it.

27 So part of what we're trying to do is
28 outline tools that the councils can use, with our
29 blessing. And many of the tools we have on here
30 are tools that one or more councils have already
31 used, to say this is an acceptable approach.

32 This addresses a lot of the concerns
33 we had by the fishermen in this part of the
34 country, to look at somebody that what we're
35 doing in another part of the country and it works
36 there. So they give the councils tools to do
37 that.

38 So there are not in here requirements
39 on the councils to change what you've done, other
40 than we believe you should set out that process
41 for regularly reviewing your goals and
42 objectives.

43 But, it does give you the flexibility
44 when you're doing a fishery management plan, a
45 few more tools that you've had that we've
46 pre-cleared that says these are the kinds of
47 things that you can do, to try to give some
48 stability, or flexibility, or to deal with

1 data-poor situations, or these other things that
2 we've mentioned.

3 So I don't know what percentage,
4 didn't you do the report on Managing Nation's
5 Fisheries 3? You can calculate up how many of
6 these that that addressed. I don't, we didn't do
7 that percentage.

8 CHAIRMAN ANSON: Doug.

9 MR. GREGORY: Yes, certainly, in the
10 Gulf we don't have the, I guess, the major
11 problems in the Caribbean that Western Pacific
12 does, with terms of catches and stuff, but the
13 thing that's been causing us a lot of trouble is
14 the incidental species that are caught by a major
15 fishery, and they're very minor components of the
16 catch, to the point where they'll never be a
17 stock assessment.

18 The different techniques that were
19 listed on one of the graphs, slides, aren't
20 applicable. So what it does is it forces the SSC
21 to develop arbitrary methods of pigeon-holing
22 these stocks into ACLs.

23 And if we could consider these stocks
24 ecosystem species, or something, where they
25 didn't require ACLs, then our headaches would go
26 away, the scientific community's headaches would
27 go away, because they really don't appreciate,
28 you know, being forced into developing arbitrary
29 approaches to things.

30 So the Item Number 2, if the stock is
31 caught in the fishery and if the fish are kept,
32 you know, that's the dilemma we have, and this
33 approach doesn't seem to obviate that.

34 MR. PATRICK: So just to address that
35 point, we were trying to resolve that issue with
36 our old definition for ecosystem component
37 species, which had those, had four criteria that,
38 two of them were problematic.

39 One was that the stock had to be a
40 non-target, and the other one was that it was
41 generally retained, and that seemed to be one of
42 the main problems for not being able to classify
43 stock as an ecosystem component species.

44 What we've done in these guidelines is
45 we've taken away those four criteria, actually,
46 two of those criteria, because we still say that
47 if you're likely to become overfished, or you
48 know that it's overfished, or undergoing a

1 re-fishing, well then, you're in need of
2 conservation and management. That was part of
3 our old guidelines, too.

4 And so what we've done is try to
5 streamline what stocks should be in the fishery,
6 or in need of conservation and management, and be
7 less stringent on what these EC species are.

8 And so if your stock assessment
9 scientists, or SSC, recognize that these minor
10 components of the fishery aren't overfished,
11 aren't overfishing, or likely to become so, then
12 they should have no problem adding them as an EC
13 species.

14 CHAIRMAN ANSON: Thank you. And thank
15 you for the good presentation.

16 (Off microphone discussion)

17 CHAIRMAN ANSON: Yeah it's, it's
18 almost appropriate. It's almost siesta time.
19 So, Chris.

20 MR. OLIVER: I have two questions. On
21 the defining depleted stocks, and it's I'm
22 thinking of a particular, a specific example in
23 the North Pacific, the walleye and the blue king
24 crab, which hasn't been fished for decades, and
25 the small amount that's taken is by catch and
26 some other fisheries, but we've done the
27 calculations that basically say, there's nothing
28 we can do that will either effect, or affect,
29 rebuilding for this stock.

30 And so the way that this was phrased,
31 you still would require rebuilding plans, so it
32 doesn't get us out of that sort of circular,
33 circular situation where there's nothing we can
34 do in a rebuilding plan.

35 And so is there, I don't know what my
36 question is there, exactly, but I don't -- what's
37 the net effect really of providing a definition
38 for depletage?

39 (Off microphone discussion)

40 MR. RAUCH: First of all, we can't
41 change the congressional requirement. The stocks
42 are technically overfished by the congressional
43 definition -- the statutory definition, I'm
44 sorry, the statutory definition, and if you're
45 overfishing you have to do a rebuilding plan.

46
47 It does change the kinds of measures
48 that you might put in a rebuilding plan. You

1 might recognize that their current depressed
2 status is not being influenced by fishing, at
3 this point.

4 The only way to rebuild that might be
5 habitat improvements, or other kinds of things
6 that can address the more systemic issues. So
7 you could lay out a plan for that that does not
8 require, does not focus so much on fishing.

9 But we cannot exempt you from the
10 requirement to have a rebuilding plan that is a
11 statutory requirement. Do you want to add
12 anything to that?

13 MR. PATRICK: Only that another way
14 that you could look at it, too, but I'm sure you
15 already have, is looking at whether the
16 environmental conditions that that species of
17 crab is experiencing, is it a long-term or
18 short-term effect that would make you consider
19 revising the reference points, if you don't think
20 that that population can rebuild to your
21 reference point, based on older data of when the
22 environment was different to a new environment
23 that maybe will never support that stock to
24 rebuild to the old levels.

25 (Off microphone discussion)

26 MR. OLIVER: Follow-up. So this may
27 be an example of where these revisions, sort of,
28 partly get at some of the concerns that came up
29 last year, but there may still be legislative
30 action in tandem that would fully affect, I
31 guess, some of these issues.

32 But my other question has to do with
33 allocation and I know we've had a lot of
34 discussion and some debate about the initiative
35 to mandate the councils' revisit allocations, and
36 I know we're going to get to that later in the
37 Agenda.

38 But I do note that two, or three
39 places in this proposed rule it refers not only
40 to reviewing objectives, but to reviewing
41 allocations. And, I guess, my question is, what
42 is the net effect of that in here, why is it in
43 the NS1 revisions, and what's its relationship to
44 the Agenda item we're going to talk about
45 tomorrow?

46 (Off microphone discussion)

47 MR. RAUCH: So the relationship to the
48 -- so if one requires you to revisit, in order to

1 make sure that your optimum yield is set in the
2 manner that meets the best needs of the country,
3 the best interest of the Nation, you have to
4 continuously determine that it meets the best
5 interest of the Nation today, not three decades
6 ago.

7 That is one of the drivers for
8 something we've talked about a lot here. I've
9 asked you a lot. In order to do that you have to
10 be able to look at all your goals and objectives.
11 One of them is the allocations.

12 In determining what is the best
13 interest of the Nation today? That involves a
14 determination of what the allocation today is the
15 right allocation.

16 NS1, as part of our overall objective,
17 would ask you to set a regular schedule for
18 looking at that. It doesn't say that you have to
19 go through the full amendment, but to, much like
20 you look at your catch share issues today and say
21 is this still meeting the needs for which we
22 thought when we designed the program? You would
23 do something similar to the rest of your goals
24 and objectives and let people know when that's
25 going to happen, so that it is not, it is not
26 random.

27 Now, right now you're going through
28 the allocation trigger question, which is a very
29 similar kind of question, figuring out what your
30 review process should be, when should the
31 councils look at it? So we do see those as
32 related. Allocation is merely a subset of the
33 broader issue, but you can apply many of those
34 same principles that you're going to talk about
35 in the allocation triggers to this kind of
36 question.

37 And we intentionally leave it somewhat
38 broad, recognizing that different councils will
39 want to address these on different cycles. And
40 that's okay, as long as folks know when that's
41 going to happen. That's what we're asking for.

42 MR. OLIVER: And so if this rule sets
43 out that requirement, is it moot, our discussion
44 that's slotted for later in the meeting, or --

45 MR. RAUCH: Well it's a -- first of
46 all, it's a proposed rule, so it doesn't mean
47 anything at this point, is what, I think, Tom
48 said earlier.

1 But, no, I don't think so. I mean, I
2 think that that discussion is talking about how
3 the councils might want to, in particular, apply
4 something like this for the allocation part of
5 the question. I view that as a subset.

6 I mean, if you look at the National
7 Standard 1 Guidelines Requirement, it is very
8 broad. And I think that the effort that the CCC
9 is undertaking is an effort to put some of its
10 own internal boundaries on that, or provide some
11 of their own guidance to the councils on how you
12 might want to do that. Alan, did you have a
13 follow-up on that?

14 MR. RISENHOOVER: No that was really
15 the point. This is, kind of, what needs to be
16 done. How you do it is what the CCC Subcommittee
17 is looking at, in particular, allocation.

18 MR. RAUCH: Yeah and as Wes pointed
19 out to me, there is -- because this was meant to
20 be in NS1 Guidelines, but it also, it accumulates
21 parts of 3 and 7, there's also a general revision
22 to the -- this requirement is in the general
23 section, so you asked why it's in NS1, it's not
24 technically in NS1 it's in the general, the
25 revisions toward General Guidelines.

26 CHAIRMAN ANSON: Tom.

27 MR. NIES: I guess I'm struggling to
28 understand a little bit about rebuilding and
29 requirements, or not having the requirement to
30 modify rebuilding periods and extending time
31 lines.

32 You know, the Slide 12 says you're not
33 required to revise Frebuild throughout the course
34 of a plan, the primary objective is to maintain F
35 less than Frebuild.

36 And it says unless adequate progress
37 is not being made, and I assume that means the
38 official Secretarial determination that adequate
39 progress is not being made.

40 And it just seems that you could very
41 easily, and I can probably think of one or two
42 examples, get in a situation where your catch has
43 not exceeded your ACLs, so you don't get a
44 determination that adequate progress is not being
45 made, but your biomass isn't increasing
46 appropriately, because your Frebuild really isn't
47 low enough.

48 And it seems like this is tap dancing

1 around the statutory requirement to have
2 rebuilding accomplished by a certain end date.
3 So I struggle to understand exactly how these two
4 provisions interact with each other and don't
5 conflict with the statute.

6 MR. PATRICK: So within the statute,
7 you know, we are supposed to develop a rebuilding
8 plan to try to rebuild stocks within ten years,
9 where possible, unless the life history of the
10 stock doesn't allow for that, or other conditions
11 like international.

12 And so the approach that we've used in
13 the past has been somewhat focused on what is the
14 biomass of the stock. And as we've learned over
15 the years, and as other research groups have
16 analyzed what we've been doing, rebuilding plans,
17 we're kind of coming to the realization that
18 we're focusing too much on trying to make a stock
19 rebuild when, maybe, the environment isn't trying
20 the same thing.

21 So we can't make a stock rebuild
22 within a certain time frame if the environment,
23 or average recruitment isn't going to cooperate
24 with us. And that's caused some problems where
25 you get toward the end of a rebuilding plan, and
26 some stakeholders and councils have looked at
27 dramatically reducing the fishing rate, in order
28 to rebuild that stock by that specified time,
29 which was based on a stock assessment projection
30 that was done, maybe, five, ten, 15, 20 years
31 ago.

32 And we know that the uncertainty
33 related to those projections are enormous. And
34 so trying to, you know, push a stock to rebuild
35 within a certain time frame, based off an old
36 estimate, we were trying to de-emphasize and look
37 more at, you've gone through the process of
38 identifying how quickly you'd like to rebuild the
39 stock and you've applied an F rebuild to it, and
40 we would prefer to just focus on the fishing
41 mortality rate of the stock.

42 And the stock will rebuild, on
43 average, on T_{max}, but if it doesn't, it's more
44 than likely related to environmental factors that
45 were out of our control. Does that help any?

46 MR. NIES: Yeah, I think I understand
47 the logic pretty well, coming from New England.
48 But, I guess, with the adequate progress line,

1 when you say, and maybe I'm misinterpreting this,
2 when you say, Paragraph 1 on your Slide 10,
3 catches greater than Frebuild, do you mean that
4 the F that resulted from the catch is greater
5 than Frebuild, or the catch was greater than the
6 catch that was projected to come from Frebuild?

7 MR. PATRICK: You could use both. So
8 we were trying to use language here where we were
9 looking at adequate progress, and we're supposed
10 to do it every two years. You may not have a
11 stock assessment done every two years, but you
12 might want to rely on the comparison of catches
13 to your annual catch limit that also aligns with
14 your Frebuild.

15 And so we were trying to write this
16 requirement so that it was flexible for those
17 councils that maybe could use stock assessments
18 every two years, or those that, maybe, had to
19 rely on their annual catch limits, catch relative
20 to annual catch limits.

21 So I would assume that we always would
22 prefer a stock assessment that tells us what we
23 think the appropriate catch amount was, but
24 whenever you don't have that information you can
25 rely on your catch relative to ACL. That's where
26 we were trying to make that determination more
27 flexible, depending on the data that you have.

28 CHAIRMAN ANSON: Rick.

29 MR. ROBINS: Thank you, Mr. Chairman.
30 My question relates to rebuilding, also. And I'm
31 looking at the slide that has those options for
32 stocks requiring more than ten years to rebuild.
33 And it appears that you've explored some
34 flexibility for those stocks and alternative
35 methods.

36 But, you know, there's still an
37 incongruity at the ten-year mark where, you know,
38 if a stock can be rebuilt within ten years, for
39 example, if you had a stock that could be rebuilt
40 within eight, or nine, years, you'd have to do
41 that, whereas, if it's longer than that, you're
42 going to treat it very, very differently. And,
43 you know, I guess, it appears that the guidelines
44 can't remedy that incongruity.

45 I mean that, you said right up front
46 that you're operating within the current
47 statutory framework, you know, I don't know if
48 there was any exploration of those stocks that

1 can be rebuilt in less than ten years, but it
2 seems like that's still one of the constraints
3 we've had.

4 I think the example that we've
5 discussed in the past was spiny dogfish where,
6 you know, the initial rebuilding period was five
7 years, whereas, if it had been Tmax plus a
8 generation time it would have been closer to 30,
9 you know, you would have had a very different set
10 of consequences.

11 I mean, if we had had that range of
12 flexibility in approaching a rebuilding schedule,
13 we might have been able to optimize a schedule
14 that would have considered the biological, as
15 well as some of the economic considerations.

16 But, I wonder, was there any
17 expiration on the stocks that can be rebuilt
18 within ten years, or was that simply off the
19 table?

20 MR. PATRICK: I think your assumptions
21 are correct in that we weren't able to look at
22 those stocks that could rebuild within ten years,
23 because of that statute.

24 And so the only places where we could
25 try to help out in rebuilding with this
26 computation of Tmax is with those stocks that are
27 greater than ten years, and looking at the type
28 of data you need to calculate Tmax and try to
29 provide some flexibility there.

30 (Off microphone discussion)

31 MR. RAUCH: And I think, and you guys
32 can correct me if I'm wrong, when we looked at
33 this nationally, there are only a handful of
34 stocks that actually are less than ten-year
35 stocks.

36 Most of the stocks are greater than
37 ten years already, so this does affect the
38 majority of our stocks. There are ten or so -- I
39 don't know what the actual number is, maybe it's
40 a little bit more than that, that can be rebuilt
41 in less than ten years, where that dichotomy, or
42 that disjunction, that ten years may make a
43 difference. But the majority of our stocks are
44 already beyond ten years, and so this would apply
45 to all of those.

46 CHAIRMAN ANSON: Chris Moore.

47 MR. MOORE: Thanks, Mr. Chairman.
48 I've got two questions, one for Sam and one for

1 Wes. Sam --

2 MR. RAUCH: Which one first?

3 MR. MOORE: Yes, Sam.

4 MR. RAUCH: Okay.

5 MR. MOORE: So I'm a little caffeine
6 deprived this afternoon, but I really didn't
7 understand your answer to Chris' question. And,
8 specifically, if this proposed rule became the
9 final rule, what would it require the councils to
10 do, as it regards to allocation and/or planned
11 goals and objectives?

12 MR. RAUCH: So what it would require
13 you to do, well, first of all, it's guidelines,
14 it doesn't require you to do anything. It's the
15 National Standard 1 Guidelines and these are our
16 guidelines.

17 MR. MOORE: Right.

18 MR. RAUCH: What we would like you to
19 do is to articulate for the public, or articulate
20 a schedule, at which you would regularly revisit
21 your goals and objectives and determine whether
22 those are still the right ones, or not, or
23 whether you wanted to tweak them.

24 It doesn't mean that you have to do a
25 fishery management plan amendment, but to go
26 through a process to decide whether you want to
27 do a fishery management plan amendment.

28 So to let the public know, we are
29 going to in ten, we are doing this fishery
30 management plan now, in ten years we're going to
31 revisit it and then you will have an opportunity
32 then to come back in and see whether it worked,
33 or not.

34 But it doesn't require you to do a
35 fishery management plan amendment, at that time,
36 just to determine whether or not the goals and
37 objectives are still the ones, whether you're
38 still getting the goals and objectives and if
39 those are the right ones now.

40 Many of these goals were set in the
41 '80s. But, so it doesn't actually require you to
42 do it, but what we want you to do is to set, is
43 to articulate for the public a schedule at which
44 you will look at these things.

45 MR. MOORE: Thanks. Thanks for that,
46 Sam.

47 MR. RAUCH: Okay.

48 MR. MOORE: Mr. Chair, one more. So,

1 Wes, you have a slide. I just lost it, it's an
2 ABC carryover. It's like towards the end, like,
3 four.

4 Yes that one. Can you explain that to
5 me? And, specifically, how does this work if you
6 have a target out within a given year? How do
7 you not exceed your target up, if in fact you're
8 carrying over, I think in your example you say,
9 500 metric tons?

10 MR. PATRICK: Sure. So under this
11 example here, we're going to pretend that we did
12 a stock assessment and we have, at least, a
13 two-year projection that says in year one the
14 overfishing limit is 200,000 pounds and in year
15 two it's 205,000 pounds.

16 And we're going to also assume that we
17 know that the ABC control is going to be some
18 percentage of the OFL. And whenever you come
19 through we're going to also assume that ACL
20 equals ABC, which most councils have.

21 So in this first year you only caught
22 169,500 pounds, and so that left 500 pounds, or
23 metric tons, whatever units you want to use, left
24 those on the table.

25 And your stock assessment projection
26 model would assume that you caught those fish
27 perfectly. It assumed that you caught 170,000
28 pounds, but because you didn't, that means
29 there's 500 extra pounds of fish out there that
30 you could add to next year.

31 But in this example, we're taking into
32 account natural mortality, because we know some
33 of those fish will die from the first year to the
34 second year, so that's going to leave us over
35 here on this, let's see here, that's going to
36 lead us over here where we have, instead of 500
37 pounds leftover, we're only going to carryover
38 410.

39 And so next year's overfishing limit,
40 instead of doing 205,000, now it's going to be
41 205,410, and then we can apply your ABC control
42 rule again to that, and that's going to be,
43 instead 174,250, it's going to be 174,498.

44 So all we're doing is taking away
45 those assumptions from the stock assessment and
46 those projections about, if you were to catch
47 your ACL perfectly, this is how much we think you
48 can take in the following year.

1 If you don't do that and leave some on
2 the table, how much can you carryover to that
3 following year and bump up your OFL and your ABC
4 and your ACL to take advantage of those loss
5 yield?

6 MR. MOORE: So, if I may, Mr. Chair,
7 just as follow-up. So you actually then have to
8 do a recalculation and you have to go through a
9 new, or an updated year assessment, before you
10 actually could figure out how much you can
11 carryover, is that what you're saying, or are you
12 saying there's an automatic, sort of, way of
13 doing this without additional stock assessment
14 analysis?

15 MR. PATRICK: We think that you can
16 use this without updating your stock assessment.
17 If you could update your stock assessment, that
18 would be the best way to do it. So if you were
19 able to turn the crank, and get the new numbers,
20 that works the best.

21 But from talking to Rick Methot, the
22 stock assessment process, you can do other things
23 like, he talked about how you can develop, when
24 you do a stock assessment you could have your
25 stock assessment scientists develop a matrix of
26 what if statements, what if we only took a 90
27 percent, 50 percent of the catch and it would
28 give you what the new value of the overfishing
29 limit would be for the following year.

30 And then, I'm assuming also that your
31 SSCs could come up with an approach where they
32 could do this kind of analysis themselves on an
33 annual basis to revise those estimates, too, so
34 you don't need to update your stock assessment,
35 but it would be the best way.

36 MR. MOORE: Thanks.

37 CHAIRMAN ANSON: Don.

38 MR. MCISAAC: Thank you, Mr. Chairman.
39 A follow-up on that. You indicated earlier that
40 some of these things are being used in certain
41 parts of the country already.

42 The to address safety at sea issues
43 caught my eye. If there was a need to do this
44 that's unassociated with safety at sea, but maybe
45 business planning for a catch year program, you
46 think that's an eligible consideration here?

47 And I'm not sure if those three
48 bullets at the bottom get to the point of, you

1 led up to carryover. We had talked about ten
2 percent carryover in our council arena, for
3 example.

4 So in the guidance, if it was adopted
5 now, as proposed here, is there a limit on the
6 amount of carryover, and is that at safety at sea
7 issue some sort of critical qualifier?

8 MR. PATRICK: So the safety at sea is
9 not a qualifier for using this carryover
10 provision. I brought that up, because it was one
11 of the primary things back in the day when it was
12 just primarily used for catch share fisheries.

13 That made it a very appealing type of
14 management tool, because it meant that these
15 folks with their catch shares maybe didn't have
16 to go out at the end of the year and try to use
17 up their entire quota. If there was a bad storm
18 they could carry that over to the next year.

19 And so those good management tools
20 have spilled over into non-catch share fisheries.
21 And like you said, there were some councils, or
22 some discussions of being able to carryover large
23 portions of catch.

24 And in some cases that large portion
25 of the catch that they did do at some councils,
26 exceeded the SSC's recommendation for ABC, and we
27 got sued over that and lost.

28 And so any type of carryover that we
29 have that our proposed rule lays out is that you
30 need to make sure that it still prevents
31 overfishing and that the amount of carryover
32 doesn't exceed the ABC specified by the SSC.

33 So the reason we put it in this ABC
34 Control Rule Section of the proposed rule is so
35 that if it did happen to exceed what you thought
36 the ABC would be for this year, that the SSC
37 could take that opportunity to go through and
38 revise their ABC Control Rule so that it wouldn't
39 be illegal under that case law that we've had.

40 MR. RAUCH: Yes, the issue with just
41 the ten percent carryover that was the measure,
42 the kind of measure that we lost on, and the
43 situation there was a declining stock.

44 The new stock assessment comes in that
45 approves his stock, but the stock was more
46 healthier, and the new stock assessment says it's
47 not as healthy and we have to cut the cord a lot,
48 and so can you carry that over?

1 If you carry it over ten percent that
2 would result in overfishing in the next year when
3 the chords are reduced, and so you can't just do
4 a blanket ten percent, or a de minimis carryover,
5 it's essentially, the word de minimis, well, what
6 the court said is, yes, you have to evaluate the
7 impact of that carryover on overfishing.

8 And that's what we're trying to say
9 here, carryover is a good useful tool, to safely
10 say well that's a good use for it. It's a tool,
11 but we do have to evaluate the overfishing
12 implications, you can't just do a blanket ten
13 percent carryover, without analyzing what effect
14 that might have.

15 CHAIRMAN ANSON: And so, I guess, Wes,
16 or Sam, a stable fishery, I didn't catch it
17 earlier if you described what a stable fishery
18 is, is that just one that's frequently assessed
19 and it's, you know, it's not the, ABC's not being
20 exceeded, is that a stable fishery, or what does
21 that mean?

22 MR. PATRICK: So a stable fishery,
23 related to carryover, or just our general
24 statement about how to stabilize the catch in
25 fisheries?

26 CHAIRMAN ANSON: Well, you just had
27 the title up there, Stable Fisheries, so for as
28 it relates to carryover ABC and a --

29 MR. PATRICK: Oh, okay.

30 CHAIRMAN ANSON: -- stable fishery,
31 what is a stable fishery?

32 MR. PATRICK: So in my example here,
33 yes, it was trying to look at fisheries where you
34 know that carryover wouldn't contribute to more
35 overfishing in the stock.

36 Just like Sam just said, is that, yes,
37 there is going to be ebbs and flows in the
38 population of the stock, but if you have one that
39 is continuing declining carryover, you'd have to
40 be very careful on how you use that, if at all.

41 MR. RAUCH: Yes. So let me tell you
42 some of the things that we've heard, in terms of
43 economic stability, a fisherman goes out there
44 and fishes at 100 fish this year. And next
45 year's stock assessment comes back and says well,
46 you need a huge reduction, you can only catch 30
47 percent. Well, that's going to destabilize it,
48 right, because he's going to have to take those

1 economic losses.

2 The same would be true if it went up,
3 though, if they say, all of a sudden, now you can
4 take 10,000 fish, then there would be no
5 infrastructure to be able to do that.

6 And so stability is an effort to try
7 to get to where you can own the value of the
8 fishery, by giving the fishermen a little bit
9 more certainty that they will get a similar
10 amount of fish every year. That's what, when I'm
11 thinking about stability, I'm looking at it in
12 terms of those economic terms.

13 Now there are environmental primers
14 that you still have to deal with, you can't allow
15 fishing, those kind of things. But in the
16 efforts to try to build in some stability there,
17 so that we can eliminate where we can some of
18 these wild swings that we've seen in some of our
19 fisheries, which doesn't do anybody any good.
20 And, as we've seen in the most, we're reacting to
21 the most uncertain data point when we do that.

22 CHAIRMAN ANSON: Do we have any other
23 questions? All right. Well, Sam and Wes, thank
24 you very much for the presentation.

25 MR. RAUCH: Thank you.

26 CHAIRMAN ANSON: That puts us a little
27 ahead of schedule, and so we could do a couple of
28 things here. I'm going to throw out some
29 suggestions, or some options. We could take the
30 break now, a little earlier, and then continue on
31 with the rest of the Agenda, we could go forward
32 with the rest of the agenda items without a break
33 and finish up a little early, potentially, any
34 thoughts? Take a break? All right, so we'll
35 take a break.

36 (Whereupon, the above-entitled matter
37 went off the record at 3:40 p.m. and resumed at
38 4:05 p.m.)

39 CHAIRMAN ANSON: All right, we're
40 going to continue on with the Agenda. The next
41 item is, Eileen is going to talk about the
42 Presidential Task Force on Combating IUU Fishing
43 and Seafood Fraud.

44 MS. SOBECK: Great. Thanks. I wanted
45 to give you guys a short overview of where we are
46 on this issue, partly because this is probably
47 the main area where Dr. Sullivan, the NOAA
48 Administrator, has really dug in and spent

1 personal time on a NOAA Fisheries issue.

2 And so it's been a good, but
3 different, point of entry. But she's interested.
4 She's been really depending on NOAA Fisheries and
5 the support that we've been giving her, along
6 with Russell Smith, from the NOAA International
7 Office, to help her formulate her views.

8 But there are a couple of portions
9 that may well affect you guys more directly than
10 others, so I wanted just to do a quick recap on
11 where we are and what you might want to be
12 looking for in terms of milestones on this in the
13 upcoming weeks and months.

14 So as you know, this Task Force arose
15 out of our ocean conference hosted by Secretary
16 Kerry last spring, and there was a Presidential
17 Memorandum that set up this IUU and Seafood Fraud
18 Task Force.

19 It does acknowledge that IUU fishing
20 is a global threat to sustainable management of
21 the world's fisheries, and it undermines efforts
22 to enhance food security, and it allows for
23 unfair market advantage to nations and parts of
24 industry that engage in IUU fishing, to the
25 detriment of fisheries like U.S. fisheries that
26 are sustainably managed.

27 There is also, in addition to the IUU
28 portion of the Task Force, the Task Force is also
29 charged with looking into seafood fraud, which is
30 focused mainly on seafood mislabeling, with
31 respect to species, country of origin, quantity,
32 quality, and which undermines the economic
33 viability and the ability of consumers to make
34 informed purchasing choices and threatens
35 consumers' confidence.

36 So where are we, the NOAA is Co-Chair
37 of the Task Force. Dr. Sullivan is our
38 representative, along with Department of State,
39 under Secretary Cathy Novelli, is the State
40 Department Co-Chair.

41 And as you can see, with the agencies
42 listed below there are a number of different
43 agencies that have been actively engaged in the
44 work of the Task Force. It has been an
45 inter-agency collaborative effort.

46 And, actually, I think that one of the
47 main benefits we're going to get from this Task
48 Force is having a number of these agencies, among

1 them, FDA and Homeland Security, give some of our
2 seafood enforcement at the border issues a higher
3 priority.

4 And we have engaged at a pretty high
5 level on those efforts and I actually think that
6 that's going to pay off. Some of these areas
7 we've been trying for a number of years to get
8 some traction, and we've had good interactions at
9 the staff level, but I think that we have an
10 opportunity here to bump this up a couple of
11 priority levels.

12 Because these other agencies'
13 sustainable fisheries is not necessarily their
14 highest priority, and so having this window of
15 opportunity for the President and the
16 Administration to tell them that they need to pay
17 a bit more attention is one that we want to take
18 advantage of.

19 Okay. Yes, the President, this is
20 just the, kind of, basic milestones, the
21 Presidential Memorandum came out in June of last
22 year. Then there was a period of public
23 engagement where we got feedback.

24 There was a Federal Register Notice.
25 There were a number of public meetings. There
26 were some demarches that went out to some of the
27 major nations that we have significant fisheries
28 imports from, to get their input.

29 Then in December, the Task Force put
30 out 15 recommendations. Those recommendations
31 are final. We did solicit public input on the
32 implementation of those recommendations, and the
33 comment period on asking for that input on
34 implementation closed, I think, January 20th,
35 towards the end of January, and so we are
36 currently reviewing the public comments and
37 developing an implementation plan.

38 So of the 15 recommendations, they
39 fall, generally, into four categories,
40 International Governance, Enforcement,
41 Partnerships, and Traceability.

42 The international recommendations are
43 the first seven. The first seven
44 recommendations, the first one has to do with
45 Port State Measures, specifically, securing U.S.
46 implementation legislation and seeking global
47 entry and to force of the port states measures
48 agreement, by getting the requisite number of

1 other nations necessary to sign on.

2 Number 2 directs us to help develop,
3 refine, and seek RFMO, adoption of best
4 practices. Number 3, regarding Maritime Domain
5 Awareness, is focused on ensuring that IUU
6 fishing is included in the larger U.S. Government
7 Maritime efforts.

8 Number 4 is to use existing and future
9 free trade agreements to combat IUU and seafood
10 fraud. Number 5 is to pursue international
11 commitments to eliminate fisheries subsidies that
12 contribute to excess fishing capacities and
13 overfishing by 2020.

14 Number 6 is a capacity building
15 measure, which directs us to work with partners
16 to prioritize sustainable fisheries management
17 and efforts to combat IUU and seafood fraud.

18 And Number 7 just addresses diplomatic
19 efforts, generally, to maintain IUU fishing and
20 seafood fraud is a priority and to enhance
21 international political, the will to make this
22 happen.

23 I don't mean to minimize these, these
24 are all extremely important, and I think that
25 NOAA fisheries has an interest in, essentially,
26 all of these. We don't necessarily have the lead
27 on these, but to the extent that you all have any
28 recommendations about how these should be
29 implemented, by all means, let us know.
30 Enforcement recommendations. And I know we have,
31 I think I saw Todd here, yesterday?

32 If anybody has questions about these,
33 we have a number of recommendations that pertain
34 to enforcement. Number 8 directs us to develop a
35 strategy with deadlines to optimize the
36 collection, sharing, and analyses of information
37 resources, including forensic analysis.

38 Number 9 directs the agencies to
39 leverage existing and future customs mutual
40 assistance agreements to make sure that we can
41 exchange relevant information and work with
42 foreign customs administrations.

43 Number 10 requires us to standard, or
44 directs us to standardize and clarify
45 identification rules and try to adjust U.S.
46 Tariff Codes to enhance identification in trade
47 of species that are subject to IUU fishing.
48 Obviously, that's a heavy lift over a significant

1 period of time.

2 Eleven is, I think this is an
3 interesting one to improve, information sharing
4 for enforcement purposes, and develop tools for
5 state and local action.

6 Some of the transactions that have
7 been identified in this process having to do with
8 seafood fraud and improper species identification
9 of what the consumer is getting, some of those
10 are happening at the state and local level and
11 the reality is NOAA, FDA, there's probably no
12 federal enforcement authority, so we need to work
13 with our state and local partners to see that
14 they are appropriately engaged.

15 And that leads us to the last, which
16 is to really identify what authorities, if any,
17 are lacking to accomplish some of the goals that
18 folks really want us to have to combat IUU and
19 seafood fraud.

20 I think that one of the things that we
21 did accomplish in the discussions surrounding
22 this Task Force is that federal agencies don't
23 necessarily have a firm understanding of what
24 each other's authorities are, and that Customs,
25 we don't necessarily have a perfect understanding
26 of what authorities Customs and Homeland Security
27 has, they don't have a perfect understanding of
28 our authorities.

29 We all didn't necessarily understand
30 what FDA's authorities are, and so I think that
31 there are some potential enforcement gaps, and if
32 people want us to enforce particular links in the
33 supply chain, or particular kinds of activity, we
34 will need some additional enforcement authority.
35 So that is what the aim of Number 12 is.

36 The third category is Partnership
37 Recommendations. Just one in this category. I
38 think that there was a consensus during the
39 outreach effort that there were a lot of good
40 ideas from harvesters, importers, dealers,
41 retailers, processors, NGOs, about what
42 priorities are out there, how they should be
43 addressed, what can be done by the private
44 sector, what should be, must be done by the
45 Government?

46 And I think that we're all looking for
47 a more regular forum to enhance those
48 collaborative efforts and make sure that we have

1 a constant back and forth flow of information.

2 And then, the final category are the
3 Traceability recommendations. And in a minute
4 I'm going to ask Sam to talk a little bit more
5 about what this might mean.

6 Interestingly, there are only two of
7 the 15 recommendations that pertain to
8 traceability, and I think it's worth emphasizing
9 that, you know, there are a lot of other, you
10 know, the first 13 really are important for us to
11 get a handle on IUU and seafood fraud, it's not
12 all about traceability, but this was an area that
13 there was, of course, a lot of input from the
14 public and from all sectors of the public.

15 So the first recommendation, Number
16 14, directed us to identify and develop a list of
17 information and types of operational standards
18 and gave us six months to figure out what those
19 types of information, operational standards,
20 should be, with input from industry and other
21 stakeholders, regarding a traceability system.

22 And then, Number 15 gives us 18 months
23 to establish the first phase of a risk-based
24 traceability program to track seafood from the
25 point of harvest to entering into U.S. commerce.

26 So Sam's going to talk a little bit
27 about those two elements in a minute, I just want
28 to talk to you for one more second about where we
29 are and where we're going.

30 The next steps is that we did receive
31 public comment, 48 comments, through the Federal
32 Register Notice, many of them quite comprehensive
33 and lengthy.

34 And then, interestingly, 28 countries
35 responded to the demarches we sent out, so a lot
36 of nations that export to the United States have
37 views about what we're going to do.

38 We are in the process, as we are
39 reviewing these public comments, to develop a
40 Task Force report with further implementation
41 steps.

42 And we are going to be at the Boston
43 Seafood Expo in March and expect to have an
44 opportunity for stakeholder engagement at that
45 event. So hope to see some of you there.

46 And we will keep you up-to-date.
47 There is a Web page, so if you're looking for the
48 text of the Presidential Memorandum, or the text

1 of the specific recommendations, and when we have
2 the implementation plan it will also be posted on
3 this Website, and we will be happy to give you
4 more detail, if you need it.

5 And before we end, I want to let Sam
6 opine a little bit more on what, parse out a
7 little bit what those last, the Recommendations
8 14 and 15, what we think they mean. Thanks.

9 MR. RAUCH: All right. Thank you,
10 Eileen. So before I talk about the details, I
11 want to reiterate a point that the efforts here
12 apply both domestically and internationally.

13 Some of the tools that we were talking
14 about are different, but in part, because of Free
15 Trade Agreements and everything, we have to
16 maintain equity in what we apply internationally
17 that we make sure we also do domestically.

18 The fact of the matter is we think,
19 domestically, we manage our fisheries very well.
20 We think that there is very little IUU fishing
21 and what little there is, some of our enforcement
22 agents here do a really good job dealing with it.

23 Seafood fraud's a little bit different
24 issue. NOAA Fisheries doesn't have a lot of
25 great tools to deal with that, unless you are
26 partnering with our Seafood Inspection Program.
27 We're concerned about that, but on the IUU, at
28 least, we have a robust program that deals with
29 it, and we've been dealing with it for decades.

30 So let me talk about the traceability
31 aspects. And at the moment it keys on species
32 that are at risk of significant IUU fishing, or
33 seafood fraud. So that is a subset of all of the
34 species that we deal with.

35 There is a goal in the recommendations
36 of eventually going to a more comprehensive,
37 system dealing with something broader than that
38 list of at-risk stocks.

39 And, at the moment, the
40 recommendations are all focused on for
41 enforcement purposes only. The federal
42 government would collect this information, share
43 it with the various enforcement elements within
44 the federal government, but not share it with the
45 public.

46 In part that's because of the Magnuson
47 Act, which is one of our main information
48 collection tools, precludes sharing this, because

1 of the confidentiality requirement.

2 But there's also part of this that
3 would look at mechanisms to be able to share it
4 more broadly. It doesn't say that that's the
5 ultimate goal, unlike the conferences system.

6 So right now, though, I want to talk
7 about how we're going to, how this envisions it
8 being implemented for those at-risk stocks. The
9 first step is to identify what kinds of
10 information you would need.

11 And there's, in the recommendations
12 there's examples, it's basically the who, what,
13 where, when, who did the fishing, what's the name
14 of the vessel, what the fish was, what kind of
15 gear?

16 Where? Where has been a big issue,
17 because, currently, in many instances we can
18 collect a generic where, you know, off the State
19 of Virginia, maybe, but for a longitude thing we
20 don't collect very many questions, and that's
21 very difficult. So getting the specificity for
22 where down has been an issue, will be an issue.

23 So you would do that. The operational
24 standards, we've got a lot of questions about
25 what that is. Well, what that is, file it
26 electronically. No matter what we do we want it
27 electronic.

28 For the international things, does it
29 have to be filed with the International Trade
30 Data System, or the system that Customs
31 maintains, is there a form? This is what we mean
32 by operational standards. How you actually have
33 to file it. How long do you have to keep that
34 information? Is it verifiable? Those are
35 operational standards, as opposed to the types of
36 information.

37 So within six months you identify
38 that, and we're still working out exactly the
39 details of that, but at some point they, my view
40 is there will likely be a set of minimum
41 standards that we would like to seek, recognizing
42 that in many of the fisheries we collect much
43 more of this data.

44 I mean, we have fisheries around the
45 country that collect a lot more data than I can
46 see are going to be needed for traceability, but
47 there'll be a minimum set.

48 Then, once we've collected that, we

1 are to work with our fellow agencies in
2 identifying what the at-risk species are. Now,
3 domestically, we've been looking into this. I
4 think we collect the who, what, where, and when,
5 in some fashion, on the vast majority of our
6 federal fisheries.

7 It's not 100 percent, but it is, seems
8 to me, it's maybe more than 70 percent. And I
9 don't know the exact percentage. And it varies
10 in different parts of the country. It actually
11 varies into one that is a federally-collected, or
12 whether the states collect it and share it with
13 us.

14 But we collect the who, what, where,
15 and when, on the vast majority of domestic
16 federal fish stocks, and many state stocks, as
17 well. Certainly, Mid-Atlantic States Commission
18 where you've got a better sense of that, there
19 may be some purely state stocks in other areas of
20 the country. But, in the U.S. we collect that.

21 So as I've been trying to think about
22 what definition of at-risk stocks we would apply
23 that would actually increase the data collection
24 requirement in the United States, and it's not
25 clear to me that there are any. There might be.

26 There might be a stock which is
27 at-risk of significant IUU fishing or seafood
28 fraud that we currently don't collect the who,
29 what, where, and when. But I'm having trouble of
30 thinking of what that would be.

31 I think that it is very likely for
32 domestic stocks, when we do the list of at-risk
33 stocks, it will be some subset of stocks that we
34 currently collect in some fashion that kind of
35 information, but there may be others.

36 For the domestic stocks, if indeed we
37 come up, we find at the end of the day that there
38 is an at-risk stock that we don't collect the
39 who, what, where, and when, the recommendations
40 envision that we, as a federal agency, will come
41 back to you for federally species to try to
42 create a data collection program for that.

43 I think it's unlikely that we'll be
44 doing that, but it may happen. And we would work
45 with you on that. We would say this stock is
46 at-risk of illegal fishing and we need more data
47 on that. The kind of thing that we talk about
48 with you all the time. But I think it's very

1 unlikely we'll do that, because I would imagine
2 we already have a data collection program, and we
3 won't know until we go through the process.

4 That'll be domestically. It's also
5 possible that there will be a state species, in
6 which case we'll reach out to our state partners
7 similarly. That, whether we can actually get a
8 program implemented, or not, remains to be seen,
9 with our state program, partners.

10 Internationally, we collect, there is
11 a much smaller subset of fisheries that we
12 collect that who, what, where, and when, data.
13 Some of our tuna fisheries we do. The two fish
14 fisheries from Antarctica we do, and a few
15 others. We usually collect them through the
16 electronic forms that apply at the border through
17 Customs.

18 But at the moment that's all we do,
19 and it is unclear, right now, whether we have the
20 authority to impose a stronger requirement on
21 those international stocks. So if, indeed, we
22 find that an international stock is subject to
23 significant IUU fishing, and I think we will, and
24 we find that we currently don't collect that data
25 at the border, and I think we will likely will
26 find that, unlike domestic fisheries, we are
27 still working with our friends at the Customs
28 Agency about how, how and under what authority we
29 would go through and impose additional data
30 collection on importers.

31 So I can't talk about that, because
32 we're still working through that. But the idea
33 is that we would do that, for a list of at-risk
34 stocks we would either, under existing authority,
35 or we would seek authority to impose similar data
36 collections on importers to the kinds of data
37 that we impose on ourselves.

38 So when we do that at the port of
39 entrance, so that's, for importers, the point of
40 first sale, point of entry, where ever you file
41 your Customs form there, we would then, so
42 that's, within 18 months they want that program
43 to be up and running.

44 It's unclear exactly, we are working,
45 in the next report we will spell out more of what
46 we think that up and running looks like and
47 what's going to happen between now and 18 months
48 from now.

1 But there will be some sort of process
2 in which we identify the at-risk stocks, which we
3 will come back, if we think that there is one,
4 domestically, that we need more information to
5 come back to you. If we think there's one
6 internationally, when we go through whatever
7 process we identified to do that.

8 Within a year we are supposed to
9 evaluate the program and come up with proposals
10 for how you would expand it to be more
11 comprehensive, which is to mean all fish stocks,
12 and also, what it would look like if you were
13 going to share it more with the consumer, which
14 we currently are not envisioned, this system is
15 not envisioned to do.

16 So that is, basically, the
17 Traceability Program, as it's laid out there. It
18 is an important piece, it is not the only piece
19 in there, but it is an important tool to get at
20 this IUU issue.

21 MS. SOBECK: And I'm happy to open it
22 up to questions, and would only note that, you
23 know, the Administration takes this seriously and
24 has really been pushing us to deliver and to come
25 up with these recommendations and the
26 implementation plan.

27 We made it really clear that part of
28 what makes U.S. fisheries sustainable is having a
29 viable and real enforcement effort, and that if
30 we wanted to expand, to encompass all of the
31 kinds of recommendations that were made here, we
32 would need some additional enforcement resources,
33 and you see that reflected in the President's
34 budget that \$3 Million Dollar bump. So just
35 mentioning that. It continues to get high-level
36 Administration attention, so it is going to
37 happen.

38 So with that, we're happy to open it
39 up to questions and, you know, stay tuned for the
40 implementation plan in the next few weeks, or
41 couple months.

42 CHAIRMAN ANSON: Kitty.

43 MS. SIMONDS: Just to say that, we
44 sent in four pages of comments. And, obviously,
45 we agree on many of these things. I guess, the
46 problem is the how, because if you expect our
47 territories to inspect logs and things like that,
48 you know, they're going to need training and

1 funds to do that.

2 In fact, the biggest bust that
3 happened out there was not on the water, but was
4 at port in American Samoa. Those logbooks of a
5 Spanish purse seiner was reviewed, you know, and
6 that's how they, they had to pay \$5 Million
7 Dollars. So I mean, for us out there that's
8 important, port state inspection.

9 And the other thing is that, you know,
10 one of the things that's talked about is curbing
11 subsidies. I, you know, China is the biggest
12 company that, I mean nation, that subsidizes
13 everything. I wonder how you'd go about dealing
14 with China and curbing their subsidies?

15 I mean, these are really, really
16 difficult things to do. And, obviously, when we
17 go to these international meetings and
18 conservation measurers are agreed upon, the U.S.
19 is the only country that comes back and does
20 regulations, domestic relations, you know, the
21 foreign countries don't do that.

22 So I mean, that's another problem that
23 we have out there. Because when all the
24 countries report back in, everybody makes a
25 checklist of yes, yes, yes, yes, but you can
26 never, I mean, you know, you don't know, because
27 they don't have legislation, so people are just
28 BS'ing, is what's happening.

29 I mean, there's just a lot to deal
30 with. That's all I'm saying. Because we, you
31 know, we witnessed many of these problems
32 ourselves out there, so I wish you luck.

33 MS. SOBECK: I think you're absolutely
34 right, these solutions are not going to be easy
35 and it's not as if we haven't been trying to
36 tackle some of them for many years.

37 And I guess all I can say is, you
38 know, we have the opportunity here to get some
39 support from some of the other federal agencies
40 and to, sort of, get a bit more awareness and
41 maybe a bit more, in terms of resources.

42 That being said, we can't snap our
43 fingers and have an immediate solution. You
44 know, a lot of these are going to be over time
45 and we're setting time frames and being pushed to
46 meet them, so hopefully they'll be, but I hear
47 you, and I think we tried over and over and over
48 again at every opportunity at these Task Force

1 meetings to, you know, point out that our
2 industry is sustainable and has done that at a
3 significant price, and so we're happy to do all
4 of these things that are, hopefully, going to
5 result in a more level playing field. But, yes,
6 we've got a ways to go.

7 MS. SIMONDS: Well here's an example,
8 a Costco in Honolulu, they sale fish from
9 Indonesia, and they use our Hawaiian name,
10 Opakapaka. And that's not Opakapaka. So, you
11 know, I suppose, as long as the stores, and some
12 of them do that, all the fish are labeled from
13 the Philippines, or from here, or there, that
14 does happen in certain stores, but that's one
15 that has always bothered us all these years about
16 using Hawaiian names on fish that comes from
17 other countries.

18 MS. SOBECK: But that's a good example
19 of that's not a violation of federal law, right?
20 So --

21 MS. SIMONDS: Not yet.

22 MS. SOBECK: Yes, exactly. But, I
23 guess, I'm just saying, so the question is how
24 are we going to address that? And I do think
25 that there has been an educational process that
26 there were a lot of Task Force members and
27 members of the public, who thought that we could
28 do a lot that we can't do, in terms of
29 enforcement.

30 And that's a good example, you know,
31 why aren't the feds in there doing something
32 about that? And so the question is, if people
33 want us to do that, we have to get the authority,
34 or we have to figure out who has it and try to
35 implement it effectively. Sam, what were you --

36 MS. SIMONDS: Well, what we try to do
37 is work with the State, of course, you know, so I
38 wasn't saying that you should do that, I was just
39 giving you an example of, you know, one of those
40 seafood labeling things that you had up there.

41 MR. RAUCH: If I could? That, I don't
42 know the details of that, the two things that
43 you, there is a country of origin labeling law,
44 so all food products, unless it's processed,
45 have, and it sounds like they do that.

46 But that may well be fraud, if
47 something is marketed as one thing and it's not.
48 But all frauds aren't federal. So that is a,

1 usually, fraud is a state law, or local law,
2 issue, consumer fraud, and that's how it's
3 prosecuted.

4 That is why one of the provisions,
5 which one was it, 11, was to provide tools to
6 state and local governments, so that they can
7 better prosecute that kind of fraud.

8 A lot of that is genetic testing of
9 the seafood. The state, they don't even know who
10 to ask to verify whether this species is the
11 right species. Well, we can help them with that.
12 We can help them with kind of the model pleadings
13 and things like that.

14 We can't bring cases for them, but we
15 can make it easier for them to bring cases. And
16 that's why Number 11 is very important to get to
17 that kind of thing.

18 CHAIRMAN ANSON: Any other questions?
19 All right. Well, thank you, Eileen. That takes
20 us to our next topic, and that's Update on MSA
21 Operational Guidelines by Marian Macpherson.

22 MS. MACPHERSON: Okay. Hi. I'm
23 Marian Macpherson. I work in the Office of
24 Sustainable Fisheries, and have been working with
25 many of you guys on the Operational Guidelines
26 Project for a while, so I don't need to spend too
27 much time talking about the background.

28 But, basically, just as the overview,
29 what are they? They are the document that we
30 have for explaining how the councils can work
31 together to comply with all of our legal
32 requirements that come from Magnuson Act, and all
33 the other applicable laws we have to comply with.

34 And the first operational guidelines
35 were developed back in 1979, and they have
36 changed periodically throughout the years when
37 there's been a need, change in the law, change in
38 other situations, and the last update was in
39 1997, although, we did a draft in 2005, that was
40 never finalized.

41 So why are we doing it now? Lots of
42 good reasons. A big one is just to reflect the
43 changing relationships, the working relationships
44 that have evolved between NMFS and the councils
45 over the last few years, we've made a lot of
46 progress in moving ahead, in terms of teamwork
47 and better transparency, and our guidelines need
48 to reflect that.

1 Also, back in 2013, the Office of
2 Inspector General did a review of our procedures
3 for doing rulemaking and the Magnuson Act and
4 they found, for the most part, we were doing
5 things right, and that we were complying with all
6 our requirements, but there were some ways we
7 could improve.

8 And one of their recommendations was
9 that we finalize the 2000 draft operational
10 guidelines. So we developed a response to those
11 recommendations, and we sent in an action plan
12 explaining that it really wasn't appropriate to
13 finalize the 2005 draft, because things have
14 changed since then.

15 We've adopted a lot of those
16 recommendations. We pilot tested some things
17 that didn't work out well, and we're currently in
18 a different spot and we think we can make better
19 process by moving forward with something new.

20 So we've been working, the CCC
21 convened a subcommittee back in 2013. This is
22 the progress we've made on this initiative, this
23 most recent initiative, and the schedule that
24 we've submitted, we've been following along the
25 schedule, was to begin with developing, take a
26 fresh look at our goals and objectives.

27 Are we still, what are trying to
28 achieve with this? And we've worked with the CCC
29 Subcommittee to do that. We presented an options
30 paper last February at the meeting here to, you
31 know, illustrate different approaches of moving
32 forward.

33 Out of that effort, we developed the
34 idea of having a best practices workshop, which
35 Fisheries Forum helped convene press in Seattle
36 last summer where we had council people, agency
37 people together in an facilitated room, just
38 sharing approaches that work.

39 I mean, just having each region
40 council share how the details actually are
41 working today in their particular areas and
42 everyone trying to learn from each other, what's
43 working, what can we memorialize, where do we
44 have commonalities that, you know, that we can
45 describe, uniformly, in a national document and
46 where are things really functioning fine through
47 more region-specific agreements?

48 So based on that information, we've

1 put together this draft, which is highlighted in
2 red, this is today. This is going to be most
3 people's first opportunity to really talk with us
4 about what the draft looks like. It's our first
5 draft, so I just want to point that out.

6 We're looking for feedback on
7 approach. Some of the details haven't even been
8 filled in yet, if this is a good approach, then
9 our target for finalizing this document is in
10 September, so we've got some time to work on it.
11 But we just want to see, are we going in the
12 right direction, based on where we've been so
13 far?

14 Okay, so what is the approach?
15 Basically, we have a very short operational
16 guideline document, it's four pages. It has an
17 introductory section that sets forth our goals
18 and objectives, and then there's a set of six
19 overarching guiding principles and a discussion
20 of how those can be used at the region council
21 level.

22 It then includes another 26 pages of
23 appendixes that build on some of the information
24 in previous drafts that are not crafted as
25 guidelines, per say, and that are intended to be
26 able to, sort of, be living documents, because
27 they will evolve over time as our relationships
28 evolve.

29 But the idea was to lay them out there
30 to enhance transparency, I mean, among ourselves
31 for us to learn from each other and for the
32 public, also, to be able to easily identify how
33 to effectively participate.

34 So what are the goals? The goals that
35 we were trying to achieve were, basically, to
36 promote and continually improve the quality of
37 fishery management decisions and documentations,
38 and then also promote a better process, a timely
39 effective, and transparent public process.

40 So objectives help us achieve those
41 goals are simplifying and speeding the flow of
42 work, increasing transparency, and where
43 appropriate, achieve standardization, recognizing
44 that it's not always appropriate in every
45 situation, there are reasons for the variations
46 that we have.

47 So the guiding principles, these are
48 the heart of the draft operational guidelines.

1 The intent of this approach would be, this would
2 be the part that's not so much of a living
3 document, not as regularly changing and adapting,
4 but these are, not necessarily carved in stone,
5 but more permanent principles that we need to
6 keep in mind.

7 It basically talks about how important
8 our partnership is. That the Agency and the
9 councils are working together to achieve common
10 goals and with that in mind, we should be able to
11 share our documentation where it's appropriate,
12 and achieve efficiencies that way.

13 The concept of frontloading. That
14 really came forward in the 2000 draft, is the
15 idea of getting, preventing surprises at the end
16 by having people who were going to be reviewing
17 the document, or providing pieces of it, or
18 input, get everybody working together, as much as
19 possible, early in the process and providing
20 early input.

21 And a lot of that is currently being
22 achieved through the Fishery Management Action
23 Teams and our disciplinary plan teams and that
24 sort of thing. That was a good thing to see at
25 the Seattle workshop of how much of that is being
26 implemented as the best practice.

27 So management decisions need to be
28 supported by facts and analysis in the record.
29 So that just gets down to, basically, common
30 sense, but an acknowledgment of how important the
31 record is and how important it is to have all of
32 our analysis of all our applicable laws available
33 while the decisions are going through the
34 process.

35 Clear and concise document. That's
36 just an important goal, to be clear and concise,
37 and promoting meaningful public participation.
38 And there's a new emphasis here on making it
39 meaningful, not just identifying opportunities
40 for public comment, but giving the public the
41 tools they need and the directions and the
42 navigational tools to know how to make their
43 participation as effective as possible and really
44 inform the decision-making process.

45 With those guiding principles in mind,
46 we then attached the appendixes where there's
47 terminology, there's going to be some terms, you
48 know, thrown out there.

1 The description of the process. And
2 this is where, if you're looking at the '97
3 document and wondering where it went, a lot of
4 that information got carried forward, which was
5 just useful descriptors. It's been updated to
6 more realistically reflect reality.

7 The descriptions of the phases is in
8 that section. That section's been slightly
9 modified to highlight some extra steps in the
10 phases that we thought were worth talking about.

11 ROAs. That term, sorry for the
12 acronym, Regional Operating Agreements. Every
13 council region here, I believe, now have their
14 Regional Operating Agreements, which set forth,
15 you know, the plans and the relationships for
16 who's going to be doing what during the fishery
17 management process.

18 This document contains a five, or
19 six-page overview of Regional Operating
20 Agreements, how they're structured, what's in
21 them, to give, you know, to identify the
22 commonalities, give the public an idea of what
23 they are, but then at the end the additional
24 resources section at the bottom there actually
25 links out to each council's individual Regional
26 Operating Agreement.

27 So if you're a member of the public
28 wanting to participate in a South Atlantic
29 Fishery Management Council Action, you can go
30 find out what their Regional Operating Agreement
31 says and how the specific details of that
32 relationship between the agency and the council's
33 working there.

34 We have a section on the OAL, sorry
35 for the other acronym, Other Applicable Laws
36 Section. The idea is to have a very brief
37 overview checklist identifying what all the
38 requirements are, where they effect the process
39 and where you can go for detailed guidance on
40 those laws.

41 And then we've added a new section on
42 rulemaking issues, kind of comparing the, and
43 it's also in a checklist format, currently, so
44 I'll see what kind of comments we get from you on
45 that.

46 But there are several different
47 rulemaking authorities that we have under the
48 Magnuson Act, and the considerations that each of

1 them have for timing, for different comment
2 periods, for teaming, people seem to be
3 interested in that and so we try to provide a new
4 section.

5 The documentation section would be
6 where we provide guidance on records. We wanted
7 to provide examples, you know, that different
8 councils have different templates, different
9 models for combining their FMPs, and underlying
10 analyses.

11 We're looking for really good models
12 so that people can see, you know, you can see
13 what each other are doing, you can see if there's
14 a model that you like, the public can see what
15 things look like in the different regions, and
16 then the additional resources would just be the
17 out links to other policy directives, regional
18 operating agreements, and other useful documents.

19 So really, we wanted to present this
20 to you and get reaction on the approach and hear
21 back from you. Do you guys want to add anything?

22 CHAIRMAN ANSON: All right. Thank
23 you, Marian. Any questions, or comments? Kitty.

24 MS. SIMONDS: Well, just to say, good
25 job. I like it. It's very easy to read. Even
26 my council members won't be bored reading this
27 document.

28 So really, I mean, after, you know,
29 what, have we been talking about this for a
30 year-and-a-half, but I think it reads well, and I
31 think it's good. Thank you.

32 CHAIRMAN ANSON: All right, Alan.

33 MR. RISENHOOVER: Just one quick
34 thing, if you do have comments we need to keep it
35 moving. So I think I'm hearing a general
36 consensus from Kitty that folks think it's going
37 in the right direction, and I agree. It's very
38 aspirational instead of very, you know, got to do
39 this step then this step then this step.

40 Yes, bureaucratic. So it's very
41 aspirational. It may need some smoothing, some
42 organizing, some this that and the other, but
43 hopefully the Subcommittee, or working group,
44 whatever it was, can get some comments back to us
45 and we can get another draft out and, you know,
46 maybe finalize this thing before September.

47 CHAIRMAN ANSON: All right, thank you.
48 Well that wraps up the items that were on the

1 printed agenda, but there is one other item that
2 Alan you would like to bring up?

3 MR. RISENHOOVER: Yes, just a couple
4 things. We all go to a lot of meetings and this
5 meeting, like any other meeting, is pretty
6 complicated to do, and yesterday was a little bit
7 of a challenge for us.

8 So I just want to thank Brian, back
9 there, who, yesterday, as near as I can tell, had
10 no water and no electricity, but still went into
11 the office to get all the materials, so that we
12 could be comfortable today. I don't know if he
13 went into the office just because he thought
14 maybe there was heat, but he drove in.

15 Yes, he clipped the beard yesterday.
16 So thank you, very much, Brian, for all your
17 efforts. And then, also, I think you all know
18 Bill.

19 And Bill has been doing CCC meetings
20 before there was a CCC, back when we called it
21 the councils chairs meeting and we're eventually
22 told there were no council chairs meetings, so
23 that resulted in the CCC.

24 But Bill has let me know that he's
25 going to retire in a couple of months. So this
26 may be, well no, this will be Bill's last CCC
27 meeting.

28 So I just want to recognize him and we
29 will do all the appropriate retirement things in
30 a couple of months when he decides to go, but I
31 think we're all going to head to the bar tonight
32 where there's probably going to be a band
33 playing, but if you see Bill in the bar tonight,
34 and he's got an empty hand, shake it, or put a
35 drink in it.

36 But, I just want to say, Bill, thanks
37 for, you know, the ten years I've been doing this
38 you've always been there and they've always come
39 off well, and we've always had everything smooth.
40 So for me, and I think the rest of the CCC here,
41 thanks, Bill.

42 (Applause)

43 CHAIRMAN ANSON: All right, with that,
44 we'll recess for today and see everybody tomorrow
45 at 9 o'clock.

46 (Whereupon, the meeting in the above-
47 entitled matter was concluded at 4:51 p.m.)
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