

U.S. DEPARTMENT OF COMMERCE
 NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION
 (NOAA)

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NATIONAL MARINE FISHERIES SERVICE (NMFS)
 ATLANTIC HIGHLY MIGRATORY SPECIES ADVISORY PANEL

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VIRTUAL PUBLIC MEETING

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TUESDAY
 MAY 25, 2021

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The Panel met via webinar at 9:00 a.m.
 EDT, Bennett Brooks, facilitating.

MEMBERS PRESENT

JASON ADRIANCE, Louisiana Department of
 Wildlife and Fisheries
 PATRICK AUGUSTINE
 ANNA BECKWITH, South Atlantic Fishery
 Management Council
 RICK BELLAVANCE, New England Fishery
 Management Council
 ANDREW COX, Shimano North America
 MARCUS DRYMON, Mississippi-Alabama Sea
 Grant; State Representative for Alabama
 MEAGAN DUNPHY-DALY, Duke University Nicholas
 School of the Environment
 STEVE GETTO, American Bluefin Tuna
 Association
 WALTER GOLET, University of Maine School of
 Marine Sciences and Gulf of Maine Research
 Institute
 JOHN GRAVES, Virginia Institute of Marine
 Science
 YAMITZA RODRIGUEZ FERRER, Puerto Rico DNER,
 Recreational and Sport Fisheries Division
 SONJA FORDHAM, Shark Advocates International

KRISTIN FOSS, Florida Fish and Wildlife
Conservation Commission
MARCOS HANKE, Caribbean Fishery Management
Council
LUKE HARRIS, Pure Harvest Seafood
DEWEY HEMILRIGHT, Mid-Atlantic Fishery
Management Council
EVAN HIPSLEY
RUSSELL HUDSON, Directed Sustainable
Fisheries, Inc.
ROBERT HUETER, Center for Shark Research,
Mote Marine Laboratory
BOB HUMPHREY, Sport-Ventures Charters and
Casco Bay Bluefin Bonanza
STEPHEN IWICKI
WALLACE JENKINS, South Carolina Department
of Resources
DAVID KERSTETTER, Nova Southeastern
University Oceanographic Center
SHANA MILLER, The Ocean Foundation
ROBERT NAVARRO, Fly Zone Fishing
JEFF ODEN, F/V Sea Bound
TIM PICKETT, Lindgren-Pitman, Inc.
MICHAEL PIERDINOCK, CPF Charters
"Perseverance"; Recreational Fishing
Alliance
STEVE POLAND, North Carolina Division of
Marine Fisheries
GEORGE PURMONT
KIRBY ROOTES-MURDY, Atlantic States Marine
Fisheries Commission
MARK SAMPSON, Ocean City Charterboat
Captains Association
MARTIN SCANLON, F/V Provider II
DAVID SCHALIT, American Bluefin Tuna
Association
GREGORY SKOMAL, Massachusetts Division of Marine
Fisheries
PERRY TRIAL, Texas Parks and Wildlife
Department
RICK WEBER, South Jersey Marina
ALAN WEISS, Blue Water Fishing Tackle
Company
KATIE WESTFALL, Environmental Defense Fund
ANGEL WILLEY, Maryland Department of
Natural Resources

NOAA NMFS STAFF PRESENT

RANDY BLANKINSHIP, Division Chief, Atlantic
Highly Migratory Species Management Division

KARYL BREWSTER-GEISZ, HQ Fish Branch Chief,
Atlantic Highly Migratory Species Management
Division

PETE COOPER, Branch Chief, Atlantic Highly
Migratory Species Management Division

KELLY DENIT, Director, Office of Sustainable
Fisheries

BRAD MCHALE, Northeast Branch Chief, HMS
Recreational Coordinator, Atlantic Highly
Migratory Species Management Division

DELISSE ORTIZ, Atlantic Highly Migratory
Species Management Division

LARRY REDD, JR., Atlantic Highly Migratory
Species Management Division

CARRIE SOLTANOFF, Atlantic Highly Migratory
Species Management Division

TOM WARREN, Atlantic Highly Migratory
Species Management Division

C-O-N-T-E-N-T-S

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

9:03 a.m.

1
2
3 MR. BROOKS: Good morning, everybody.
4 It's nice to see you, as much as we can right
5 now. We're getting closer. Maybe we'll have an
6 in person meeting sometime soon here. But we'll
7 see.

8 But just thanks, everyone, for joining
9 in, for staying focused, for having the patience
10 to join in a three-day, AP member, AP meeting on
11 Zoom, followed by a second, a different session
12 on Friday, the Rec Roundtable.

13 I know it's asking a huge amount of
14 folks to stay focused like this. We appreciate
15 it. And it is still a good way to get feedback
16 and share information. So, thank you.

17 I'm going to walk through the agenda,
18 and things in a minute. But first I just want to
19 hand off to Kelly Denit, who's Director of the
20 Office of Sustainable Fisheries, to say hello.
21 Kelly, over to you.

22 MS. DENIT: Good morning, everyone.
23 Well, actually, I'm going to adjust my layout
24 here, so I can see as many of you as possible.

25 It's great to be here with you this
26 morning. I'm Kelly Denit, Director for the
27 Office of Sustainable Fisheries. Shockingly,
28 I've almost been doing this for a year, which is
29 pretty wild and crazy.

30 I hope all of you are staying safe,
31 and keeping your sanity. At least here in the
32 Washington, DC area the cicadas have landed. And
33 there are a lot of them. That is for sure. So,
34 scientists know a thing or two about that life
35 cycle.

36 In any case, I thought I'd take just
37 a few moments here this morning to welcome you
38 all, talk a little bit about the administration
39 priorities, and where we are in terms of
40 appointments, and things like that for NOAA.

41 I know you have time on Thursday with
42 Paul Doremus and Sam Rauch, who I know are going
43 to get into a little bit more detail on several
44 things. So, I'll just touch on a few.

45 So let's start with some personnel
46 updates. Since our last AP Secretary Raimondo
47 has been officially brought on board as the
48 Secretary of Commerce.

1 In addition we have the nominees for
2 the NOAA Administrator, Dr. Rick Spinrad. Dr.
3 Spinrad is the former head of Research Line
4 Office within NOAA. He knows NOAA really well.

5 He just had his confirmation hearing
6 last week. We're all hoping that that moves
7 quickly, because as you all know the more you,
8 the more and the quicker you can get everyone in
9 place tends to make things move a lot smoother.
10 So, we're optimistic that will happen soon.

11 At the same time we do not yet have a
12 name for our new Assistant Administrator for
13 Fisheries. So, Paul Doremus, who's normally our
14 Deputy for Operations, continues as our Acting
15 AA. And you all will get to talk with him on
16 Thursday.

17 And so, we will keep our fingers
18 crossed that we get an AA for Fisheries here
19 soon. Just as a reminder, that position is not
20 Senate confirmed. So, it doesn't have to go
21 through the same process that a NOAA
22 Administrator does. But in any case, that's
23 where that stands right now.

24 I also wanted to reiterate a few of
25 the administration priorities. I'm sure all of
26 you are keeping track of the news, just like me.
27 So, I don't think any of this will come as a
28 surprise to anyone.

29 But certainly climate continues to be
30 a major focus for our new NOAA team. We're
31 optimistic. The FY-22 budget announcement from
32 the new administration includes a substantial
33 investment in science for climate at NOAA.

34 In addition, wind energy is also
35 clearly a priority for this administration, which
36 has a lot of implications, both for the fishing
37 industry, as well as for NMFS in terms of our
38 responsibilities for consultation, and et cetera,
39 potential impact to all of you and others.
40 That's something that we will be focusing on.

41 In addition, diversity and inclusion
42 is a major focus. You may have seen a recent
43 article that showed the lack of diversity, in
44 particular in our scientific fields within NOAA.

45 And so, that's a major area where this
46 administration is focused on improving our
47 diversity in terms of our hiring, but also our
48 inclusiveness in terms of our organizational

1 culture.

2 And finally, the major priority that,
3 at least so far, has been identified has been
4 environmental justice. And so, the concept of
5 looking at impacts of our processes, regulatory
6 decisions, our science, to underserved
7 communities and populations. And looking at
8 whether there are ways that we could be doing
9 things better, to take into account those
10 underserved communities.

11 So, that's just a real quick overview
12 of those four areas of priorities. As I
13 mentioned, I expect that Paul and Sam will spend
14 a little bit more time talking you through a
15 little bit of the specifics on where things stand
16 at this exact moment.

17 So, I don't want to steal their
18 thunder. Never good to steal the thunder of the
19 boss before they have a chance to talk with you.
20 So, I'll stop there on that part. But of course,
21 if you have questions when I finish, more than
22 happy to answer them.

23 I also want to take a moment to
24 acknowledge all of the really hard work that your
25 HMS team has been doing for you since the last
26 AP. I know Randy's going to step through things.
27 And then he's got presentations over the course
28 of the next three days.

29 But I did want to acknowledge that
30 between restricted-fishing days, our
31 Swordfish/Shark Rulemaking, the main ATCA
32 Amendment 13, there's just been a flurry of
33 activities to get things out in advance of this
34 Advisory Committee meeting, so that you all can
35 offer your thoughts and perspectives on a wide
36 range of topics.

37 And as Bennett mentioned, we greatly
38 value your time. We know it's not easy to set
39 aside these really large chunks of time,
40 especially over the course of an entire week, or
41 almost a whole week.

42 So, your candid input as part of this
43 process is greatly appreciated. I know you guys
44 hear that frequently. But it's really important
45 to explicitly acknowledge how important your
46 input is.

47 And again, thank you for taking the
48 time to speak with us today. I know, you know,

1 nothing screams the start of summer for the
2 Memorial Day weekend like three days of an
3 advisory panel. So, I look forward to the
4 conversations here over the next three days.

5 And before I shut my pie hole, I will
6 just give a little shout out to Pete Cooper, who
7 it took me a moment to realize what his
8 background was. And then I -- it is the glorious
9 conference room in the hotel there in Silver
10 Spring, where we took -- are together.

11 And like Bennett mentioned, I know all
12 of us on the HMS team are very much looking
13 forward to seeing you all soon. Hopefully that
14 will be in the fall. But we will keep you all
15 posted on whether we're able to do that. So,
16 I'll stop there. But I'm happy to answer any
17 questions before we hand over to Randy.

18 MR. BROOKS: Okay, thanks. Thanks,
19 Kelly. And I, you know, one big advantage is I'm
20 much less likely to trip over the wire for the
21 projector. So, I'm really thankful for that.

22 And I also hope most people are
23 wearing the Memorial Day outfits from the waist
24 down. So, I'm hoping most people are wearing
25 bathing suits, you know, today somehow.

26 We have time for, you know, if there's
27 a question or two for Kelly. You can jump in if
28 you wanted to. If not, we'll just push to Randy,
29 and welcoming. And, Kelly, I know you'll be for
30 us for good. So, good.

31 All right. Well, let's hand it off.
32 thank you, Kelly. And let's hand it off to
33 Randy, who I think everyone knows is Chief of
34 HMS. So, Randy, over to you.

35 MR. BLANKINSHIP: Thanks, Bennett.
36 And thanks, Kelly, for your comments, especially
37 the recognition and compliments of staff, and the
38 hard work there that they've done in putting on
39 this meeting.

40 I want to say to our Advisory Panel
41 Members, welcome. We're very glad that you're
42 here with us. And we, I want to echo Kelly's
43 comments there about appreciating your time. We
44 greatly appreciate your time that you're spending
45 with us.

46 We know that it's a sacrifice on your
47 behalf. And it's very meaningful to us for you
48 to provide your input. And we're looking forward

1 to hearing your input and your thoughts about HMS
2 management measures over the next three days.

3 This will be a meeting that is almost
4 as long as our normal in-person meetings, at
5 least in the number of days. We have tried to
6 kind of temper that a bit by not going the full
7 length on each of those days, and certainly
8 giving a long lunch period.

9 So, hopefully we won't be too taxing
10 on you. But we really appreciate engaging on all
11 of the things that we're going to be talking
12 about.

13 And I also want to highlight that on
14 Friday we have the Recreational Roundtable, and
15 Large Pelagics Survey Workshop. So, that is
16 going to be a public meeting, not just an AP
17 meeting. So, that will be open to the public.

18 And we hope that you'll be able to
19 join us for that to talk about Recreational HMS
20 Fisheries issues. Bennett will probably go
21 through that a little bit further in a moment.

22 And I know that by the time, once
23 again as Kelly said, by the time we reach the end
24 of this meeting we'll all be ready for the long
25 Memorial Day weekend.

26 And, you know, with Pete Cooper's
27 background of the conference room there at that
28 hotel where we often times are together, it
29 reminds me of the wonderful refreshments that we
30 have in the way of, you know, glasses of water
31 that the Federal Government can provide, as
32 augmented by Pat Augustine sometimes bringing
33 cookies, which we won't be able to participate
34 in, in this virtual setting.

35 But I will say, and I want to invite
36 you, over the course of the next few days, please
37 help yourself to one of those refreshments. And
38 take advantage of that, and any of those that may
39 help you get through the next few days.

40 At least get through the next few days
41 still being able to fully engage in providing us
42 information in a productive way. As much coffee
43 or tea as you need would be great. So, thanks.
44 I'll turn it back to Bennett.

45 MR. BROOKS: Great. Thanks, Randy, so
46 much. And yes, I'll be, the pastries, by the
47 way, the croissants are particularly good this
48 morning. So, really appreciate that.

1 All right. So, what are we up to over
2 the next few days here? Lots of topics. This is
3 a really full meeting. As Randy said, however,
4 we've tried to sort of keep this sane.

5 And so, there are breaks. There is a
6 long lunch. We're not taking, you know, dragging
7 us all to 5:00 p.m., or 5:30 p.m., or 6:00 p.m.
8 And it's very deliberate.

9 We really want people to be able to be
10 focused when we're in the conversation. So,
11 we're trying really hard to create an agenda that
12 allows for that, and allows for the conversation.

13 And I think the last few times we did
14 this it worked pretty well. So, hopefully that
15 will be the case going forward.

16 So, today just to give us sort of a
17 look at what we're up to the next couple of days.
18 Today is really going to focus on bluefish tuna.
19 In the morning we'll start with sort of the
20 general overview of recent activities. But then
21 we'll really dive into bluefin tuna specific
22 conversations.

23 We'll have a conversation before lunch
24 on general category restricted fishing days.
25 Lunch is 11:30 a.m. to 1:00 p.m. That will be
26 the same all four days.

27 So, if you are needing to plan your
28 time, needing to plan a work call, needing to get
29 some focus work done, please steer it towards
30 that time. That's really the time to get that
31 done.

32 At 1:00 we'll come back. And then
33 we'll talk about Amendment 13, which is now a
34 proposed rule. And we'll also talk about
35 regulatory changes in Maine state waters.

36 At 3:15 p.m. we will break for public
37 comment. And we will break for public comment
38 every day. Every day the timing is maybe a
39 little bit different, because our overall
40 agenda's a little bit different.

41 But for members of the public who want
42 to weigh in today that will be from 3:15 p.m. to
43 3:45 p.m. And we will get you all out of here at
44 around 3:45 p.m.

45 Tomorrow will be from 9:00 a.m. to
46 3:45 p.m. The morning will focus on shark.
47 We'll talk about the SHARE, which is the
48 comprehensive review of the Shark Fishery. We'll

1 talk about the Shark and Swordfish Retention
2 Final Rule, and shortfin mako listing status.

3 Again, lunch 11:30 a.m. to 1:00 p.m.
4 And then in the afternoon we'll hit a couple of
5 things. We'll talk about the national policy
6 that's focused on the stock assessment and Best
7 Scientific Information Available Framework.

8 And we'll come back, and we'll also
9 hear about electronic technologies and
10 monitoring. And then public comment on tomorrow
11 will be at 3:00, from 3:00 p.m. to 3:30 p.m.

12 On day three, which will be the last
13 of the three AP meeting days, in the morning
14 we'll have an update on the Fisheries' economic
15 situation.

16 This has been I think a pretty well
17 received and important update, you know, ever
18 since we've been sort of dealing in the land of
19 COVID. So much, so many changes, and the staff
20 twists and turns here. So, we'll do that again.

21 As Kelly said, we'll hear from
22 leadership on day three, both from Paul Doremus
23 and Sam. And then we'll have right before lunch
24 an update on the Deepwater Horizon Oceanic Fish
25 Restoration Project.

26 Lunch again at 11:30 a.m. to 1:00 p.m.
27 Then in the afternoon we'll get our law
28 enforcement update, so from OLE and the Coast
29 Guard.

30 And then on day, the third day's a
31 shorter day. So, we'll take public comment at
32 2:00, a half hour, and adjourn around 2:30 p.m.

33 That will end the AP meeting itself
34 formally. Then on day four we have an extra
35 credit opportunity here. And we certainly hope
36 as many AP members will join in as possible, as
37 well as the public.

38 That is a, I think of it as a public
39 workshop. AP members and the public are just
40 sort of all in the mix together. It's no longer
41 an AP meeting.

42 And as Randy said, that will focus on
43 the Large Pelagics Survey redesign. In the
44 morning we'll really be dedicated to sort of
45 laying that out for all of you, taking your
46 questions, kind of making sure people understand
47 where that's at.

48 In the afternoon we'll have a little

1 bit more conversation around that. But we'll
2 also have an open roundtable, which is just an
3 opportunity to hear from, you know, anyone who's
4 in the mix on the issues that they have, or that
5 they're thinking about around recreational
6 fishing, issues of concern, issues for
7 discussion.

8 Such a great opportunity for the HMS
9 staff to hear what's on your mind, and begin to
10 think about what that means going forward.

11 That's the game plan on the agenda.
12 As far as the ground rules, you know, our usual
13 ground rules apply, which I like to think of as,
14 you know, contribute so we can hear from
15 everyone.

16 Again, you all have important
17 perspectives to share. We had a great turnout
18 today, you know, all of the different sort of
19 perspectives are represented. And I think we're
20 only shy about, at the moment seven or eight AP
21 members. So, a really good turnout.

22 But share your time. We've lots of
23 people to hear from. So, the more focused you
24 can be in your comments, you're creating space
25 for others as well.

26 You know, listen hard to each other.
27 Ask questions of each other. Ask questions of
28 the HMS staff. Just make sure you're really
29 plugging in here.

30 It's always worth emphasizing, I'm
31 sure all the AP members know this. But for any
32 members of the public, this is not a consensus
33 seeking body. That is not the goal of the AP.
34 It's not to reach agreement.

35 It's really to have a very informed
36 conversation with HMS staff, to make sure that
37 you all are informed, so you can be really good
38 conduits back out to your respective
39 constituencies, share with people what's going
40 on, what's coming ahead, providing feedback to
41 the, to HMS staff.

42 And, you know, in conversations it is
43 also really helpful to the Agency to see where
44 our panel members align, where are there
45 differences, and why. So again, not consensus
46 seeking, but a really important source of input
47 and discussion for the HMS staff.

48 And just to encourage everyone, when

1 you weigh in in conversations, really focus on
2 bringing kind of what I would call the best
3 available data to the conversation. Because
4 we're all here to inform each other. So, really
5 think about how we can inform each other.

6 AP members, Advisory Panel members are
7 the primary participants. So, during the day,
8 after presentations we'll open it up for
9 discussion and Q&A.

10 That conversation is among the AP
11 members. So again, members of the public who are
12 here, we'll have an opportunity at the end of
13 every day for you to call in. But prior to that
14 it really is a conversation among the AP members.

15 And if you've been in that meeting
16 room that Pete is virtually sitting in, you know,
17 the AP members are around the table. That's
18 where the conversation is until public comment.
19 That's what we're trying to emulate here, to try
20 to make it as much of a Panel meeting as we can.

21 Just last things around kind of
22 working together in our virtual setting here. As
23 you've already seen, you know, the way this is
24 designed, anyone who is not sort of a panelist
25 presenting is on mute the whole time, until
26 you're sort of brought into the conversation
27 because you have a question or a comment.

28 So, you're on mute. When we bring you
29 in we'll take you off mute, just as we did. And
30 that will be the opportunity to chime in.

31 If you want to get into the
32 conversation, please raise a virtual hand. I'm
33 going to hand it off to Pete or Matt in a minute,
34 just to sort of walk you through where that all
35 is. But it's pretty much living next to your
36 name, is the way to get yourself into the
37 conversation.

38 So, raise a virtual hand. If you
39 can't find that, you can throw, you know, throw
40 something in the chat saying, hey, I wanted to
41 get into the conversation. But the virtual hand
42 is the best way to do it, because you really pop
43 up.

44 What you should know is, I can't see
45 you. So, if you start waving at your camera,
46 throwing something at me, I'm not going to see a
47 think. So, it may make you feel better. But I'm
48 not going to know. So, please use one of those

1 two ways to get into the conversation.

2 There is a chat function, which some
3 of you have seen already. That, the way that
4 works is, that is chatting basically to HMS staff
5 and to me.

6 We will monitor that. And if there
7 are comments in there that are substantive, that
8 are important to reflect back out to everybody,
9 some of the HMS staff will sort of take it, and
10 put it back in a chat that can then get bounced
11 out to everybody. So, that's how we use that.

12 I think the chat can be really
13 effective. If someone says something, and you
14 really like what they said, you go, you know,
15 wow, totally agree with what Dewey just said, and
16 pop that in the chat. It's a great way to see
17 something. Or a quick fact, throw it in there.

18 I do sort of recommend that people
19 don't over use the chat. Because then you're
20 really, if you're so busy typing it's really hard
21 to be focused on the conversation, and be sort of
22 overly using the chat. But that's just my own
23 guidance and recommendation on how to do that.

24 If you just want to sort of take a
25 second to figure out where the chat is, if you
26 look at your screen at the bottom you'll see a
27 little quote blurb. And at least on my screen
28 it's on the bottom right. And it says chat.

29 You can open it up right now and throw
30 in there, what are you doing for summer vacation
31 this year. Just say a quick hi, you know. I
32 know the world is starting to open up for many of
33 us.

34 So, if you want to take a minute and
35 just inspire each other on what you're doing this
36 summer, throw it in there and then that's also a
37 way that -- we know that you know how to, we know
38 that you know how to use the chat.

39 Just the last couple of things I will
40 say is, I will run the queue as if this is just a
41 regular meeting. So, you know, that means in
42 general I take your questions in the order that
43 they come up.

44 But I absolutely reserve the right to
45 deviate from that a bit, either to allow the
46 conversation back and forth on a topic, or to
47 make sure we're hearing a diversity of voices.

48 So, if you're someone who tends to

1 weigh in a bunch, if I'm not coming back to you
2 right away it's because I want to make sure we're
3 getting in a cross section of the members into
4 the mix.

5 And I might even be very bold and call
6 on people who haven't raised their hand, or
7 haven't said anything. Because I want to make
8 sure we hear from folks. So, that's a little bit
9 of the latitude I like to take, just to make sure
10 we're really hearing things.

11 So, I think that's all I want to say.
12 Matt or Pete, anything you want to say? Or,
13 Pete, around technical issues and how do you, how
14 to participate effectively in a Webex?

15 MR. COOPER: Sure. I mean, Bennett,
16 you did a great job covering it. I mean, thanks
17 very much. You're making me obsolete here. So,
18 thanks for that.

19 But yes, those buttons in the bottom
20 right. There's a participant's list. You can
21 open and close that. And there's the chat
22 function. And they usually come up on the right
23 side of your screen.

24 And if you want to be recognized and
25 get in the queue for Bennett, under that
26 participant's list you can see a little hand
27 there. That's the raise hand button. You can
28 press that. I think David Schalit's pressed it
29 already. So, he's, yes, he's in the queue right
30 there.

31 If that's not working for you, send
32 something in the chat, and I'll see it, Bennett
33 will see it, and we'll get you in the queue.

34 Also, if you're having problems feel
35 free to email me or Nic Alvarado. And that
36 information is in the email that I sent AP
37 members on Friday. And the tech guide's in
38 there. So, you should be able to figure out most
39 things.

40 The system we're using is the same
41 that we've used for the past few AP meetings.
42 But if you run into trouble, just let me know.

43 MR. BROOKS: Perfect. Thanks. So, I
44 see one hand up. David Schalit, good morning,
45 first of all. And let's bring Dave off of mute,
46 so we can see what his question is.

47 MR. SCHALIT: Could I ask you a favor?
48 Could I bring you back a little bit. Because I'm

1 in a meeting right now.
2 MR. BROOKS: David Schalit, we're
3 actually, the meeting is actually talking to you,
4 and the whole meeting is hearing you.
5 MR. SCHALIT: All right.
6 MR. BROOKS: Okay. Let's take David
7 off of mute. And, David Schalit, we'll give you
8 one last chance here. See if you're off the
9 phone, and want to jump in here with your
10 question? Can we take David off of mute again.
11 David, are you there?
12 MR. SCHALIT: I am here.
13 MR. BROOKS: Okay, good.
14 MR. SCHALIT: Can you hear me?
15 MR. BROOKS: We can hear you.
16 MR. SCHALIT: Yes. Okay. I've been
17 getting questions from some people that the video
18 is nonfunctional. Is that intentional?
19 MR. BROOKS: Well --
20 (Simultaneous speaking.)
21 MR. COOPER: We're trying to minimize
22 technical difficulties. So --
23 (Simultaneous speaking.)
24 MR. SCHALIT: That's fine.
25 MR. BROOKS: Okay.
26 MR. COOPER: Great. As we're doing
27 video it would be like in the in person meeting
28 at the front of the room. So, Bennett and the
29 presenters will be on video. That's about it.
30 MR. BROOKS: Yes. Great. Thanks for
31 asking, David. All right. I am not seeing any
32 other hands raised at the moment. And I don't
33 think I see anything in the chat.
34 So, I know we can always use those
35 extra minutes. So, Randy, I think it's over to
36 you to jump into the overview of recent
37 activities.
38 MR. BLANKINSHIP: All right. Thank
39 you, Bennett. And I will work to share my screen
40 and my presentation. At least I guess that's
41 handed to me.
42 I don't have it handed to me yet.
43 Matt, are you going to send that over to me?
44 There we go. And bear with me for one second.
45 All right. Should be able to see my full screen.
46 Is that correct?
47 MR. BROOKS: Yes, we can, Randy.
48 MR. BLANKINSHIP: Okay. Excellent.

1 So, I will be presenting the, our usual overview
2 presentation of recent activities that we do at
3 every one of our Advisory Panel meetings.

4 I will be going through this very
5 quickly, because there's several slides that I
6 want to allow enough time for comments and
7 discussion, and questions afterwards.

8 So, you all have, remember, the access
9 to this, to a pdf of this presentation on the
10 agenda on line. So, just go there and take a
11 look at it. You can look at it with more detail
12 than maybe I will give for many of these slides.

13 So, this overview presentation will be
14 a brief update on recent actions. And this slide
15 in the upper left hand list of things, are some
16 of those things that I'll be touching on.

17 I will not be touching on
18 presentations or subjects that will be covered
19 elsewhere in the agenda.

20 One of the things I wanted to
21 highlight is something that Kelly actually spent
22 some time on. And that is the priority of the
23 administration about, with climate change.

24 And I wanted to highlight Executive
25 Order 14008, which is Tackling the Climate Crisis
26 at Home and Abroad, that was issued on January
27 27th.

28 And particularly Section 16, I'm
29 sorry, 216(c) has some instructions for NOAA, to
30 collect recommendations on how to make fisheries
31 and, including aquaculture and protected
32 resources more resilient to climate change.

33 And to take input on the management
34 measures and conservation measures, and
35 improvements to science and monitoring, and
36 cooperative research that might help the Agency
37 toward that end.

38 And there was a comment period
39 associated with that, that ended on April 2nd.
40 And a round of listening sessions, and sessions
41 that the Regional Fisheries Management Council
42 Meeting, that were held.

43 And of course, this is the first AP
44 meeting that we've had since that Executive
45 Order. And we wanted to provide you all an
46 opportunity also to weigh in on this, on this
47 topic.

48 And so, you can certainly do so after

1 this presentation. But then also, as was
2 highlighted, during the leadership presentation
3 later this week, on Thursday, Paul Doremus and
4 Sam Rauch will also be touching on this subject.
5 And you can weigh in at that time as well.

6 This is a long term effort and process
7 that the Agency will be undertaking. And so,
8 your input, even if the comment period is over,
9 is still going to be welcome. And we will be
10 accepting that, and incorporating that into the
11 process as well.

12 So, we've had a lot of activity in the
13 HMS management division related to rulemaking
14 since our fall 2020 AP meeting. And then we had
15 the December AP meeting as well that was scaled
16 back in scope.

17 But we've had several things that have
18 happened. And we'll be talking about several of
19 these rulemaking initiatives on the agenda this
20 week.

21 But in addition to those we have the
22 2021 Shark Quotas, Retention Limits, and Opening
23 Date Final Rule that became effective January
24 1st. And of course the 2020 Northern Albacore,
25 Swordfish and Bluefin Tuna Reserve categories
26 Final Rule that was in the end of last year.

27 We've also had several inseason
28 actions since that fall AP meeting in 2020 that
29 include retention limit adjustments, closures,
30 and reopenings of certain fisheries, and quota
31 transfers, reallocation in inseason management of
32 swordfish, and bluefin tuna, and shark fisheries
33 in particular where these are related.

34 Related operations, we've had a lot of
35 activity. And this is kind of a summary of some
36 of the statistics associated with that.

37 We've issued 24 of the fishing
38 permits, or scientific research permits, or
39 letters of acknowledgment. Also, four shark
40 research fishery permits, we've registered about
41 146 tournaments, which is a lower number in 2020,
42 mostly due to the effects of the pandemic.

43 And then we've also had several
44 workshops that we've conducted, both for shark
45 identification, and protected species workshops.

46 For the Atlantic HMS News listserv
47 email notice, and we got quite a few subscribers
48 to that. I highlight that again. And if any of

1 you are not part of that listserv, please go to
2 our website and sign up.

3 Also, we have a summary here of the
4 number of recreational shark endorsements for
5 permits that we have, as well as charter/headboat
6 commercial sale endorsements that are related to
7 our permits there.

8 And then also, one of the highlights
9 that just worked to restructure our permits
10 website at HMSpermits.NOAA.gov.

11 So, you might remember from the fall
12 AP overview presentation that we highlighted the
13 following in our final rule in April of 2020,
14 that dealt with the pelagic longline bluefin tuna
15 area-based and weak hook management measures,
16 that we were sued following that rule.

17 And since that time briefings have
18 been conducted and finalized. And we are
19 awaiting the judge's ruling on this. And what
20 this rule dealt with: converting gear-restricted
21 areas off the northeast coast of the United
22 States, and in the Gulf of Mexico.

23 These pelagic longline gear restricted
24 areas, converting them to monitoring areas,
25 subject to a three-year review period where
26 pelagic longline fishing is allowed within those
27 areas. And then also making adjustments on the
28 weak hook management measures in the Gulf of
29 Mexico.

30 Related to this subject, Congress in
31 its 2021 Appropriations Act Joint Explanatory
32 Statement, or the JES, weighed in related to the
33 Spring Gulf of Mexico Monitoring Area.

34 And in the JES directed the Agency to
35 reconsider the provision for the Spring Gulf of
36 Mexico Monitoring Area. And if we maintain
37 status quo on that, then to increase monitoring
38 in the area.

39 So, we have a plan for how we're going
40 to adjust that. And you may have seen an email
41 that I sent out last week to AP members, to
42 summarize our plan, and let you know that we were
43 going to be discussing this at this AP meeting.

44 And that plan is to publish a public
45 request for information, for information that was
46 not considered in development of the final rule.

47 And so, we will be putting that
48 request for public -- the public request for

1 information out in the next few weeks. You can
2 be on the lookout for that.

3 And we will have a comment period for
4 that. And during that period we will accept
5 relevant information related to any new
6 information not considered in the development of
7 the final rule.

8 And then, after we obtain that input
9 we will review the comments that are submitted,
10 and consider whether additional action is
11 necessary.

12 We are also seeking from you such
13 information of any new information not considered
14 in that final rule, in discussions after this
15 presentation, or even at a later time during this
16 meeting, if you want to provide that to us.

17 I want to highlight also that as part
18 of this we have added some data tables to our
19 rulemaking page, or our web page that's
20 associated with this final rule. And so, there's
21 a link here that hopefully you'll be able to
22 follow.

23 And if you go to that web page, that
24 summarizes the final rule and actions taken, and
25 scroll down, you'll see that there is two tables,
26 data tables, one for last year in 2020, and one
27 for this year, 2021 that summarizes the catch
28 information of bluefin tuna related to the two
29 monitoring areas that are in place.

30 So, also in the 2021 Appropriations
31 Act JES were instructions from Congress to
32 undertake a review related to shark and marine
33 mammal interactions.

34 And so, this specifically was to
35 review the occurrence of conflicts between
36 dolphins and sharks with commercial, for-hire,
37 and recreational fishing vessels in the Gulf of
38 Mexico and South Atlantic.

39 So, the Agency has undertaken and
40 started on that review. We expect that the draft
41 review will be shared with the South Atlantic and
42 Gulf of Mexico Fish and Management Councils, as
43 well as we plan to share it with you all in the
44 fall.

45 I want to also note that our own
46 initiative of the Shark Fishery Review, or SHARE,
47 which we will pick up later in this meeting, also
48 considers shark depredation, and some of the very

1 information that may go into this review.

2 Speaking of the Shark Fishery, I
3 wanted to touch on a few things here. One of
4 them is related to litigation over Amendment 5b
5 and dusky sharks.

6 This is a rule that was challenged
7 back in May of 2017. And on March 30th of this
8 year the District Court fully upheld Amendment 5b
9 and NMFS' approach to managing the dusky shark.

10 I also wanted to highlight some of the
11 Shark Fin Bill, and laws that have been adopted
12 at the state level that have been happening.

13 And for the U.S. Congress it has been
14 a few different bills that have been introduced
15 in the past, and now reintroduced in this
16 session. Those are listed here.

17 And then also, there has been recent
18 activity at the state level for Florida and New
19 Jersey, and new requirements that have been
20 implemented there that were effective in January
21 of this year.

22 Also, I wanted to highlight that we
23 had to make an assessment, a stock assessment for
24 Atlantic blacktip, and for porbeagle are
25 complete. And the results are preliminary, at
26 least this far. And the Agency is working
27 towards, working with those results. And then
28 also, the hammerhead shark research track
29 assessment is underway.

30 And then we have Amendment 14. And
31 the draft of Amendment 14 was out for public
32 comment back in the fall. And that public
33 comment period ended at the end of December. And
34 we are, have been reviewing comments, and
35 drafting final documents for that.

36 So, this is a slide, of course that
37 has links to some very important and useful
38 information that I encourage you to take a look
39 at.

40 We have our landings updates for the
41 different HMS species and species groups. And
42 the link is there. Also, a link to tournament
43 information, both registration and reporting
44 information, as well as daily bluefin tuna
45 landing updates, and other information available
46 at our permits website, HMSpermits.NOAA.gov, and
47 then a summary of minimum size limits and bag
48 level available at those, the final links on the

1 screen.

2 So, I wanted to give a little bit of
3 an update of a subject that we spent some time
4 talking about recently in the fall. And that was
5 in the September meeting. But we spent more time
6 on it in the December AP meeting, related to the
7 2020 landings of blue and white marlin and
8 roundscale spearfish.

9 So, most of you know, and so if you
10 don't know, we have an ICCAT established limit of
11 250 landings, individual fish landed, for all of
12 these species combined.

13 And we monitor this throughout the
14 year. And in 2020 we had higher landings of
15 these species, particularly white marlin and
16 roundscale spearfish in the summer of 2020.

17 And that's based upon our accounting.
18 And the projection was taking us very close to
19 the 250 landings limits. And so, at the end of
20 last year we actually went to catch and release
21 in this fishery.

22 And then subsequently, through
23 additional QA/QC, we picked up on a little bit of
24 a data integration glitch, and corrected that.
25 But also, through that process, and through the
26 dedicated QA/QC process the final 2020 landings
27 estimate, that came out to be 235 fish total of
28 the species combined. You can see the actual
29 number breakdown there.

30 And so, what this means is that we did
31 come actually quite close, within 15 fish of the
32 250 landings limit. So, going to catch and
33 release in that fishery was an appropriate
34 measure. And it also, and, you know, shows that
35 we did not exceed the 250 landings limit.

36 And so, we are not, we have not
37 implemented an increase in the minimum size limit
38 for 2021. But we will be monitoring that fishery
39 very closely as this year goes on, and can make
40 adjustments in season as necessary.

41 So, on the Paperwork Reduction Act,
42 one of our, you know, section of bureaucratic
43 processes that we have that's very necessary in
44 order to monitor the overall burden on the public
45 of some of our data collection programs.

46 This is a slide that we often times
47 highlight some of the renewals that we have
48 underway, that we can really use your input on.

1 And so, you'll see listed here are
2 several different numbers. These are data
3 collection programs, and the subject matter that
4 are listed there that we have, that are out now,
5 and will be out shortly, and that we really could
6 use your input on.

7 Specifically we'd like to get input on
8 utility of the information, accuracy of our
9 estimates of burden, ways to enhance the quality
10 of the data, and ways to minimize reporting
11 burden.

12 The information here, and the contact
13 information are the ways that you can submit
14 comments. And it would be very helpful to us if
15 you, you know, took the time to shoot a message
16 in related to any of these.

17 So, one new thing that we have going
18 on this summer is a new communications campaign
19 related to sharks. And it's going to be known as
20 #KnowSharksBetter.

21 It's a summer long social media
22 campaign where we will be working to provide good
23 and fact based shark information to the public,
24 that will help address misperceptions about
25 commercial and recreational shark fishing, and
26 the status of shark populations.

27 And so, I hope that you'll be on the
28 lookout for this, and that you'll be able to
29 follow it on Facebook, and Twitter, and
30 Instagram. And then also share out to those
31 folks as appropriate, if you're willing, through
32 your own social media platform.

33 So, one other subject that I wanted to
34 put on your radar screen is that we're thinking
35 about term limits for AP members. Currently
36 there are no term limits.

37 And we greatly appreciate all of the
38 participation of many of you over the years.
39 This in no way reflects that we don't appreciate
40 that.

41 But we are looking for a way to more
42 kind of like on a systematic approach to
43 incorporating new voices, while still maintaining
44 some of the institutional knowledge that you all
45 represent.

46 And so, we are very interested in your
47 feedback about approaches. And we are not
48 talking here about, you know, excessive term

1 limits that just reach, that a potential AP
2 member would never be able to serve again. But it
3 might be where you sit out for a year. And then
4 after a nomination process you have an
5 opportunity to come back on. Or something along
6 those lines.

7 So, we're interested in all aspects to
8 how we might go about implementing term limits to
9 accomplish these goals of incorporating new
10 voices, but still maintaining institutional
11 knowledge.

12 So, besides what's happening inside
13 our division, there's a lot happening outside the
14 division. Of course, we're completely aware of a
15 lot of the constraints and difficulties that are
16 ongoing, as the pandemic continues. And we will
17 be having a discussion around a presentation
18 later in the meeting about that.

19 But I wanted to highlight a few other
20 things that are happening, just to put them on
21 your radar screen.

22 For instance, the pelagic longline
23 take reduction plan, the changes that are there
24 in the proposed rule published back in December.

25 Also the Atlantic Large Whale Take
26 Reduction Plan, and possible changes on the
27 horizon, as well as the Flower Garden Banks
28 National Marine Sanctuary in the final rule that
29 was published in January.

30 And there's a link to the website
31 where you can take a look at that, as well as
32 Gulf of Mexico Coral Amendment 9 final rule, and
33 expansion of the Florida Keys National Marine
34 Sanctuary, several initiatives. And information
35 is available on websites associate with that
36 National Marine Sanctuary.

37 There's also a lot happening on the
38 aquaculture front. And it's the HMS management
39 division is engaged in the southeast process for
40 working on some of those topics.

41 And then also, there's the Gulf
42 Council modification of fishing access to the
43 Eastern Gulf of Mexico Protected Areas. And
44 specifically those are Madison-Swanson and
45 Steamboat Lumps.

46 There's also the Northeast Canyons and
47 Seamounts subject, which many of you are aware
48 vacillated back and forth between Executive

1 Orders and Presidential Proclamations, which is
2 under consideration now within the Department of
3 Interior, and the Secretary of Interior
4 specifically. And so, we await some new news
5 about that. So, that's something to be aware of,
6 and be on the lookout for.

7 So, also happening, our electronic
8 reporting initiatives on a regional and national
9 basis that HMS management division is actively
10 participating in.

11 There's, as the title indicates here,
12 the Southeast For-Hire Electronic Logbook
13 Reporting or, and referred to by the acronym of
14 SEFHEIR, which was implemented this year for the
15 South Atlantic and for the Gulf of Mexico. And
16 the work continues on aspects of that in those
17 regions.

18 But also, HMS management division
19 continues to work SEFHEIR, and also with ACCSP
20 and GARFO to incorporate our own HMS test
21 reporting data elements to meet our requirements
22 into the eTrips and the eVTR programs, with the
23 goal of eliminating the need for duplicates to
24 put together reporting, and in keeping with the
25 Agency's One Stop Reporting Initiative.

26 And so, speaking of the One Stop
27 Reporting Initiative, the, that is something that
28 HMS management division has been actively
29 involved in, the team working on this, in order
30 to try to create streamlined approaches to
31 electronic reporting for vessels that have
32 multiple permits, and multiple permits in
33 different regions.

34 And so, as we move through this
35 process we will be fully engaged in trying to
36 accomplish and, you know, the goals of these
37 programs.

38 Currently the eTrips program fulfills
39 the reporting requirements that's Associated with
40 GARFO and HMS handgear, and the SEFHEIR official
41 permit.

42 And then in the near future the
43 Southeast Coastal Fisheries and HMS Logbook
44 requirements will also be considered an eTrip.

45 Also happening on a regional basis are
46 the development of third-party reporting
47 programs. And so we've been engaged in
48 discussions with the region in trying to

1 facilitate the development of those.

2 That's something to be aware of, that
3 some of those third-party reporting programs may
4 not meet all requirements for all of the
5 different regions, and including HMS. And so,
6 we'll be working to continue to streamline some
7 of that.

8 But it is something to be aware of as
9 the programs develop. But it is the case that
10 eTrips does. So, we meet all of those
11 requirements.

12 So, Kelly had mentioned offshore wind
13 as a priority for the administration. And
14 certainly the HMS Management Division has been
15 engaged with the regional offices and the science
16 center on project reviews and impact assessments.
17 And we will continue to do so. And we've
18 provided several links for information here.

19 And then also, looking ahead I wanted
20 to mention a few of the things that are
21 happening, for your awareness.

22 Of course, we have rulemakings that
23 are out right now under, proposed rules under
24 comment period. The Maine/ATCA or Atlantic Tunas
25 Convention Act proposed rule comment period ends
26 June 10th. Bluefin tuna restricted-fishing days
27 comment period ends June 11th.

28 Shark Review webinars will be
29 happening later this summer. So, be on the
30 lookout for news about that.

31 And then, Amendment 13, which is out
32 right now, and public hearings for that will be
33 announced soon, as well as coordinated touch
34 bases and presentations with the fishery
35 management, several Fishery Management Councils,
36 will be happening this summer. And the comment
37 period for that ends July 20th.

38 And we also, as I mentioned, have, we
39 will be putting out that request for new
40 information related to the JES language, in
41 response to Gulf of Mexico Monitoring Area. That
42 will be coming out in the next few weeks.

43 We have several other initiatives that
44 are upcoming, for the rules, actions, and notices
45 that are listed here. And we have some
46 presentations on some of those coming up later
47 on.

48 So, for our AP meeting, as usual we

1 have a communications bubble. And that is that
2 we try to avoid surprises. And that means that
3 we try to share information with you all. And we
4 hope that you will also share information back
5 with us.

6 But in doing so, that we maintain
7 respect for each other through that whole
8 process. As AP members we expect you to listen
9 and to engage in discussions, share information
10 that you hear with your constituents back home.

11 And then also bring ideas to us and
12 advise us about HMS management. On our end we
13 certainly will uphold and comply with all
14 domestic and international requirements.

15 We will raise issues, and inform you
16 all and the public about HMS management
17 activities and issues. We will also listen and
18 engage in the discussions, and make decisions
19 that incorporate the feedback and input that you
20 give, that you provide to us.

21 I want to highlight that as you can
22 tell in a virtual setting by some of our
23 backgrounds that we are all working remotely from
24 home. But you can reach us. And you can do that
25 most successfully via email.

26 But you can also do so by calling our
27 main line. And we do monitor our main lines in
28 our offices. And we will call you back or email
29 you back, to find out how we might be able to
30 serve you.

31 In conclusion, we're going to cover a
32 lot of ground. And I want to highlight that our
33 operational activities take up a lot of our
34 Agency resources.

35 It is not the case where we can just
36 talk to -- and do a rulemaking at a whim. We
37 need to plan those things out. And so, it's
38 important for us to set priorities for the
39 division.

40 But we do value your input. And we'd
41 like input on those priorities, and potential
42 solutions for issues as we go through these
43 discussions. With that I'll take any questions
44 and comments.

45 MR. BROOKS: Okay. Thanks very much,
46 Randy. Appreciate it. Lots in there. And as
47 Randy said we've got, I think about 20 minutes or
48 so for questions for Randy, or comments on

1 anything he presented.

2 And I do want to just quickly note
3 that the AP meeting is being recorded. Those
4 recordings are not posted. The HMS will continue
5 to post the transcripts like they normally do.
6 But I just want folks to know that these meetings
7 are being recorded.

8 So, Sonja Fordham, why don't you jump
9 on in, if we can take her off of mute. And then
10 I'll go to Kristin, Shana. Go ahead, and just
11 keep going.

12 MS. FORDHAM: Good morning.

13 MR. BROOKS: Good morning.

14 MS. FORDHAM: Thank you. I can't
15 believe I got first. I wanted to say thank you,
16 Randy, for the presentation. I have some
17 questions about the shark assessments.

18 And I did very much appreciate the
19 updates, in terms of hammerheads and Atlantic
20 blacktip. It's very exciting. Atlantic blacktip
21 assessment after all this time. I wanted to know
22 when we could expect those conclusions.

23 I think I'll just run through all my
24 questions, and maybe you can answer them when I'm
25 done.

26 I was wondering if the hammerhead
27 study that you mentioned might, if it's focused
28 on any particular species? If it's most focused
29 on scalloped, or if it will shed some more light
30 on great and smooth hammerheads? Particularly
31 the status of great hammerheads is of concern to
32 me.

33 And that leads me to some broader
34 questions about shark assessment in general. And
35 I was looking at the 2020 sharks, status of the
36 sharks report, and noticed, was concerned in
37 addition to the unknown status of Atlantic
38 blacktip and great hammerheads.

39 Particularly oceanic whitetip sharks,
40 which of course now are listed under the ESA, and
41 NOAA has specific initiatives for this species
42 that, you know, are really of great global
43 concern, considered critically endangered by the
44 IUCN, and the only shark prohibited by all tuna
45 RFMOs.

46 And yet we, you know, we're telling
47 the public that we don't know what the status is.
48 That's kind of stuck out the most to me. There

1 are a lot of other species.

2 The next priority or concerns for me
3 were silky sharks. That's another species of
4 global concern. But also common threshers, and
5 even bonnetheads, you know, these are species of
6 potential economic importance. And I would just
7 like to just make sure we stay within safe
8 fishing levels.

9 So, there are a lot of species that
10 need more assessment. But those ones were sort
11 of the top of the priority list for me.

12 And I'm just wondering, and, you know,
13 if you want to talk more tomorrow or later,
14 that's fine. But I'd kind of like to
15 reinvigorate this discussion about how we get
16 more assessments of the shark species.

17 In particular, what are the main
18 obstacles? I know we talked before about
19 obviously the data, the catch data in particular.
20 Maybe some biological information. But also the
21 personnel. Do we have enough Enric Corteses in
22 the world to do this?

23 So, I'm just wondering, what NOAA's
24 latest thinking is. You know, which is the
25 biggest obstacle? Are they equal data versus
26 personnel
27 And do we have any kind of plan or time horizon
28 for this unknown species to be assessed? And
29 would that horizon maybe improve if there was a
30 significant increase in appropriations? Is that
31 appropriations dependent? Would, how much would
32 more money solve? And how much is just a bigger
33 problem.

34 MR. BROOKS: Thanks, Sonja.

35 MS. FORDHAM: Thanks. Thank you.

36 MR. BROOKS: I want to make sure, yes,
37 let me let, it looks like Karyl turned on her
38 camera, probably to jump in. So, let's let her
39 jump in, and then go to other AP members. Karyl.

40 MR. BLANKINSHIP: Sure. So I'll just
41 jump in right before Karyl does. And thank you.
42 I'm glad Karyl jumped on. Because I was going to
43 give her a chance to get on.

44 But thank you, Sonja, for all of that.
45 There's a lot there. And I would say that, you
46 know, we could certainly get into more detail a
47 little bit later in the shark discussion on some
48 of this. And that may be what Karyl suggests.

1 Related to appropriations, we could
2 always use, you know, more funds in order to do
3 more. It's a suggestion there. And I would say
4 that it's, there's definitely a part of like,
5 your question about which is more of a constraint
6 related to personnel or data.

7 And I would say that there's probably,
8 you know, on all fronts. There's limitations
9 there. Data is a big one. And Karyl can talk a
10 little bit more about that.

11 So anyway, but that's a little bit of
12 a general comment. So, I'll turn it over to
13 Karyl for anything more specific that she wants
14 to add.

15 MS. BREWSTER-GEISZ: All right. So,
16 thanks, Sonja. You had a lot of questions there.
17 Your first question was regarding the hammerhead
18 and blacktip assessment, and when we can expect
19 the conclusions for the Atlantic blacktip.

20 We are working on getting that out
21 soon. So, probably in the next month or so
22 you'll have, we'll have the final determinations
23 for Atlantic blacktip. But tentatively it looks
24 really good.

25 You also asked about the hammerhead.
26 I assume that you were talking about the
27 hammerhead research track assessment that we are
28 starting. And actually the data scoping call
29 happens tomorrow.

30 And I just wanted to explain. It's
31 for SEDAR, which is where we, you do all of the
32 domestic assessments. They are changing their
33 process in an attempt to get more throughput.

34 But in the beginning of changing this
35 process it will take more time. So, they are
36 starting what they're calling research track
37 assessments.

38 Hammerhead is their first one. And it
39 is looking at all of the hammerhead stocks,
40 except for bonnethead. We're not including
41 bonnethead. But all the other stocks are up.
42 Species are up. And they're trying to determine
43 which stocks.

44 So, it's the data scoping call that's
45 happening tomorrow. It will take several years
46 to finish this research track. And at the end of
47 a research track assessment there are no
48 management determinations.

1 We need an operational assessment
2 after the research track to get what the final
3 results of the assessment are. And that's
4 because the research tracks, they don't use the
5 most up to date data.

6 The purpose of the research track is
7 to figure out how the assessment should happen
8 for each species. So, it's several years down
9 the line before we get any other assessments out
10 of SEDAR.

11 I did make note that you wanted silky,
12 thresher, blacknose, and some of the other
13 species. So, we'll add those. And I'll start
14 talking with the science center about what comes
15 after hammerhead. A little bit further down the
16 line.

17 You also asked about oceanic
18 whitetips. They are not assessed domestically,
19 which is the only reason they are still listed as
20 unknown. We are looking at the buy up, and
21 considering rulemaking for that. And I think I
22 will leave it there.

23 MR. BROOKS: Thanks. Thanks, Karyl,
24 very much. Let's get a few more people in.
25 Kristin Foss, then Shana, then David Schalit and
26 Steve Plans. Kristin.

27 MS. FOSS: Morning. Thank you, Randy
28 for that nice overview presentation. I just
29 wanted to point out a quick correction. So, that
30 border shark fin bill was actually effective
31 October 1st, 2020, not this most recent January.
32 Have to provide more information there.

33 And then, I also just wanted to give
34 a big thank you to Karyl and Randy for their
35 participation in our Commission's recent shark
36 roundtable that was a couple of weeks ago.

37 We got bunches of experts in their
38 field to share their experiences on shark
39 depredation in Florida. And if anyone is
40 interested in that roundtable, a recording's
41 available on the Florida Channel. Or just reach
42 out to me, and I'm happy to help share that
43 information. So, thanks.

44 MR. BROOKS: Great, thanks.
45 (Simultaneous speaking.)

46 MR. BROOKS: Oh, go ahead, Randy.

47 MR. BLANKINSHIP: I was going to say,
48 thanks Kristin for the correction, and then also

1 for the shout-out about the participation there
2 in the workshop.

3 MR. BROOKS: And Kristin, if you want
4 to throw the link to that recording into the
5 chat, we can then bounce that back out to
6 everybody -- a few.

7 MS. FOSS: Sounds great, I'll do that.

8 MR. BROOKS: Great, thank you. Shana?

9 MS. MILLER: All right, thank you.

10 And you can hear me all right, Bennett?

11 MR. BROOKS: Yep, we can, yes.

12 MS. MILLER: All right, thanks for
13 that presentation, Randy.

14 That was a very impressive overview of
15 all of the work you and your team has been doing,
16 and I just had some comments and a question on
17 the response to the appropriations call on the
18 Gulf of Mexico gear restricted areas.

19 And, you know, based on the text of
20 that appropriations language, I was a little
21 surprised to see the new public comment session,
22 you know, because there wasn't any fishing last
23 year and in the closed areas, and it doesn't
24 look like there's been any this year yet either.

25 I'm not sure what new information you
26 could anticipate receiving, other than the fact
27 that the stock, you know, has a 94 percent chance
28 of undergoing overfishing. But, you know, we'll
29 see where that goes.

30 I think the key was increasing
31 monitoring if that fishery is going to be open,
32 and, you know, the table is good from a
33 transparency perspective and to tell the public
34 -- you know, keep them informed of what's going
35 on, and I think it's great that you have it up on
36 the website, but, you know, the call was for 100
37 percent human observership. And so, this falls,
38 you know, far short of that.

39 I was wondering, you know, two
40 questions.

41 One, if you considered short of 100
42 percent human observership, whether you
43 considered increasing the audit level of the
44 electronic monitoring footage?

45 And then, second of all, just on the
46 website, I did check out that table that you have
47 posted on the rule page, and just a suggestion,
48 if you could maybe have an as-of date included

1 for the 2021 numbers because, you know, it has
2 the dates through June 30, but of course these
3 data aren't current as of June 30, so if it's
4 going to be updated weekly, it'd be helpful to
5 have an as-of notation on that table. Thanks.

6 MR. BLANKINSHIP: Sure. Thank you
7 very much, Shana, for that suggestion.

8 We will definitely take a look at that
9 suggestion on the data table.

10 We did, you know, certainly take a
11 look at 100 percent observer coverage by
12 in-person observers, and other options for being
13 able to try to strive to meet what the JES
14 language was saying.

15 We also balance that against
16 practically what the impacts of that might be,
17 and then also the monitoring that we currently
18 have in place, which as the three-year review for
19 the IBQ program certainly demonstrated, and it
20 indicated that the monitoring that we have for --
21 accounting for the catch and disposition of
22 bluefin tuna, which is what this question is
23 about, is sufficient for accomplishing the goals
24 of the IBQ program, which also meet the goals of
25 monitoring fishery in a monitoring area.

26 In addition to, as augmented by, you
27 know, the observer coverage that we do have,
28 including enhanced coverage of in-person
29 observers in the Gulf of Mexico in the spring.

30 And so, it is also the case that if
31 100 percent of in-person observer coverage was
32 accomplished in the Gulf of Mexico, that that
33 would draw resources from coverage in other
34 places, so there are impacts that go along with
35 that.

36 So, there was a lot of thought that
37 went into the process under which we've
38 proceeded.

39 MS. MILLER: Just one follow-up
40 question, if I may, Bennett?

41 What is that level of enhanced
42 observer coverage in the spring, now, Randy? I
43 thought that had been discontinued. But I guess
44 I was wrong --

45 MR. BLANKINSHIP: I can get back with
46 you about that. I don't remember off the top of
47 my head.

48 I don't want to say the number because

1 I might be wrong, but I can go back and we can
2 bring this back to you a little bit later in the
3 meeting.

4 MS. MILLER: Perfect. Thanks, Randy.

5 MR. BROOKS: Great, thanks. Let's go
6 to David Schalit.

7 MR. SCHALIT: Oh, can you hear me?

8 MR. BROOKS: Yes, we can David.

9 MR. SCHALIT: Okay. Thanks, Randy,
10 for that really comprehensive presentation.
11 Excellent.

12 I just have one question.

13 There was an items in the presentation
14 that said that Atlantic HMS news subscribers at
15 this juncture totals approximately 5,800 people,
16 and we know that we have probably 26,000 permits
17 out there.

18 And, you know, ABTA publishes on its
19 Facebook page some of the inseason regulatory
20 changes that take place, bag limits, closures, et
21 cetera, et cetera, and we've been getting
22 anywhere from 3,000 to 14,000 pairs of eyeballs
23 on these Facebook posts.

24 And it occurred to us that maybe we're
25 undersubscribed with regard to like, the HMS
26 news, so my question is, is there a prohibition
27 in place, or some regulation or rule in place
28 that prevents HMS from using the email addresses
29 it captures in the permitting process for placing
30 these email addresses automatically in the
31 Atlantic HMS news subscriber list? Thanks.

32 MR. BROOKS: Thanks. Randy? Any
33 thoughts on that?

34 MR. BLANKINSHIP: Yeah, off the top of
35 my head, I don't remember if there's a
36 restriction against doing that.

37 I think that we steered away from
38 doing that based upon -- well, I know that it has
39 come up in discussions in the past, and actually
40 I'm not recalling all of the reasons why we
41 haven't gone down that road, other than it would
42 definitely be the case that, you know, you would
43 be imposing, you know, new messages hitting
44 everybody's inbox involuntarily, which might not
45 have a positive reaction from a great number of
46 people, but I don't remember a lot of the other
47 discussions because it's been a little while
48 since we talked about that.

1 I would say Pete Cooper might remember
2 some of that, and if he wishes to weigh in, feel
3 free.

4 MR. BROOKS: All right. Pete, go
5 ahead.

6 MR. COOPER: Yeah, hey. So, yeah, and
7 Randy, my recollection's been similar to yours.
8 Like, I think we kicked the can around on that a
9 little bit.

10 It would be a change to what we'd have
11 to do in the permit system, and we definitely
12 want to have some sort of option for people to
13 opt in and not force it on people.

14 So, but that's an idea that we can
15 consider using, so let's write that down and
16 research that a little bit.

17 MR. SCHALIT: So, a quick follow-up
18 here.

19 Well, your comment here was noted that
20 it would also be the case that if the permit
21 holders were automatically put on the subscriber
22 list, they also have the alternative to opt out
23 at the bottom of every email.

24 MR. BLANKINSHIP: Yeah, that certainly
25 could be a feature that we could have in there if
26 we went that route, but we will definitely take
27 your suggestion, David, and give it further
28 consideration again.

29 Like I said, we have thought about
30 that in the past, and we will certainly talk
31 about that again.

32 MR. SCHALIT: Thank you.

33 MR. BROOKS: Great. I want to --
34 (Simultaneous speaking.)

35 MR. COOPER: And I'd also have to say
36 there might be -- oh, excuse me, Bennett, like
37 Paperwork Reduction Act issues with that because
38 then you're forcing somebody to actually opt out,
39 so, it's all stuff that we can consider. Thanks.

40 MR. SCHALIT: Thanks.

41 MR. BROOKS: We have five people in
42 the queue here and we have four minutes left, so
43 I'm going to ask the folks to be very succinct in
44 their questions so we can get a few more voices
45 in here.

46 I may not get to everyone before the
47 break.

48 Steve Poland, you're up next. Again,

1 if you could be very focused in your question --
2 thanks --- comments.

3 MR. POLAND: All right, thank you.
4 Steve Poland, North Carolina Division of Marine
5 Fisheries.

6 Randy, I have a few questions about
7 the Atlantic billfish landings.

8 And I apologize, I missed the December
9 meeting. If this was discussed, you can just
10 tell me to, you know, go look at the plan.

11 But as far as the minimum size
12 increases, is that something already baked into
13 the plan, and does it apply to both the white
14 marlin and the spearfish, or can those actions be
15 separated?

16 And then has there been any discussion
17 with HMS tournaments relative to, you know, the
18 landings from last year, as far as, you know,
19 maybe just giving them a heads-up, or, you know,
20 if any of them have considered modifying any of
21 their tournament requirements?

22 MR. BLANKINSHIP: Sure. Thanks for
23 the questions, Steve.

24 Yes, the minimum size increases that
25 are available to us as management measures are
26 specified in the regulations, the range that we
27 can increase to, and it is a substantial jump,
28 particularly for blue marlin.

29 And it is true that we can take
30 different approaches with the different species,
31 if that's necessary.

32 Those were some of the things we
33 talked about, a little bit back in December, was
34 pros and cons of different approaches, should we
35 need to go that route.

36 So we have, you know, a few different
37 options there. One is increases in the minimum
38 size limit. We can also go to catch and release
39 in the fishery.

40 But the route that we go, of course,
41 it depends upon what the situation is in a given
42 year.

43 And last year, it was the case that we
44 were estimating and projecting that we were going
45 to be so close to the 250 limit that we didn't
46 have enough time to allow for let's say a slow
47 down of the harvest rate by using the increase in
48 minimum size limits, that we actually needed to

1 go to the catch and release fishery.

2 But if we did have a different
3 situation, we might be able to use an increased
4 amount of size limits.

5 This also related to discussions of
6 permits.

7 Yes, during the AP meeting in December
8 -- of course we have some AP members that are
9 tournament operators -- and they weighed in with
10 several thoughts related to that, and some of
11 that to my recollection involved discussions that
12 they were having with their own boards about the
13 potential to adjust their tournament requirements
14 and increasing minimum size limits to address, in
15 that case particularly, harvest of white marlin
16 and roundscale spearfish.

17 And subsequently, I understand that
18 some of them have taken some of those measures;
19 and so, that might help this year, and we will be
20 monitoring the overall fishery very closely.

21 MR. BROOKS: Thanks. And I'm just
22 going to ask people to take a look at the chat.

23 You'll notice that Delisse is
24 reflecting out and Heather reflecting out some
25 comments there, and a link to Florida.

26 Alan Weiss, jump in if you can with a
27 quick question or comment.

28 MR. WEISS: Thanks --

29 MR. BROOKS: Alan, we lost you.

30 Alan, are you there?

31 MR. WEISS: Yes, sorry.

32 MR. BROOKS: Okay.

33 MR. WEISS: I just wanted to ask a
34 quick question of Randy in regard to the items he
35 discussed relating to the Gulf of Mexico, and if
36 he could give us a quick brief summary of the
37 implementation of the current rules and what the
38 results have been so far?

39 MR. BROOKS: Randy?

40 MR. BLANKINSHIP: Yeah, sure.

41 So, implementation, I think you're
42 talking about the final rule from April of 2020,
43 where we converted the gear-restricted areas to
44 monitoring areas, and so that began then in April
45 and May of 2020 for the Gulf of Mexico,
46 monitoring area, and of course continues now,
47 because we're still in May right now for this
48 year.

1 So, basically -- and I'm kind of
2 really hashing through this really quickly --for
3 the Gulf of Mexico in 2020 there was no pelagic
4 longline sets in the Gulf of Mexico during the
5 monitoring areas survey, and this year in 2021,
6 that is also the case, as reflected by the zeros
7 that are in the tables that are on that website
8 that I referenced.

9 In the cases where there was some
10 fishing effort -- and I'm looking now back to the
11 2020 table for the Northeast U.S. Monitoring Area
12 -- you'll see that there were some dashes, and
13 that indicates that there was fishing effort in
14 that area, but the fishing effort was low enough
15 that we can't meet the confidentiality
16 requirements to show the actual data, which means
17 that there were fewer than three vessels that
18 made a pelagic longline set within that area.

19 But yes, the threshold that is in
20 place to kind of ensure that catches in that area
21 don't get too high was not met in 2020.

22 And so far, in 2021 for the Gulf of
23 Mexico, that threshold has not been met either.

24 MR. BROOKS: Thanks, Randy. Brad, did
25 you want to jump in on that?

26 MR. MCHALE: Nope, just here to
27 support Randy and everything he was sharing is
28 fine.

29 MR. BROOKS: Okay, great. We are
30 already into our break time.

31 I'm going to push this until 20 after,
32 but not any later than that because we really do
33 need our breaks to keep this conversation going
34 well.

35 Marty, please jump in. Marty Scanlon.

36 MR. SCANLON: So, the point that I
37 want to make here is in regards to the use of our
38 EM cameras here, is that these systems are being
39 reviewed at a much higher rate than most people
40 understand them to be.

41 And by saying that, I mean is that
42 these indicators within the footage that
43 indicates when the cameras are actually active,
44 the fishing is -- the activities are actually
45 going on.

46 And that's what's being monitored, not
47 the overall tape, so there's significantly more
48 footage being viewed than most people may

1 understand.

2 MR. BROOKS: Thanks, Marty. That's
3 helpful. Mike Pierdinock?

4 MR. PIERDINOCK: Oh, thank you,
5 Bennett, thank you, Randy, for your presentation.

6 The slide associated with shark and
7 marine mammal interaction, it's positive to see
8 that that's being assessed down in the Gulf of
9 Mexico and South Atlantic.

10 I would hope there's some
11 consideration in the future for what we have up
12 here in our New England waters with -- we
13 basically have a good conservation success story
14 with great white sharks and gray seals.

15 Unfortunately there's not enough great
16 white sharks to maintain or cull the gray seal
17 population, and we have them up here in
18 tremendous numbers, eating a tremendous amount of
19 forage fish and game fish.

20 Whether it's recreational or
21 commercial, they eat a tremendous amount.

22 They're moving out and they're coming
23 south and going into different areas, and we're
24 finding that for a lot of our groundfish, we
25 would just see parasites that you would find in
26 cod associated with the gray seals and, you know,
27 their feces, and ultimately eaten by the cod, but
28 now we're seeing that in other species such as
29 black sea bass and haddock, and it seems to be
30 increasing.

31 So, there appears to be a detrimental
32 impact from this population on those fish, and
33 that impacts things commercially, or -- as well
34 as to commercial sale of those species, as well
35 as recreationally when you catch them, whether
36 you want to eat them.

37 I would hope there could be some
38 consideration to look at this in the future
39 because it is kind of a mix of the great white
40 sharks and gray seals that continue to have a
41 booming population, and maybe there is some cull
42 or something that could be done to control it.
43 Thank you.

44 MR. BLANKINSHIP: Thanks for the
45 comment, Mike.

46 MR. BROOKS: Great. Thanks, Mike. I
47 still got a couple of people in the queue, but I
48 do want to get us to a break here, so I know Rick

1 Bellavance, Rusty, I'm going to track you and
2 make sure that we can get you in earlier into the
3 next round, but let's get folks to a break.

4 We'll just take ten minutes or nine
5 minutes here, and we'll come back at 10:30 sharp.

6 For folks who raised your hand, if you
7 wouldn't mind lowering it again after you've
8 spoken?

9 That helps me to make sure I'm up to
10 date on the queue here.

11 So thanks, Randy, for the
12 presentation, and to everyone for the questions
13 and comments, and let's reconvene at 10:30 sharp
14 and pick up with bluefin tuna conversation.

15 Thanks, everybody.

16 (Whereupon, the above-entitled matter
17 went off the record at 10:22 a.m. and resumed at
18 10:32 a.m.)

19 MR. BROOKS: So with that, we are at
20 10:30. And I think we should jump back in here.

21 As I mentioned at the beginning of the
22 day, the rest of our conversation for the day is
23 going to focus on bluefin tuna.

24 We'll start with the General category
25 of restricted-fishing days conversation, then
26 into Amendment 13 after lunch, and then finish up
27 with the conversation on the proposed rule to
28 extend ATCA to Maine state waters.

29 So, with that, I want to hand it off.
30 I think Larry Redd is going to be speaking.
31 Larry, over to you.

32 MR. BLANKINSHIP: Bennett. Excuse me,
33 Bennett?

34 MR. BROOKS: Yes? Randy.

35 MR. BLANKINSHIP: Yeah, if I could
36 just jump in before Larry starts?

37 I was going to circle back to Shana's
38 question, because I was chasing down the bit of
39 information I had, she was asking about the
40 observer coverage level during enhanced observer
41 coverage in the spring in the Gulf of Mexico, and
42 the target is 50 percent coverage, and that
43 remains the case.

44 MR. BROOKS: Great. Thanks, Randy.
45 Okay, Larry, now really over to you.

46 MR. REDD: Thank you, Bennett. All
47 right, so it has been a while.

48 It's been a couple years since I gave

1 my last presentation.

2 I think I ended up telling everybody
3 it was going to be the greatest presentation ever
4 for the advisory panel meeting. I --

5 MR. BROOKS: I believe it was. And I
6 believe it was, Larry.

7 MR. REDD: Well, this may not be that
8 presentation, but I would like to thank you all
9 for being here this morning.

10 You could've been anywhere in the
11 world, but you're here with me, and I really
12 appreciate you all. You all are special in my
13 heart. But let's move on to a more serious
14 topic.

15 Today, I am going to be giving the
16 presentation on the proposed rule to implement
17 General category restricted-fishing days for the
18 2021 fishing year.

19 Here we go. All right, so, just a
20 little outline of what we will be discussing
21 today.

22 We're going to be talking a little bit
23 on the background, the purpose and need, the
24 proposed management measures, as well as at the
25 very end, our request for public comments.

26 So, let's start with what is a
27 restricted-fishing day?

28 So, a restricted-fishing day is a day
29 on which NOAA Fisheries sets the bluefin tuna
30 retention limit at zero for certain permit
31 categories.

32 It is a schedule of dates established
33 ahead of time published in the Federal Register.

34 On a restricted-fishing day, Atlantic
35 Tunas General category permitted vessels are
36 prohibited from fishing for, possessing,
37 retaining, landing, or selling bluefin tuna, and
38 this will include catch and release and tag and
39 release.

40 HMS Charter/Headboat permitted vessels
41 with a commercial sale endorsement are prohibited
42 from fishing commercially for bluefin tuna.

43 However, HMS Charter/Headboat
44 permitted vessels can fish recreationally under
45 the Angling category restrictions and retention
46 limits. So, we just wanted to draw your
47 attention to that aspect of restricted-fishing
48 days.

1 Moving on to the history of
2 restricted-fishing days. NOAA Fisheries set
3 restricted-fishing days annually from 1995
4 through 2007.

5 Since 2007, RFDs have not been
6 warranted.

7 In 2019 and 2020, NOAA Fisheries
8 received requests from Atlantic Tunas dealers,
9 General category participants, and members of the
10 Atlantic HMS Advisory Panel to resume the use of
11 RFDs.

12 These requests often noted that
13 increased bluefin tuna catch rates in the General
14 category shortened the time to fill time period
15 subquotas, which resulted in unstable markets.

16 Within these requests, we also heard
17 that extending the season throughout the subquota
18 period results in more equitable fishing
19 opportunities.

20 Additionally, when we were trying to
21 develop our proposed schedule of RFDs, we heard
22 concerns from the public, as well.

23 These concerns included RFDs could
24 hinder the market from operating naturally, RFDs
25 could unnecessarily restrict fishing
26 opportunities during the fishing year, and RFDs
27 may negatively affect bluefin tuna tournaments
28 through reduced General category registered
29 tournament participation.

30 So we move on to the purpose and need
31 of RFDs.

32 The purpose and need of RFDs is to
33 reduce the likelihood of issues that affected the
34 General category fishery in 2019 and 2020, and
35 these would include shortening the time to fish
36 that occurs when subquotas are filled quickly,
37 increasing numbers of bluefin tuna that are
38 landed but cannot be sold, and decreasing bluefin
39 tuna prices throughout the fishing year.

40 So now we move on to our proposed RFD
41 schedule. So, the proposed rule published May
42 12, 2021.

43 Again, General category permitted
44 vessels would be prohibited from fishing for,
45 possessing, retaining, landing, or selling
46 bluefin tuna on all Tuesdays, Fridays, and
47 Saturdays, beginning July 20, all the way until
48 November 30, 2021.

1 HMS Charter/Headboat permitted vessels
2 with a commercial sale endorsement would also be
3 prohibited from fishing commercially for bluefin
4 tuna.

5 HMS Charter/Headboat permitted vessels
6 could fish recreationally for bluefin tuna under
7 the applicable Angling category, restrictions and
8 retention rates.

9 For our 2021 proposed RFD schedule, we
10 base the schedule on a review of average daily
11 catch rate data for recent years, review of past
12 years' RFDs, and input from tuna dealers, General
13 category participants, and HMS Advisory Panel
14 members.

15 Tuesday, Friday, and Saturday RFDs
16 should increase the likelihood of pacing General
17 category landings to extend fishing opportunities
18 through a greater portion of the subquota
19 periods.

20 And here is our wonderful calendar,
21 which took me all day to figure out how to set
22 up. If you note, the yellow highlighted days are
23 our RFDs.

24 Under the proposed rule, landing and
25 selling bluefin tuna could only happen on the
26 days that are not highlighted in yellow.

27 So, beginning on July 20th, you will
28 see that Wednesdays, Thursdays are days that are
29 not highlighted yellow, so those are not RFDs.

30 Same with Sunday and Monday, so those
31 would be two consecutive days in which folks
32 could go out, fish, and sell.

33 So, waiving RFDs. NOAA Fisheries may
34 waive an RFD under certain circumstances which
35 would include review of dealer reports, daily
36 landing trends, and availability of bluefin tuna
37 on fishing grounds.

38 NOAA Fisheries would announce such
39 waiver by filing a retention limit adjustment
40 with the Federal Register.

41 NOAA Fisheries would not modify
42 previously scheduled RFDs during the fishing year
43 in other ways, and this would include changing an
44 RFD from one date to another, or adding RFDs once
45 the schedule is set.

46 Additionally, within this proposed
47 rule, we are looking to clarify at 635.23(c),
48 that when a General category is closed, or on an

1 RFD, Charter/Headboat permitted vessels may only
2 fish under the Angling category limits. As well,
3 we are looking to revise the current definition
4 for RFDs found at 635.2 of our HMS regulations.

5 So, request for comments. Our public
6 comment period for this proposed rule will close
7 on June 11, 2021. Please submit any comments at
8 regulations.gov. You can search
9 NOAA-NMFS-2021-0040, and that should take you to
10 the rule where you can leave your comments.

11 As well on our NOAA website, at our
12 action page for RFDs, you could be able to go
13 there, and that should take you to the Federal
14 Register site, as well.

15 Our target effective date is July
16 2021, and for more information, you can feel free
17 to reach out to me, Sarah, or Brad, as well.

18 And with that said, this might be
19 actually the shortest AP presentation of all
20 time.

21 So, and I will throw it to you,
22 Bennett, and we can go ahead and take any
23 questions or comments that people may have.

24 MR. BROOKS: Okay, thanks, Larry. So
25 I guess no matter, you'll still come away with
26 another award from this meeting.

27 (Simultaneous speaking.)

28 MR. BROOKS: -- category.

29 MR. REDD: You got to take the good
30 with the bad, I guess.

31 MR. BROOKS: All right. Let's open
32 this up for question or comments again.

33 Just reminding people that comments
34 are due on this rule by June 11, so just a couple
35 of weeks from now.

36 Let's see. I believe there's some
37 leftover hands.

38 Shana, Rusty, Steve, I think your
39 hands are left over from the earlier section, so
40 if you can lower your hands, that'd be great.

41 But Bob, I know your hand just went
42 up, so let's bring you in to the mix. Bob
43 Humphrey.

44 MR. HUMPHREY: Thank you, yes. A
45 comment, some constructive criticism, if I may?

46 With all due respect, I think you
47 folks kind of shot yourself in the foot with
48 announcing RFDs, and then shortly after,

1 announcing a change to the daily retention to
2 three fish.

3 Most of the people that I've talked
4 to, the dock talk, they relate the two and they
5 don't understand the distinction, and though it's
6 unwarranted, there's still a lot of mistrust
7 among fishermen related to government agencies.

8 So I might suggest some sort of
9 informational or educational campaign just to
10 maybe enlighten them a little bit of the reason
11 for these, and why one may not be contrary to the
12 other. Thank you.

13 MR. BROOKS: That's a really good
14 comment, Bob.

15 (Simultaneous speaking.)

16 MR. MCHALE: Yes. And if you don't
17 mind, Bennett, my chiming in with thoughts on
18 that excellent observation there.

19 Good morning, everyone. Brad McHale
20 here for those that don't have video. Bob,
21 you're spot-on there.

22 It is not lost on us that the
23 sequential order of the announcement this spring,
24 we're a little ass-backwards.

25 Some of the variables that are coming
26 into play there is, as you'll notice, that what
27 Larry had just presented on, is a proposed
28 temporary rule, which then requires public
29 comments, the agency to deliberate on the
30 feedback we receive, and then brief some sort of
31 final action.

32 And with that, as I think we're all
33 familiar with, that regulatory process takes some
34 time, so you have to kind of get out ahead of
35 that for any sort of schedule to potentially be
36 effective for the upcoming season.

37 Conversely, when we amend any of our
38 daily retention limits, whether it be
39 recreational or commercial, we currently have the
40 authority to announce those within two days of
41 implementation.

42 And so, your observation that
43 proposing a restricted-fishing day schedule, but
44 then announcing a more liberalized retention
45 limit, is not doing the regulated public justice
46 as far as messaging, because really what the
47 overall intention, what Randy's division here is
48 trying to accomplish, is looking at the data

1 that's before us, that typically in the month of
2 June catch rates in the General category tend to
3 be low and dominated by the harpoon gear type.

4 And that's because the amount of those
5 vessels using harpoon would be low, we can
6 actually put forward a more liberal limit without
7 compromising the overall quota utilization.

8 And as we've done in the last number
9 of years, staff is closely watching to see
10 whether any rod and reel harvest start to pick
11 up, knowing that the dominant gear type and the
12 major contributor to landings, at which point in
13 time, we would reduce it to one fish per day.

14 And then the third tier to our overall
15 vision would then be a restricted-fishing day
16 schedule all in an attempt to kind of protract
17 the fishery out as long as possible.

18 So, although the official
19 announcements kind of were a little jumbled
20 there, you know, that is really kind of the
21 comprehensive approach of how we're trying to
22 provide opportunities, and as Larry had
23 mentioned, as well as Randy, and we'll adapt
24 accordingly.

25 If all of this probably takes off very
26 early in June, we'll respond immediately. If
27 RFDs are no longer necessary, as Larry had
28 pointed out, they too can be waived.

29 And so, appreciate the accurate
30 feedback there, and it's something that we'll be
31 trying to work on to minimize the confusion in
32 the fishing community and NOAA at large.

33 MR. BROOKS: Thanks, Brad and thanks,
34 Bob for the comment.

35 Let me bring in next, and I'm going to
36 try to name folks that are coming in, so since
37 you all are not able to see the speaker, we'll
38 all be really clear on who's speaking.

39 So next up, Rusty Hudson. Rusty? I'm
40 sorry, not Rusty. Forgive me. David Schalit.

41 MR. SCHALIT: Hi, Larry. Thanks very
42 much for that presentation. I've got a question.

43 I'm being asked by General category
44 permit holders, would they be able to fish --
45 let's say, on a restricted day, would they be
46 able to appear in the water on a
47 restricted-fishing day, at any time during that
48 day, without being in violation of an existing

1 regulation? Thanks.

2 MR. REDD: I believe this was a similar
3 question that you had asked during the first RFD
4 presentation, and I believe that the answer was
5 they would be able to use gear, if they were
6 going to fish for other species.

7 I believe that was the answer.

8 MR. SCHALIT: Yeah, so, just to refine
9 it a bit, the landing and selling of bluefin tuna
10 of over 73 inches is not allowed on a
11 restricted-fishing day.

12 This I understand, this is clear.
13 It's a question of whether gear is allowed in the
14 water for General category participants.

15 And what I was referring to in my
16 previous question the other day had to do with
17 Charter/Headboat targeting -- recreational
18 targeting juvenile.

19 In this case, the question relates
20 strictly to General category permitted vessels.
21 Thanks.

22 MR. MCHALE: So, I might be able to
23 weigh in there a little bit there, David.

24 So, the way the Federal Register
25 regulations are phrased is on restricted-fishing
26 days, vessels fishing underneath the General
27 category cannot fish for, possess, retain, land,
28 or sell large, medium, or giants on those days.

29 MR. SCHALIT: Right. Fish for would be
30 the key term here, right?

31 MS. BREWSTER-GEISZ: Yes.

32 (Simultaneous speaking.)

33 MR. MCHALE: I believe the way you're
34 -- Karyl?

35 MS. BREWSTER-GEISZ: I was just going
36 to say, you could go fishing for other fish, you
37 just can't go fishing for bluefin.

38 MR. MCHALE: Oh.

39 MR. SCHALIT: Okay. Thank you.

40 MR. BROOKS: Thanks. Michael
41 Pierdinock, why don't you jump in here?

42 MR. PIERDINOCK: Thank you, Bennett.
43 Thank you for your presentation. It's not as
44 exciting as the last one, but you did a great
45 job.

46 My name's Mike Pierdinock, a captain
47 up here in Massachusetts, and a number of
48 individuals in New England have reached out to me

1 to comment on their behalf.

2 I'll first start with the -- I'm the
3 president of Stellwagen Bank Charter Boat
4 Association, and they asked that I provide
5 comment on their behalf.

6 You know, last year, the seafood
7 dealer is self-regulated, and that worked well.

8 They had their self-regulated RFDs,
9 and it helped spread out the season, helped
10 minimize landings, and on the surface, it looked
11 good.

12 You know, in the past, we have
13 historically been against RFDs, but with the
14 success rate of last year, you know, we would've
15 said the need to not to do it, but there's things
16 that occurred that I have to mention that didn't
17 make it on an even playing field.

18 Unfortunately, there are those that
19 were able to sell seven days a week, or less, you
20 know, independent of the RFDs, and there were
21 those that were restricted to the
22 self-implemented or self-regulated seafood dealer
23 RFDs.

24 So, as an association, we would
25 recommend RFDs as presently proposed, and to do
26 it as a pilot in 2021 to see how it works, and
27 have an even playing field so we don't have this
28 discrepancy in who buys from what, or not being
29 able to sell your catch.

30 One thing to note, that -- well,
31 that's the note from the association.

32 So, the other thing that's a problem
33 here though if you do go with RFDs or
34 tournaments, and bluefin tuna tournaments, as
35 well as the ability for the for-hire fleet to
36 land and sell, or land recreationally or
37 commercially be subject to one or the other, is
38 consistent with our historic access to that
39 fishery going back to the early 1900s, when
40 fishers were wearing suits and ties and catching
41 bluefin, and retaining or selling them, so we
42 would therefore assume that that historical
43 access would continue for the for-hire fleet, as
44 well as for the bluefin tournament.

45 Bluefin tournaments up in Maine date
46 back to the early 1900s, and they were some of
47 the biggest tournaments in the world.

48 So, unfortunately though with the

1 RFDs, it's going to destroy their ability to have
2 them.

3 I throw that out there to be noted in
4 hopes that there could be some answer to, or some
5 way in which to keep them open, because this is
6 not only consistent with providing them that
7 historical access to the tournament, but also
8 these tournaments typically have scientific data
9 that they generate to help with the stocks.

10 So, I don't know what the answer is,
11 but that's the other side of the coin that
12 hopefully could be addressed to keep them going,
13 not only for the blue economy and all that that
14 represents, but based on the history.

15 The last thing. For those that are
16 north of the Cape and the islands, bluefin is the
17 only fish in town.

18 We wish we had yellowfin, bigeye, or
19 other options, so bluefin is critical to us,
20 whether you're recreational or for-hire, or
21 commercial, so we would hope that, you know,
22 access would continue.

23 So that's it. I appreciate the
24 ability to make these comments. Thank you.

25 MR. BROOKS: Thanks, Mike. Anyone
26 from HMS want to jump in on anything there?

27 MR. MCHALE: No, just valuable
28 feedback, Mike, as always, we appreciate it, and
29 we'll take that into consideration as we kind of
30 move through and deliberate on finalizing that
31 restricted-fishing day proposed rule.

32 MR. BROOKS: Okay. I am not seeing
33 anyone else in the queue right now for this
34 topic.

35 Let me just double check. If anyone
36 has any additional questions or comments, this
37 would be the moment.

38 If not, I will probably double-back to
39 the couple of folks who didn't get into the last
40 conversation, and then I think we will just go to
41 an early lunch, and probably not jump into the
42 Amendment 13 conversation, since folks may be
43 choosing to join at 1:00 for that, and would
44 probably be a little disappointed, and maybe a
45 little bit miffed if they came in and had missed
46 it at 1:00.

47 So, anybody else? I'm not seeing --
48 okay, I've got a couple hands up.

1 Let me just note I see a hand from
2 someone who's not a member of the AP, so let me
3 just remind folks that this portion of the
4 meeting is just for the advisory panel members,
5 so Captain Johnson, at the end of the day, we'll
6 definitely be creating an opportunity there to
7 come into the conversation, unless I got that
8 wrong and you are a member of the AP.

9 Okay, Mike, did you have another
10 comment, or is that just your hand leftover
11 there?

12 Mike Pierdinock?

13 Okay.

14 MR. PIERDINOCK: Yes, I had one more
15 comment. I'm having a senior moment here.

16 MR. BROOKS: That's okay.

17 MR. PIERDINOCK: The whole RFD
18 concept, you know, I agree with what Bob Humphrey
19 mentioned earlier, it's been a lot to try to
20 address that at our end, and I understand, I
21 appreciate the response.

22 We wish it could be implemented June
23 1st, because we are concerned that that quota
24 will be eaten up and you'll have an early closure
25 there for June to August, or additional quota
26 will be used that then would take away, you know,
27 September, October, November.

28 That's where last year it worked well
29 with spreading it out, keeping this open, and
30 self-regulating, per se.

31 So, my question is, is there any
32 ability to have this occur June 1, or I'm just
33 barking up the wrong tree?

34 I think that I know the answer, but
35 I'd be curious if you could address that. Thank
36 you.

37 MS. BREWSTER-GEISZ: Just waiting to
38 see if Larry was going to jump in on this.

39 (Simultaneous speaking.)

40 MR. MCHALE: Yeah, Larry, if you want
41 to --

42 MR. REDD: Yeah, I had to unmute
43 myself. Sorry about that.

44 I have a live orchestra going on right
45 next door. I have a violins and cellos. It's
46 beautiful.

47 All right. As far as your question
48 goes, Mike, we would not be able to have this

1 final rule implemented in time for us to really
2 establish a RFD June 1st.

3 The comment period ends June 11th, so
4 a June 1 start date for RFDs is basically
5 impossible.

6 MR. MCHALE: Yeah. And, you know, to
7 elaborate on that, Mike, we appreciate it.

8 That's something that we've been
9 considering, but, you know, again, given the
10 regulatory process of proposing and then
11 finalizing an action comes with some more defined
12 timelines and schedules, which somewhat hinders
13 the flexibility of us to be able to just enact
14 something, like we have been able to do with
15 retention limit adjustments.

16 So, hence why the time of this --but
17 your comment is not lost on us, and then
18 regarding your comment regarding early southern
19 fishing, and then late fall opportunities, I just
20 want to remind those folks that happen to be
21 joining us in the webinar, that we have very
22 distinct time periods of how the quota is
23 allocated throughout the year.

24 It's June through August. Then
25 there's a restart from September, and then
26 another one in October, November, as well as the
27 catch rates across that timeframe are
28 considerably different.

29 So, your point's well made, your
30 point's been heard, but there are also some other
31 stopgaps in the management to at least attempt to
32 address how to manage a limited quota when effort
33 and availability can spike as we kind of move
34 through the late summer and early fall.

35 MR. BROOKS: Thanks, Brad.

36 I'm not seeing anyone else in the
37 queue here for this topic, so I think a little
38 bit of helpful feedback there, and some issues
39 raised for HMS staff to be thinking about,
40 particularly this comment around messaging,
41 around sort of seemingly mixed directions around
42 daily limits and restricted-fishing days, so, and
43 some other comments, too, so thanks all for that.

44 We do have a little time. I do want
45 to go back to the couple of folks who did not get
46 to get in on the earlier conversation.

47 Rusty, I know you had a comment, and
48 Rick Bellavance, you had your hand up too, so

1 let's go to Rusty Hudson first.

2 MR. REDD: Hey Bennett, really
3 quickly, would you like for me to stop sharing my
4 screen?

5 MR. BROOKS: Yeah, that makes sense.
6 Thanks, Larry.

7 MR. HUDSON: Can you hear me okay?

8 MR. BROOKS: We can, Rusty. Go ahead.

9 MR. HUDSON: Okay, thank you. I had
10 a couple of notes I wrote down, and so I'm just
11 going to walk through them.

12 The SEDAR 77 -- which tomorrow starts
13 at noon and lasts until 3:00 for large
14 hammerheads data -- we're just getting that
15 started, and I have been asked by Enric to have
16 participated in that, and I believe as a SEDAR
17 AP, that gives me the ability -- member -- to be
18 able to participate in that.

19 And my tenure ends at the end of this
20 year.

21 This is on track -- this research
22 track to last until 2023, and then we shift in
23 Karyl, I believe, into the operational
24 assessment.

25 The research track won't be making any
26 projections or suggestions as to, you know,
27 allocations and scenarios with these three
28 animals, but I'm assuming the operational
29 assessment will give you some guidance later
30 after that's completed in the last year.

31 So by then, before we ever implement,
32 we're at 2025 or something.

33 Backing up, I participated in SEDAR 65
34 for Atlantic blacktip, and I was extremely happy
35 with the way that produced a positive of not
36 overfished, overfishing not occurring, versus the
37 unknown status we had for 14 years.

38 Now, they have Gulf blacktip, from
39 Texas to the Florida Keys and the Atlantic
40 blacktip from the Florida Keys up to New York, or
41 wherever. That is very healthy stocks.

42 We have not really raised them
43 allocations much, but don't forget, even in spite
44 of the fin sale issues for our legally caught
45 sharks, there is and was the beginning that had
46 to do with shark meat sales.

47 One of the big deals with like, Publix
48 grocery stores and others, is that they want us

1 to have a sustainable fishery.

2 And so, as long as we meet those
3 requirements, we're able to actually get past a
4 lot of the extinction dialogue that goes on.

5 And so, I just wanted to make sure, if
6 my tenure ends this December 21st and you all
7 implement a term limit for a year or whatever,
8 and I do or don't continue to participate -- I
9 don't know if you're going to have a delay, or
10 whatever, you know, to allow some of us that are
11 coming to the end of our tenure, like Bob Hueter
12 and myself, and a few others, to be able to have
13 the option to continue to be part of SEDAR 77, or
14 whatever it means.

15 Okay, the last two things.

16 The NMFS Shark Survey out of Rhode
17 Island is an independent survey that has been
18 showing a huge increase in the sandbar catches.

19 And that's been offline now because of
20 the pandemic, because of some other delays before
21 the pandemic.

22 We have the biggest gap that's
23 starting to grow between our last collection of
24 good data and, I don't know if you're even going
25 to be running the vessel because I understand
26 NMFS is actually in a more constrained position
27 than any of the state levels and stuff like that,
28 as far as putting people together, and going out
29 and doing stuff.

30 So, that's just kind of another data
31 gap, and it's kind of sad, because we know that
32 the sandbar shark is probably rebuilt. The dusky
33 shark is probably mostly rebuilt.

34 Because we truncated the range and
35 didn't really include the international sharing
36 of those two stocks, particularly Mexico, I
37 believe that we need to look at some things, just
38 like John Carlson did with the lemon shark, you
39 know, being able to push back they weren't going,
40 things like that.

41 We can do a catch analysis with bull
42 shark, and a few other things that need to be
43 done, and I heard blacknose come up in the queue.
44 I remember Julie Lanier (phonetic) telling me the
45 earliest we can touch your blacknose will be
46 2024.

47 Well, I want to see it because we have
48 an explosion of adult blacknose, and they are

1 fine as eating, and plenty of them to catch here
2 off of the Florida coast.

3 I believe you might find similar
4 circumstances during north of 34 degrees, and
5 also the Gulf of Mexico, where those two other
6 breakout stocks that are not allowed to be
7 caught.

8 We don't have a problem with these
9 animals. Thank you.

10 MR. BROOKS: Thanks very much.

11 MS. BREWSTER-GEISZ: Bennett, can I --

12 MR. BROOKS: Yeah. Please, Karyl,
13 jump in.

14 MS. BREWSTER-GEISZ: All right,
15 thanks.

16 So, Rusty, I share your concern about
17 your AP term coming to an end at the end of this
18 year, but that's not the same as your SEDAR AP
19 term.

20 Very different. We aren't putting
21 term limits on those, the SEDAR AP or the SEDAR
22 pool, so you'd still be able to participate in
23 SEDAR stock assessments.

24 And you were talking about the NMFS
25 shark cruise. Cruises are happening this year,
26 and I believe the Northeast Fisheries Science
27 Center already started the shark cruise up the
28 East Coast and the one in the Gulf of Mexico.

29 The Pascagoula cruise will be
30 happening this year as well this summer, as
31 always -- well not always, because it didn't
32 happen last year, but as usual.

33 MR. HUDSON: Did you say blue shark?
34 Or the Narragansett --

35 (Simultaneous speaking.)

36 MS. BREWSTER-GEISZ: The Narragansett
37 cruise that heads up the East Coast is happening
38 this year.

39 MR. HUDSON: Okay. That normally
40 starts April/May, and then they work their way
41 north.

42 Is that already starting, or is there
43 going to be a little bit of delay in getting
44 started?

45 MS. BREWSTER-GEISZ: That has already
46 started.

47 MR. HUDSON: Okay, great. Thanks.

48 MR. BROOKS: Thanks, Karyl. Rick

1 Bellavance, I know you had your hand up before.
2 We'll take you off mute.
3 I don't know if your question is still
4 relevant, but feel free to chime in if a comment
5 is helpful. You can take Rick off mute.
6 Are we able to get Rick Bellavance off
7 mute? It looks like he is just on a phone. Pete
8 or Nic, any sense of what's happening there?
9 Okay. Rick, if you are hearing me, we will
10 figure out a way to come back to you.
11 All right. I am not seeing any other
12 hands on my screen, so we are ahead of schedule.
13 If there are any other general comments that
14 folks wanted to make earlier after Randy's
15 presentation, again, we can take a few minutes.
16 If not, we can break early for lunch
17 and give you all a little bit more time to deal
18 with email or whatever else, or just move away
19 from your screens for a little bit.
20 Rusty, is your hand back up?
21 MR. HUDSON: No.
22 MR. BROOKS: No? Okay, then it's just
23 left over. If you wouldn't mind lowering it,
24 then? Thanks.
25 All right then, I think, Randy, unless
26 there's anything else, you want to use the extra
27 22 minutes or 23 minutes we have, I think we'll
28 just let people get to lunch early. Does that
29 work for you?
30 MR. COOPER: Hey Bennett?
31 MR. BROOKS: Yes?
32 MR. COOPER: I just unmuted Rick
33 Bellavance. Rick, are you on?
34 MR. BROOKS: Oh okay, thank you.
35 MR. BELLAVANCE: Hi, yeah. Can you
36 hear me okay?
37 MR. BROOKS: We can. Go for it, Rick.
38 MR. BELLAVANCE: Yeah, sorry about
39 that, I'm on a iPad. I don't know if that makes
40 a difference.
41 MR. BROOKS: It probably does make it
42 a little bit. We'll see if we can figure out how
43 to do that better. Go ahead.
44 MR. BELLAVANCE: Okay, I just had two
45 quick comments relative to Randy's presentation
46 in the beginning of the meeting.
47 And the first one was in regards to
48 electronic vessel trip reports, and how things

1 have been moving along pretty well, particularly
2 with the one-stop shopping reporting and so on.

3 But I did just want to flag a couple
4 of spots that I've had. As we start to build
5 these systems, it's becoming kind of clear that
6 there's a large variety of opinions on what kind
7 of data should be collected from different
8 regions and different agencies, and so, there
9 seems to be some kind of unintended consequences
10 with increasing burden across fisheries and
11 fishermen that have multiple permits.

12 So hopefully it's all stuff that we
13 can continue to work on as we move forward, and I
14 encourage HMS to work with the regional Fishery
15 Management Councils going forward, and the
16 regional offices to -- and listen to the
17 fishermen, too, to come up with ways to
18 streamline the process even more.

19 That would be helpful, but we're
20 definitely making some good headway and I'm very
21 appreciative of that.

22 The second comment I had was relative
23 to offshore wind development up here in Southern
24 New England, and we're moving along pretty
25 quickly with the permitting process.

26 We got one project I guess that's
27 approved, and another one that's really, really
28 close.

29 And as someone who's been involved in
30 a lot of those discussions, it's clear that
31 there's a pretty significant lack of information
32 about HMS in particular for recreational and
33 commercial fisheries.

34 And so, I just encourage the HMS folks
35 to think about that, think about ways to enhance
36 data collection across those fisheries, engaging
37 recreational and commercial fishermen to collect
38 as much temporal and spatial data that they can
39 as we move through these, and also economic data
40 too, right? That's part of it.

41 So I just think that we need to try to
42 work really hard to get as much data as we can as
43 quickly as we can, as we think about the impacts,
44 both on the resource and the economics of
45 recreational and commercial fisheries here,
46 relative to wind farms.

47 Those are my two comments. Thanks for
48 taking them.

1 MR. BROOKS: Great. Thanks, Rick,
2 glad we could get you in there.

3 Okay, again, I think I'm not seeing
4 any other folks trying to jump in here. So,
5 let's get ourselves a break. Randy, anything you
6 want to fold in before we go to lunch break?

7 MR. BLANKINSHIP: No, I don't think
8 so, just I think we'll keep the schedule here
9 just so that anybody that is planning to join for
10 certain agenda items in the afternoon we can keep
11 that schedule and facilitate that, so hopefully
12 folks will appreciate getting a few extra minutes
13 here before lunch to do other things.

14 MR. BROOKS: No doubt. Okay, so then
15 thanks everyone for the morning conversation.
16 Thanks to all the presenters so far.

17 Kelly, thank you for your opening
18 comments, and then we will reconvene at 1:00
19 sharp. So, if folks can kind of be back in their
20 seats at about five of just to get settled, that
21 will be great so we can start right on time.

22 We will talk to you all in a little
23 less than two hours. Thanks everybody.

24 (Whereupon, the above-entitled matter
25 went off the record at 11:12 a.m. and resumed at
26 1:01 p.m.)

27 MR. BROOKS: Welcome back everybody to
28 the afternoon session, day one of three days of
29 an AP meeting, and then to be followed on Friday
30 by the Recreational Roundtable discussion on the
31 Large Pelagics Survey.

32 Just in case there's any new members
33 of the public on, just to remind folks, the
34 conversation is among panel members, but we will
35 be having public comment at 3:15 this afternoon,
36 so any members of the public who are interested
37 in weighing in and sharing your perspectives with
38 agency staff.

39 Again, this afternoon will be the time
40 to weigh in, and we'll be doing that at the end
41 of every day as well.

42 A reminder that we are recording these
43 meetings, so please be aware of that.

44 And for folks who are only seeing the
45 listing of panelists and not the listing of
46 attendees, that is actually how it's intended to
47 be or how it's designed to be.

48 We don't really have any kind of

1 toggle switch where we can change that.

2 So, as people are speaking, I will do
3 my darndest to remember to mention names so you
4 all know who you're hearing from on the panel.
5 So, with that, let's just jump back in.

6 We started talking about bluefin tuna
7 before lunch with a focus on General category
8 restricted-fishing days, and this afternoon, we
9 will be coming back and talking about in a moment
10 Amendment 13, which is now a proposed rule and in
11 a comment period, and then later this afternoon
12 we'll talk about the proposed rule to extend ATCA
13 to Maine state waters.

14 So that's the game plan. Tom Warren
15 is going to lead us in the Amendment 13
16 conversation. We have a little bit over an hour
17 for this conversation, so Tom, I'll hand it over
18 to you.

19 MR. WARREN: Great. Thank you,
20 Bennett. I'm Tom Warren with the HMS Management
21 Division and I'm based in Gloucester.

22 I'll be summarizing Amendment 13,
23 which is a series of proposed measures which
24 focus on bluefin tuna management, and we
25 published a proposed rule last Friday, May 21.

26 So I'll be briefly summarizing the
27 background with respect to this amendment, why
28 changes to the management measures are needed,
29 how we developed such proposed management
30 measures, what the related objectives are, and
31 then I'll be briefly summarizing the proposed
32 measures, including those addressing allocation
33 procedures, the pelagic longline fishery, the
34 purse seine fishery, handgear fishery, and then
35 some other more minor measures, as well as next
36 steps in the formal regulatory process.

37 I'll be going through quite a bit of
38 material, but we'll have ample time for some
39 questions afterwards.

40 So, why are changes to the regulations
41 needed? These fall into three areas.

42 Those regarding the pelagic longline
43 fishery are based, in part, on suggested changes
44 to the individual bluefin quota program from
45 pelagic longline fishermen who are involved in
46 this fishery, as well as recommendations from a
47 formal review of the IBQ Program we did, called
48 the three year review, and this contained some

1 recommendations also for changes to the program.

2 Secondly, the purse seine fishery has
3 been inactive for a number of years, yet it is
4 allocated 18.6 percent of the bluefin quota, and
5 other active fisheries meanwhile need bluefin
6 quota.

7 And then thirdly, there's been
8 interest in the methods of allocating the bluefin
9 tuna quota among the directed handgear fisheries,
10 and specifically the rod and reel and harpoon
11 fishery, and this comes in the context of
12 increasing landings, as well as recent high
13 numbers of permit holders.

14 So, how did we develop the proposed
15 measures? Well, the formal regulatory process
16 began in 2019 when we issued an issues and
17 options document after receiving public comments
18 on that document.

19 And this document contains ideas for
20 management concepts, how we might move forward,
21 as well as gave the public an indication of the
22 direction we were moving, so it basically set the
23 broad stage.

24 Then, also in 2019, we released this
25 three-year review of the IBQ Program with recent
26 data and a suite of recommendations for the IBQ
27 Program. There have been suggestions over the
28 years from the HMS Advisory Panel.

29 And then lastly, we recently released
30 a Draft Environmental Impact Statement, and this
31 is the formal NEPA analysis which analyzes the
32 suite of alternatives to address the objectives.

33 It also contains the impacts of both
34 ecological and socioeconomic impacts of the
35 alternatives considered.

36 So briefly I'll summarize the
37 objectives of Amendment 13, and those objectives
38 were based on the reasons we began the process in
39 the first place, and these are spelled out in a
40 little bit more detail in the proposed rule in
41 the DEIS.

42 But briefly, evaluate and optimize the
43 allocation of the U.S. quota among bluefin quota
44 categories, maintain flexibility of the
45 regulations to account for the highly variable
46 nature of the bluefin fisheries, and maintain
47 fairness among the permit and quota categories.

48 Continue to manage the Atlantic

1 pelagic longline fishery consistent with the IBQ
2 Program objectives that were set up in 2015 -- or
3 implemented first in 2015.

4 And then lastly, modify the management
5 of the longline fishery in response to this
6 three-year review, and in response to important
7 prevailing trends, notably declining fishing
8 effort and revenue for the target species in the
9 pelagic longline fishery.

10 So, pivoting to the measures
11 themselves, this first measure is a relatively
12 minor one, but would affect all quota categories,
13 and this is a step in the annual process of doing
14 the math for how the various quota categories are
15 allocated.

16 And this constitutes a -- basically,
17 instead of subtracting a fixed amount from each
18 quota category and adding 68 metric tons to the
19 Longline category, each quota category would have
20 a slightly revised quota percentage.

21 And so basically, this is a
22 simplification of the annual quota mathematical
23 method from a two-step to a one-step process.
24 And I'll show you some specific details on this
25 later that shows you the implications.

26 So now, focusing on the pelagic
27 longline fishery, we're proposing a method to the
28 change in how the IBQ shares are determined.

29 If you recall, the current method,
30 which has been in place since 2015, has a fixed
31 amount of IBQ. And so, this does not change, and
32 each vessel is designated a certain percentage
33 which does not change.

34 But in the years since implementation,
35 one aspect of the program has been, there's been
36 quota allocated to a fair number of vessels that
37 are actually inactive.

38 About 25 to 30 percent of the vessels
39 that are shareholders have not in fact been
40 active.

41 So, in order to reduce the amount of
42 quota that goes to these inactive longline
43 vessels and get a more efficient use of quota,
44 we're proposing that IBQ shares only go to active
45 vessels, those with a valid permit, and we base
46 this based on a rolling three-year period. So
47 every year, shares would be redesignated based on
48 the landings during the three previous years.

1 Now, all landings wouldn't count. For
2 example, sharks would not count, but specific
3 designated species would count in this
4 calculation, and specifically, swordfish, bigeye
5 tuna, yellowfin tuna, albacore tuna, and skipjack
6 tuna. And this would be based on dealer landings
7 and on dealer data on landings.

8 And vessels would be assigned to one
9 of four share percentages based on the weight of
10 that vessel's landings relative to the fleet-wide
11 total.

12 So, specifically vessels would be
13 ranked based on their specific landing
14 percentages compared to the total, but again,
15 assigned to one of four groups so this would not
16 be a specific customized percentage, but one of
17 four groups.

18 And then based on the number of
19 vessels in each group and the total percentages
20 in each quartile, or each of these four groups,
21 there would be four share percentages defined.

22 So for example, based on 2015 to 2018
23 data, the four share percentages would be 2.09
24 percent, 1.18 percent, 0.64 percent, and 0.12
25 percent of the longline quota category.

26 Now, these compared to the current
27 percentages, many vessels would in fact receive a
28 larger share, but some would in fact receive a
29 smaller share.

30 Another aspect to what we're proposing
31 for the IBQ shares relates to the regional
32 designations, the Gulf of Mexico and Atlantic
33 designations, and you'll recall under the current
34 rules, all IBQ shares have a designation of
35 either Gulf of Mexico or Atlantic, or both, and
36 Gulf of Mexico shares and the associated
37 allocation can be used to account for bluefin
38 catch in the Gulf of Mexico or the Atlantic.

39 However, Atlantic designated shares
40 may not be used to account for bluefin caught in
41 the Gulf of Mexico, and this is a means to
42 preclude any increases in fishing effort in the
43 Gulf of Mexico.

44 So, this aspect, that accounting
45 procedure and those rules would continue under
46 the proposed Amendment 13. But what would change
47 is these would not be fixed, but these would vary
48 based on the location of individual vessel

1 fishing activity during those three years.

2 And so, the amount of total IBQ
3 shares designated as Gulf of Mexico or Atlantic
4 would change annually as the fishing location
5 changes for the fleet, and the total amount would
6 vary slightly, but there would be a cap
7 continuing on the total amount at no more than 35
8 percent.

9 So, another aspect of what we're
10 proposing is to cap the amount of IBQ shares that
11 can be issued to a permit holder at 25 percent of
12 the total shares.

13 And currently, an individual cannot
14 purchase or obtain shares from another permit
15 holder or vessel, but what an individual can do
16 is they can purchase permits and the associated
17 shares, so indirectly, an individual can
18 accumulate shares through the accumulation of
19 permits.

20 This would limit the acquisition of
21 shares via the acquisition of permits in order to
22 prevent a single entity from holding a
23 disproportionate amount of IBQ shares or
24 allocation.

25 And in this context, we define an
26 entity as being a Longline category permit holder
27 that's either an individual, or a corporation or
28 partnership, or some other legal entity.

29 Another aspect of the IBQ Program that
30 we're proposing changes for is to streamline data
31 reporting.

32 We no longer require the dealer to
33 report the vessel pin number when it enters
34 landings into the online system.

35 And similarly, the dealer would no
36 longer be required to record dead discards in the
37 IBQ system because vessels have been successfully
38 reporting that into the IBQ systems themselves,
39 so if the dealer would continue to report, it
40 would be duplicative.

41 We're proposing three changes to the
42 Electronic Monitoring Program.

43 Hard drives would need to be mailed in
44 only every other trip instead of after every
45 trip, in order to save time and money, given the
46 hard drives are not full.

47 We've authorized to install boom
48 mounts for some video cameras if necessary to

1 obtain a clear view of the side of the vessel
2 where fish are removed from water.

3 And then thirdly, NMFS will be
4 authorized to either paint or put a mat on deck
5 in front of the camera where the fish are hauled
6 up on the deck to serve as a size reference, and
7 this would improve the potential for size and
8 species information to be determined in the
9 Electronic Monitoring Program.

10 Another aspect of the IBQ Program is
11 the Cost Recovery Program we're proposing, and
12 we'd implement a system that would enable the
13 potential to recover costs, and these are
14 recovering NMFS's costs of administering the IBQ
15 Program, and this is a requirement under the
16 Magnuson-Stevens Act that a cost recovery program
17 be implemented.

18 And a fee for such cost recovery would
19 be based on the amount of bluefin landed as well
20 as the average price.

21 However, because the longline fishery
22 and the IBQ Program is unique in a catch share
23 program -- the catch share species of relevance
24 is the bluefin tuna -- it's not a target species,
25 and the net amount of bluefin revenue for this
26 fishery is relatively low, we'd make an annual
27 decision whether it makes sense to charge a fee
28 or not.

29 But because the total fees are limited
30 to a maximum of three percent of the ex-vessel
31 value, that's three percent of the total
32 ex-vessel value of the fishery of bluefin, the
33 net amount of revenue that can be recouped is
34 relatively low.

35 So again, we'd make an annual decision
36 whether or not it made sense to charge vessels a
37 fee based on whether it would result in a
38 meaningful benefit to NMFS.

39 If the net amount of fees that may be
40 recovered is similar to or even less than the
41 estimated cost of us actually implementing the
42 Cost Recovery Program, it wouldn't make sense to
43 charge a fee so we wouldn't be doing so.

44 Another aspect of the IBQ Program is
45 the retention of bluefin caught with green-stick
46 gear onboard vessels with a longline permit.

47 And although this is currently
48 authorized, the regulations are incomplete, so

1 here we're basically fleshing out the regulations
2 to allow the retention of one legal-sized 73 inch
3 bluefin caught incidentally on green-stick per
4 trip, but this fish would need to be accounted
5 for using the IBQ allocation, it would need to be
6 reported through the Vessel Monitoring System,
7 and the vessels would need to abide by the other
8 IBQ Program requirements.

9 The use of EM however would not be
10 required on such green-stick gear sets.

11 So, switching gears to the purse seine
12 fishery, the purse seine fishery is a historical
13 fishery that has been mostly inactive for the
14 past decade and a half, and totally inactive, no
15 landings or activities, since 2015.

16 And this fishery was created in 1982,
17 and it basically accounted for a historic fishery
18 and it grandfathered in five vessels that at the
19 time were financially dependent on this fishery.
20 However, it allowed no new entries, and so the
21 permit holders were allowed to replace their
22 vessels, but that was the limitation placed on
23 this fishery.

24 But because this fishery has been
25 inactive, yet it's allocated 18.6 percent of the
26 bluefin quota, which is a meaningful amount,
27 we're proposing to discontinue this inactive
28 fishery and redistribute the quota proportionally
29 among the directed quota categories, General,
30 Harpoon, Angling, and Reserve, however, not
31 redistribute to the Longline or Trap categories
32 because they are incidental categories.

33 And by redistribute proportionally, I
34 mean we would redistribute to those categories
35 based on the proportion of the bluefin tuna that
36 they would receive. And I show these revised
37 proposed percentages on later slides.

38 So, we also have proposed measures
39 addressing the Angling category.

40 I'll recall that the Angling category
41 is the recreational bluefin fishery, and this
42 fishery targets less than 73 inch fish, so it's a
43 smaller size range than the commercial
44 categories, yet under current rules, there is a
45 small amount of incidental catch allowed by this
46 recreational fishery.

47 And specifically, the small amount of
48 recreational catch of large bluefin, or 73 inch

1 bluefin, is based on three specific areas
2 currently, and equal allocations to a northern
3 area in the Atlantic, a southern area in the
4 Atlantic, and in the Gulf.

5 What we're proposing is to modify this
6 system slightly to provide more opportunity for
7 areas in the Northeast, so we'd be dividing the
8 current northern area into two zones, north and
9 south of 42 degrees.

10 And then we'd be increasing the amount
11 of the Angling category that's basically set
12 aside for this trophy fishery. We'd be increasing
13 that amount from 2.3 percent of the Angling
14 category to 3.1 percent.

15 So here, you can see in blue, the blue
16 areas combined represent the current northern
17 area, and this area, as I said, would be divided
18 into two new areas, the Gulf of Maine Trophy Area
19 in dark blue, north of 42 degrees latitude, which
20 is off Chatham, and the light blue area, Southern
21 New England Trophy Area.

22 We're proposing measures for the
23 Harpoon category. There are current daily
24 retention limits of the large medium size class,
25 in the range of two to four fish. These retention
26 limits would be maintained the same.

27 However, currently, there's not any
28 retention limit on the giant bluefin greater than
29 81 inches, so we're proposing a limit of a total
30 of ten fish combined between the large medium
31 fish and the giant fish to create more
32 opportunity that would extend the fishing season
33 in duration and life throughout the year, and
34 potentially also allow more participants in this
35 fishery.

36 So, similar to the discussion of the
37 General category this morning, we're concerned
38 about opportunity and extending the length of the
39 season.

40 So, this proposed measure has to do
41 with a current rule that limits the ability for a
42 vessel to change their permit category if they
43 make a mistake on their permit application.

44 And specifically, for open access
45 permits, if a vessel, for example, wants to get
46 an Angling permit but instead gets a
47 Charter/Headboat by accident, currently they can
48 make a change, but not after 45 days.

1 So this would make it more flexible to
2 address any errors to allow any changes desired
3 within the fishing year, but it'd be with the
4 caveat that the vessel has not landed any bluefin
5 tuna.

6 So, pivoting to the quota percentages
7 that I've discussed, these two pie charts
8 represent the current and the post bluefin quota
9 percentages. On the left is the current pie
10 chart, and on the right is the proposed.

11 The things to note would be on the
12 proposed quota percentages, there is no purse
13 seine quota, so the orange slice that you see on
14 the left, of 18.6 percent does not exist on the
15 right under the proposed.

16 All of the percentages associated with
17 each of the quota categories under the proposed
18 are increased.

19 Now, the reason the Longline category
20 increases slightly is not that they're getting
21 any reallocation from the Purse Seine, but that's
22 by virtue of the tweak in the mathematical method
23 used whereby previously the longline quota was
24 provided six to eight metric tons. They're still
25 provided an additional amount.

26 And for those of you who don't like
27 pie charts, but would prefer a table form of
28 numbers, I'll bring to your attention the current
29 board of percentages in the left hand column, and
30 then the proposed net revised percentages on the
31 right in bold, and these net proposed percentages
32 incorporate both the slight change in percentage
33 due to the mathematical method change, but also
34 then there at the top of that, the reallocation
35 from the Purse Seine category.

36 So, for example, the General category
37 would increase from 47.1 percent to 55.8 percent,
38 the Purse Seine category would go to 0, the
39 Longline category would be at 13.1 percent, and
40 the Angling category would be at 23.3 percent, as
41 an example.

42 So, the next steps in the regulatory
43 process, we will be accepting public comments
44 through July 20.

45 You can submit comments online through
46 the e-Rulemaking Portal, it's called. Go to this
47 website to find that portal, and click on
48 comment, and that should get you there, or

1 conversely, if you want to go to our HMS
2 Amendment 13 website, or just give someone a call
3 in the HMS Division and we can help walk you
4 through it.

5 We'll be, again, accepting public
6 comments, holding public hearings, briefing the
7 Councils, and based on (audio interference) we
8 will be developing a final environmental impact
9 statement, and a final rule, and then our goal is
10 to finalize this, and it would go into place in
11 January of 2022.

12 So these are the three public hearing
13 webinar dates scheduled. June 8, July 8, and
14 July 14, each from 2:00 to 4:00. So thank you
15 for your patience.

16 I blasted through a large amount of
17 information, but we have time now to discuss.
18 Thank you.

19 MR. BROOKS: Great, thanks, Tom. That
20 was a really good overview.

21 Just to remind folks, we have until
22 2:15, so we've got a pretty good chunk of time
23 here, just a little bit under an hour.

24 I've got a couple of people in the
25 queue already, so let me open that up, and let me
26 just ask AP members, as you do weigh in, I know
27 these presentations always trigger lots of
28 questions and comments, and just as a way to
29 manage it, if folks have, you know, a lot of
30 questions, what I would do is just ask you to
31 focus on, you know, sort of maybe two at first
32 just so we can sort of work our way through the
33 queue, and then, you know, welcome people to get
34 back in the queue.

35 I just want to make sure we get as
36 many people into the conversation as possible.

37 Let's go to Stephen Iwicki, and then
38 to Scott Taylor. Stephen?

39 MR. IWICKI: You hear me okay?

40 MR. BROOKS: Yes, we do, thanks.

41 MR. IWICKI: Okay, so Steve Iwicki,
42 recreational. Good presentation, Tom.

43 You know, I really keyed in on the
44 trophy for recreational, which I traded some
45 notes with Brad, was a very controversial closure
46 from the northern section this spring because
47 there's a perception, a false perception, that,
48 you know, the minute social media starts posting

1 pictures the giants caught, you know, the season
2 closes and it cuts them out.

3 So I think it's a really good idea you
4 have there to divide it into the regions. It's
5 something I definitely want to share.

6 I guess my real question is, that
7 second bullet on slide 17 about the subquota for
8 trophy, with equivalent reduction of the large
9 school small medium, how do you envision managing
10 that?

11 MR. BROOKS: Thank you. Just bringing
12 up the slide again maybe. Hang on one second
13 there, Steve.

14 MR. IWICKI: No problem.

15 MR. WARREN: Yeah, I'm sharing my
16 screen.

17 MR. BROOKS: And maybe just keep it
18 open, Tom, just since I think people may have
19 questions.

20 MR. WARREN: Am I shared? I don't
21 know if I'm shared.

22 MR. BROOKS: Not yet, no, you're not.

23 MR. WARREN: I'm not seeing how I --
24 there we go.

25 MR. BROOKS: Okay, you are sharing
26 now. You're good.

27 MR. IWICKI: Yeah. So, that second
28 bullet's what I'm referring to there, when you
29 say we'll offset it with the large school, you
30 know, because you got the current two under one
31 over rule, so I'm just kind of curious how would
32 you manage that?

33 MR. WARREN: It's my understanding
34 that it's a mathematical -- so the same amount
35 that would be increased to the Trophy category
36 would be decreased in the smaller size class.

37 MR. IWICKI: Okay.

38 And, you know, like I was saying,
39 there was a lot of bad perception, and it was
40 like a 50/50, and the Facebook group I was
41 talking about with New Jersey Offshore Fishing,
42 and, you know, they posted a few pictures of some
43 recreational giants caught, which were also mixed
44 in with some Charter giants caught, and the
45 perception was two years in a row, the minute
46 pictures of fish showed up, NOAA shut us down.

47 I know that's not the case and I know
48 how easy it was to hit the quota. You know,

1 there wasn't that big of tonnage number, so, and
2 I also shared with that group of, make sure you
3 got your permit because there is a law
4 enforcement section in NOAA that's probably
5 checking up on some of this.

6 So I agree with Brad -- had mentioned
7 in our comments there, but I think you're
8 definitely on track.

9 The negative perception was kind of
10 multiplied when the Commercial went to three for
11 daily retention later, so as we talked about
12 earlier, so I think there's a good chance it
13 needs a little bit better strategic outreach in
14 the communications of it, but I'll tell you, this
15 will definitely be welcomed by the New Jersey,
16 New York kind of area for the giants that are
17 just above Little Egg Harbor.

18 MR. BROOKS: Great, thanks, Steve.
19 Scott Taylor? Good afternoon.

20 Can we take Scott off of mute? He's
21 listed as AP Taylor. There you go, Scott.

22 MR. TAYLOR: Yes, do you hear me?

23 MR. BROOKS: We do.

24 MR. TAYLOR: And I will just kind of
25 on a side note, I kind of (audio interference)
26 was chuckling a little bit.

27 I kind of find it a little ironic that
28 you're talking about (audio interference)
29 organization --

30 MR. BROOKS: Hey, Scott. It's pretty
31 muffled. Are you on a speakerphone, or?

32 MR. TAYLOR: Can you hear me any
33 better right now?

34 MR. BROOKS: That's a little better,
35 yeah. Thank you.

36 MR. TAYLOR: Okay. So, I was saying
37 that I kind of found it ironic that (audio
38 interference) organization here for the AP, but
39 we'll leave that one alone for the moment.

40 MR. BROOKS: Hey, Scott, I'm going to
41 jump in again. It's really pretty garbled.

42 Brad, you're having the same issue I
43 am. I'm looking at your face and you're trying
44 to get your ear close to the computer.

45 MR. MCHALE: Yeah, I'm struggling a
46 little bit.

47 MR. TAYLOR: Hang on.

48 MR. BROOKS: Okay.

1 MR. TAYLOR: Is that any better at
2 all?

3 MR. BROOKS: I think so. Let's try it
4 again.

5 MR. TAYLOR: How about now?

6 MR. BROOKS: Yeah, I think so. That
7 seems a little cleaner.

8 MR. TAYLOR: Okay.

9 I want to talk about the fact that the
10 pelagic longline fleet has demonstrated its
11 ability to avoid the interactions, you know, with
12 the bluefins, and or to specifically target, and
13 now there is the opportunity to really revise
14 some of the issues that are pertaining to the
15 initial allocation issues.

16 Again, we're going to lose an
17 opportunity for the longline fleet to maximize
18 the commercial availability, you know, of this
19 particular product.

20 And what I mean by that is one of the
21 reasons that the quota is not being sufficiently
22 utilized by the longline fleet has been basically
23 the way that the quota has been allocated.

24 And in addition to that, now you're
25 proposing the one buffer that we have had where
26 there have been overages, you know, in these
27 catch numbers, and our ability to be able to
28 source that from the purse seine quota.

29 You're looking to eliminate that and
30 completely get it out of there, rather than
31 taking this opportunity, like you do for every
32 other category, to be able to maximize the most
33 value out of this fish (audio interference)
34 sector which is us right now, because there isn't
35 going to be anybody that you're going to hear
36 from that's not going to tell you repeatedly that
37 we're continuing to have, you know, attrition and
38 really, really struggles within, you know, this
39 pelagic longline fishery.

40 Not to waste an opportunity that would
41 maximize anything that we can, you know, (audio
42 interference) commercial value out of.

43 And it just doesn't make any sense to
44 me that the one category that the one category
45 that really has provided, you know, an
46 opportunity for some of these boats to
47 participate in the fishery, you know, and to
48 (audio interference) some of these bluefins.

1 You're essentially going to take that
2 quota away.

3 As to the specifics of the metric, of
4 how you are going to calculate this, Tom. (Audio
5 interference) Marty, I'm sure he's going to weigh
6 in on and he's probably a lot better equipped to
7 talk to some of the particulars than I am.

8 He was talking about that earlier,
9 that, you know, but our position is that if
10 you're looking to allocate a substantial portion
11 of this purse seine quota to the only place where
12 it can currently go, then there should be no
13 action for it whatsoever, but to thoroughly
14 (audio interference) to other segments of the
15 industry without really looking at opportunities
16 to help us out by allowing us to maximize, you
17 know, our revenue in any way possible in the
18 fisheries would be another, in my mind, wasted,
19 you know, opportunity.

20 It ought to be pretty clear to the
21 agency at this point, that we've been very, very
22 successful in our ability to either avoid the
23 bluefins or to target the bluefins, and the
24 limiting factor for us has really been for the
25 availability because it's just not economically
26 viable a lot of times during the year to pay, you
27 know, \$2 or \$3 a pound for that quota and go out
28 and harvest them.

29 MR. BROOKS: Thanks, Scott. Marty,
30 why don't we go to you just so we can sort of let
31 you fold into, you know, Scott's comments, just
32 to bring you into the mix here.

33 So, if we could open up Marty? There
34 you go, Marty.

35 Martin Scanlon, Marty Scanlon,
36 everybody, just so again if folks can't see this.

37 MR. SCANLON: Hello.

38 MR. BROOKS: Marty, you there?

39 MR. SCANLON: Hello? Can you hear me?

40 MR. BROOKS: Yep, go ahead. We can.

41 MR. SCANLON: Can you hear me? Well

42 --

43 MR. BROOKS: Yes. If you can speak a
44 little louder or get a little closer to your
45 phone, it would be better.

46 (Simultaneous speaking.)

47 MR. SCANLON: One thing I wanted to
48 say is I'm completely disappointed with the

1 amount of effort that Blue Water representing
2 this industry has taken over the past three years
3 since the implementation -- well, it's really six
4 years -- from the start of A7 through the A7
5 three-year review, into now A13 here, how little
6 -- the work that we've done how little the agency
7 has listened to us, and to listen to our concerns
8 on this matter.

9 Continually, you know, first of all,
10 smoke and mirrors with these percentages with the
11 68 metric tons --

12 MR. BROOKS: Hey, Marty, you're
13 cutting out. Marty? Marty, you're cutting in
14 and out.

15 MR. SCANLON: Can you hear me any
16 better?

17 MR. BROOKS: Can you get closer to
18 your phone somehow?

19 MR. SCANLON: How about now?

20 MR. BROOKS: Try it again. Yeah. I
21 mean, we heard you, just pick up where you --
22 yeah, just pick up where you finished there. Go
23 ahead.

24 MR. SCANLON: How about now? All
25 right, you know --

26 MR. BROOKS: Yeah, try it.

27 MR. SCANLON: Basically, you're giving
28 us 68 metric tons through smoke and mirrors by
29 just playing with the percentages.

30 We've got something -- we've been
31 utilizing what was left of the Purse Seine
32 category as a leasing mechanism to keep these
33 boats from being tied to the dock. You've given
34 us nothing of that.

35 The Purse Seine category has done
36 nothing but be fair, you know, in their
37 distribution of that quota to the industry to
38 keep us moving, so we've been against them
39 completely contracting the Purse Seine category
40 as a whole.

41 I mean, if you wanted to take the rest
42 of the category that was already taken and put
43 into the reserve and distribute that equally
44 among the other categories, we have no problem
45 with that. But what we've been utilizing
46 throughout the A7 process, we should be able to
47 continue to maintain it, to maintain it the
48 current way it's being done, and let the purse

1 seiners hold on to that and broker that to us.

2 That's one thing. The other thing is
3 with the allocation.

4 I mean, I don't know what the fixation
5 is on overall weight as opposed to what Blue
6 Water proposed on behalf of the industry to do it
7 by one set per calendar day.

8 What we were talking about is -- our
9 mechanism was this. We wanted to give each
10 individual vessel that was active minimum quota
11 to leave the dock, what was left, the amount of
12 sets each vessel made in a given year over that
13 average, we would assign an IBQ quota to every
14 set.

15 And no matter whether a boat made 150
16 sets or 60 sets, it didn't matter. These tiers
17 are unnecessary and very restrictive. Every
18 vessel we get a set quota no matter what, and it
19 would all be fairly distributed.

20 Right now, what you've created with
21 the tier system is, the only guys that are going
22 to be able to make it with that is the guys who
23 are at the bottom of those tiers. If you're at
24 the top end of that tier, you're going to be in
25 trouble.

26 So you've created four separate
27 problems with your tier system, which is not even
28 necessary. I don't know what the fixation is with
29 the tiers. We considered the tiers, but the
30 tiers don't work. What you're going to have here
31 is a vessel that catches one pound less, can
32 actually lose half his IBQ as a result of that,
33 so what is the purpose of that? How is that a
34 benefit? How does that add flexibility to this
35 industry?

36 The whole discussions that we had
37 with, you know, Brad McHale. We've had these
38 discussions with Peter Cooper when he was acting
39 HMS chief. With Randy Blankinship. We had all
40 these discussions, and we've discussed -- we've
41 taken an extreme amount of time to go over these
42 details. And to see this being proposed the way
43 this is being proposed is a complete insult to
44 us.

45 You have done nothing. You have not
46 listened to us one single bit on how to do this.
47 I mean, you know, you're going to create a
48 problem. The top-end boats aren't being rewarded

1 because they're being averaged out with the
2 low-end boats in whatever tier that is.

3 The way we want it to be done is, if
4 he makes 150 sets a year, give him 150 sets worth
5 of IBQ. That's the fairest way to do it.

6 The other thing is, you've abolished
7 now the reserve basically, our only reserve,
8 because you don't give us any reserve. You
9 haven't given us -- you have no mechanism from
10 the reserve to give us any allocation
11 individually, so there's a problem.

12 You know, when you do it by weights,
13 what you guys have actually done is go back to
14 the pre-A7, why A7 came about. Before A7, we were
15 encouraged to kill anything and everything in
16 order to be able to land bluefins with the
17 mechanism that was in place, and here you are
18 putting us right back in that scenario. We're
19 being encouraged to go out there and catch. It
20 doesn't matter what quality of fish you catch,
21 catch as many fish as you can.

22 Right now, what happens in our boats,
23 we're being -- we're going to be punished for the
24 additional conservation effort of our fleet. When
25 we go out there and harvest fish -- and my boat
26 in particular, but most boats that I know of --
27 if you have fish that are marginally fish and
28 they're alive in the water, well, guess what we
29 do? If I have to take a ruler to that fish while
30 it's alive to determine if I should keep it or
31 not, I'm not taking that fish aboard. I'm letting
32 that swim away to live another day.

33 But right now, you're telling me that
34 I have to kill every fish that I bring alongside
35 of my vessel and put a ruler to it, and make sure
36 I don't lose out on my IBQ. Does that make any
37 conservation sense to you guys at all? Where
38 does that make any sense to you guys? That goes
39 on with every level of tunas, it goes with every
40 level of swordfish.

41 The other issue that we have is the
42 mahis. One of the reasons why these guys go mahi
43 fishing is to avoid interactions with bluefins.
44 And isn't that the intent of this regulation to
45 begin with, is to get us to avoid bluefins? So
46 the guys that choose to go mahi fishing now are
47 going to get no credit for that effort
48 whatsoever. So they're going to be punished.

1 Another thing you got is you got guys
2 that are dealing with static closures, the
3 Charleston Bump, for an example, and the northern
4 Florida area. Those guys are already hindered
5 from being able to target in areas that are much
6 better, much more productive to them. They go
7 out there and they have to fish outside those
8 areas, and now you're penalizing them a second
9 time because they're not going to catch as much
10 as if they were fishing in those closed areas.
11 But they're not going to get full credit for that
12 effort because they're not going to land as many
13 fish, because they're fishing in an area that
14 you're restricting them from.

15 So all of these multiplied out on top
16 of each other is again going to force the
17 contraction of this industry instead of helping
18 this industry. That's a big problem.

19 MR. BROOKS: Thanks.

20 MR. SCANLON: You know, I don't
21 understand it.

22 The other thing too here is you're
23 talking about this here -- is, you know, you
24 don't even take into account the post-pandemic
25 problem that we've got.

26 You know, we're fishing now --- when
27 A7 came about, we were in a pre-A7 era, and these
28 rules and regulations that we were doing it by
29 weight, and the fisheries fished differently back
30 then. The more fish that you caught, the more
31 money you made.

32 But that's not how this fishery works
33 anymore. And you haven't taken that into account
34 in this proposal. We don't fish, more fish is
35 better. Higher quality fish, more selective
36 fish, higher conservation effort is what we've
37 been instructed to do and that's what we've done.
38 And now we're being penalized through this
39 proposed amendment in doing that. Now how does
40 that make any sense?

41 You know, in a post-pandemic era, on
42 top of A7, we now are very limited on what we can
43 catch. We just can't go out and catch anything.
44 We've really been restricted on what we're
45 targeting right now because our market is being
46 over -- you're telling us right now, the way
47 you've got this set up is now we have to directly
48 compete with the import market, which -- because

1 of your inability to enforce the imports that
2 come into this country that fish much less
3 sustainably than us -- we're going to be forced
4 to compete directly even more so with that market
5 instead of going out there, post-pandemic, we
6 have to fish even higher quality fish or we don't
7 get paid for the fish, or our buyers won't even
8 buy those fish.

9 So all that you're encouraging us to
10 do is to go out there and kill anything and
11 everything that we can get our hands on, put it
12 on the market at no value, and make less money.

13 Now, how does that make any money --
14 how do you guys live with yourselves by even --
15 this is such an insult to the work that I've
16 done, to what Blue Water's done, and what the
17 industry has done in working with this regulatory
18 process.

19 It's absurd that you should -- you
20 know, I can't believe that this is what you guys
21 came back with.

22 MR. BROOKS: Marty?

23 MR. SCANLON: Yes?

24 MR. BROOKS: I want to thank you for
25 the comments. I also want to make sure that we
26 can hear from other people, and I don't know if
27 the agency has anything they want to be sharing
28 in response.

29 But I thank you for the focused
30 comments there.

31 MR. SCANLON: Can I say one more thing
32 here?

33 MR. BROOKS: Very briefly, please.

34 (Simultaneous speaking.)

35 MR. SCANLON: If this goes forward and
36 you don't give -- if you don't give us this Purse
37 Seine category, there's one thing that's going to
38 have to be done, is that we would have to go from
39 quarterly accountability by the IBQ, it would
40 have to be year-end because there's no reserve
41 and there's no means to get any more IBQ once
42 you've overdone your IBQ.

43 So, what's going to happen is, the
44 only way you're going to get IBQ from the rest of
45 the categories at the end of the year to see who
46 needs quota and who will have quota available to
47 lease to them.

48 So, you would be forced to change the

1 quarterly accountability to year-end
2 accountability if this is to go forward without
3 us remaining with some portion of the Purse Seine
4 category.

5 MR. BROOKS: Okay. All right, thank
6 you, Marty.

7 Let me get a few more people in and,
8 you know, at some point, I don't know if HMS
9 staff are going to want to have any kind of
10 reactions to the comments, but let's get a few
11 more voices in.

12 Katie Westfall, let's go over to you.

13 MS. WESTFALL: Hi everyone, and thanks
14 so much for the presentation, Tom.

15 There's certainly a lot to digest here
16 with big implications, particularly for the
17 pelagic longline fleet with the IBQ system, as
18 we've heard.

19 Off the bat, I just want to ask a
20 specific question about the hard drive
21 requirements.

22 My concern is that having such a
23 prescriptive requirement around mailing hard
24 drives may not keep pace with the evolution of
25 technology, and this is something we've certainly
26 talked about a bit with some of the innovations
27 that are occurring around wireless transmission
28 of data, and I'm just wondering if there's an
29 opportunity to leave the door open to really kind
30 of acknowledge those tech innovations, and/or if
31 there is a mechanism to accommodate any changes
32 in the future without having to go through a full
33 rule-making?

34 So just a question about that.

35 MR. WARREN: I mean, that's something
36 we can certainly look at, is how incorporating
37 flexibility into the regulations to enable, you
38 know, evolution with technology that would
39 benefit everybody.

40 So, that's something we can look at
41 for sure.

42 MR. BROOKS: Thanks. George Purmont,
43 why don't you jump on in? And Katie, if you
44 could just lower your hand, that would be great.
45 Thanks.

46 If we can open up George Purmont?
47 There you go, George.

48 MR. PURMONT: Good afternoon.

1 Thank you for that. Are you there?
2 MR. BROOKS: Yep, you're here. Keep
3 going.
4 MR. PURMONT: Okay, thank you. Thank
5 you for your excellent presentation (audio
6 interference) and its ramification.
7 I am wholly in favor of retiring and
8 fully retiring the purse seine quota and its
9 ability (audio interference) that fishery since
10 the late --
11 MR. BROOKS: Hey, George, you're
12 breaking up again -- or you are breaking up,
13 unless I'm the only one having that problem.
14 No, others are too. Try again,
15 George. I don't know if you can change how
16 you're talking in?
17 MR. PURMONT: I am in favor of fully
18 retiring --
19 MR. BROOKS: George, we're not hearing
20 you at all right now.
21 MR. PURMONT: Okay. Well, I'll --
22 MR. BROOKS: Oh, that's good, whatever
23 you did just there is working.
24 MR. PURMONT: Great. (Audio
25 interference).
26 MR. BROOKS: Oh my god, it immediately
27 stopped the minute that you started talking
28 again.
29 MR. PURMONT: That's just the story of
30 my life.
31 MR. BROOKS: All right. You know
32 what?
33 Can I encourage you to throw your
34 thought in the chat and then we'll have AP staff
35 send it around so everyone can see that?
36 MR. PURMONT: Absolutely.
37 MR. BROOKS: Okay. Thanks, George.
38 Tim Pickett, why don't you jump in?
39 MR. PICKETT: You got me?
40 MR. BROOKS: Yup.
41 MR. PICKETT: Okay. Scott and Marty
42 both did a very good job of kind of illustrating,
43 you know, what all this kind of means.
44 From my perspective, I just wanted to
45 add a couple more things.
46 You know, Scott talked about and Marty
47 both talked about that, you know, the longline
48 industry's made a lot of concessions, you know,

1 in A7 and has got very little in return, and this
2 is another step in the wrong direction.

3 I look at it from the perspective of,
4 there's a lot of guys down here, you know, that
5 could want to potentially enter into an aging out
6 fishery, but with the goalpost moving it's very
7 difficult to develop a business plan, let alone
8 try and borrow money or invest all -- you know,
9 it's a massive amount of investment for somebody
10 to try and enter into this fishery, between, you
11 know, equipment and boats and permits, and now
12 leasing individual bluefin quota.

13 You know, I'd like to see there be
14 some sort of flexibility, you know, for guys to
15 fish in the Gulf, or fish, you know, even fish in
16 the Atlantic, you know, where you can lease
17 quota.

18 I think there needs to be a lot of
19 concession for the sacrifices that the people
20 have made, and especially concession for somebody
21 that might be new into entering the fishery.

22 That's the one thing I'd like to
23 emphasize on.

24 Another thing to emphasize is, you
25 know, what are we talking about in terms of
26 getting this purse seine quota and reallocating
27 it to the General category?

28 Them gaining quota, you know, and that
29 amount of quota, you know, what is that? In
30 recent years, that might be less than a week in
31 October.

32 So, you're asking the pelagic longline
33 fleet that fishes 12 months out of the year, and
34 is a steward of a fishery, that actually
35 dollar-wise, if we were to utilize it, it would
36 be a multiple of six or seven in terms of dollar
37 value than the General category is, especially
38 now with depressed tuna prices and everything
39 else.

40 You know, if you look at it from a
41 dollar and cents ability, you know, and I don't
42 want to poo-poo the General category because, you
43 know, it's a traditional fishery and I get it,
44 but if you want to look at a general dollar
45 value, the general dollar potential of the U.S.
46 swordfish quota is massive compared to the dollar
47 value of the General category.

48 And I think we need to at least have

1 the flexibility to keep that fishery viable
2 because it's so important, you know, you look at
3 the pandemic.

4 I get calls from island nations now
5 that I'm working with the government to try and
6 bolster their domestic fishing because when this
7 COVID hit, they didn't have any food.

8 They didn't have a commercial fishery,
9 they didn't have any domestic food production.

10 You know, we have a domestic food
11 production capability here with this fleet, that
12 we need to keep it from a national security
13 standpoint, need to keep it viable. You know?

14 And like I said, dollar value wise, if
15 you really look at it, and you know, you say you
16 value swordfishing, five bucks a pound, and the
17 tuna's at ten bucks a pound.

18 It's, you know, six, seven times as
19 much dollar value wise. You know, we need to do
20 what we can to keep this viable.

21 We need to not move the goalpost
22 because like I said, in terms of a business
23 planning standpoint and everything, you know, not
24 moving the goalpost and keeping flexibility in
25 the fishery is a huge thing.

26 You know, like Marty and Scott both
27 got at, but I just wanted to throw that into the
28 ring.

29 MR. BROOKS: Thanks, Tim. Let's bring
30 in Mike Pierdinock.

31 MR. PIERDINOCK: Thank you, Bennett.
32 Thank you, Tom, for your presentation.

33 You know, many in the recreational
34 community are happy to see the new northern zone.

35 I mean, as you know, for many of us up
36 here, we get shutdown even before the fish show
37 up, July, August, and so on.

38 So, that additional zone can help
39 those that are pure recreational anglers that run
40 into the Trophy category to work for them.

41 I wish there was a little bit more
42 quota there for the Trophy category there, as
43 well as the entire Recreational category.

44 And I know the percentages are a
45 little different for where they go, whether it's
46 general or longliner, or so on, but specific to
47 Trophy category, that closes up so quickly, I
48 wish there was a little bit more flexibility

1 there, but ultimately, we're happy to see the
2 northern, and happy to see that's there. Thank
3 you.

4 MR. BROOKS: Thanks, Mike --
5 (Simultaneous speaking.)

6 MR. WARREN: Bennett, I'd like to make
7 a couple remarks. I'm not sure what the best
8 time is?

9 MR. BROOKS: Go for it right now.

10 MR. WARREN: Okay. So, Marty, thank
11 you for your passionate comments.

12 I understand that we did not propose
13 your preferred method.

14 We did analyze other aspects and other
15 methods of doing things in the DEIS, so I
16 encourage you to read it.

17 One thing for folks to keep in mind
18 with respect to the viability of the fishery and
19 the amount of IBQ is the fact that under the
20 dynamic system, for example, the number of
21 vessels that will be allocated shrinks from 135
22 to 99, at least based on, you know, the three
23 year period we analyzed.

24 So by virtue of that alone, many
25 vessels indeed will get larger allocations than
26 under the status quo.

27 So, by eliminating so-called wasteful
28 allocation to inactive vessels, that is in fact a
29 increase in allocation for many vessels, not all.

30 And so, that is a factor that balances
31 out some of the lost opportunity from leasing
32 purse seine quota.

33 So just to help, in my mind, that's a
34 balancing factor to consider.

35 And to Tim Pickett's point, I would
36 state that what we proposed provides more
37 opportunity for new entrants because a vessel
38 would have to lease quota only for a year, and
39 then in the subsequent year, it would be
40 allocated quota under this dynamic system.

41 And I look forward to continuing our
42 conversations. Thank you.

43 MR. BROOKS: Thanks. Let's bring in
44 David Schalit, and then we'll go to Dewey.

45 MR. SCHALIT: Hi. Can you hear me?

46 MR. BROOKS: Yes, we can.

47 MR. SCHALIT: Okay. Thanks, Tom, for
48 the presentation. I just want to amplify on

1 something that was mentioned earlier.

2 The idea that the pelagic longline
3 would be required to bring bluefin tuna onboard
4 in order to measure them is problematic, and I'm
5 sure that NMFS is aware of this problem.

6 I just wanted to mention that we're
7 also looking at the same problem with regard to
8 the recreational sector, for different reasons.

9 In the case of the recreational
10 sector, we have a lot of catch and release, and
11 we're not able to capture the catch size data
12 that we need, which helps us to develop estimates
13 of recruitment.

14 So, this is a problem which we have
15 yet to identify a solution.

16 How do you bring a fish alongside and
17 obtain a reasonable measurement of that fish
18 without having to bring it onboard?

19 And in the case of longline vessels,
20 you have a much higher freeboard, so the
21 likelihood is that you can expect a higher level
22 of mortality just from the act of bringing the
23 fish onboard. Are you following me?

24 So, this is something I think that's
25 just a sidebar issue, which we might consider
26 looking at to see if we can find if the solution
27 exists. Thanks.

28 MR. BROOKS: Thanks, David. Dewey,
29 why don't you jump in?

30 MR. HEMILRIGHT: Can you hear me?

31 MR. BROOKS: Sorry, Dewey -- yeah, and
32 this is Dewey Hemilright. Go ahead, Dewey.

33 MR. HEMILRIGHT: Yeah, thank you for
34 the presentation. I'm trying to take it all in.

35 I've read over Amendment 13 and some
36 different points of it, but I still don't
37 understand why the number of ships wasn't chosen
38 as a metric. That's kind of one question.

39 And another question is, if we went
40 from 136 vessels that had IBQ to 99 that were
41 active based on the years chosen here, that
42 leaves you, you know, with 37 inactive permits,
43 whether they're on the shelf or being renewed
44 with no vessel ID.

45 If you wanted to take them permits off
46 the shelf, no vessel ID, and enter into the
47 fishery, you got to go lease quota.

48 Why wouldn't you just take and give

1 everybody 300 pounds to go fishing, and then if
2 they caught fish, if they caught bluefin tuna,
3 then they have to go find more quota.

4 I mean, why are we making it like, for
5 new entrants into the fishery -- or in some
6 cases, folks chose to get out of the fishery for
7 a while until something got more stable, and now
8 they have to go lease quota to get back in with
9 their permits.

10 So, if you took and put five metric
11 ton aside, and I don't know what the number is on
12 37 participants -- 25,000 pounds, you know, ten
13 or 12,000, ten or 12 metric tons -- and then
14 folks could reenter into the fishery without
15 having to go lease quota, and then if they caught
16 bluefin tuna, they got to go find more quota.

17 Second of all, in reading the
18 amendment, I was a little curious why a no vessel
19 ID person that chose to put his vessel or his
20 permits on the shelf is getting treated different
21 than folks that decided to participated in the BP
22 oil money, not to go fishing voluntarily, yet
23 they're going to be given quota if they were to
24 activate their permits.

25 Am I correct with that? Can I have
26 somebody tell me a little bit about that?

27 So that'd be a couple of my questions,
28 but I was real taken back to sit back here on
29 what's been going on when people's been
30 participating in the industry and at these
31 meetings, and what the outcome of this Amendment
32 13 was. Thank you.

33 MR. WARREN: I can give a brief
34 answer.

35 MR. BROOKS: Go ahead, Tom.

36 MR. WARREN: Or if you want to go on
37 with more questions?

38 MR. BROOKS: Yeah, please do. No, go
39 ahead, Tom.

40 MR. WARREN: So, good question with
41 respect to why we chose landings as a metric
42 versus sets versus hooks, and I understand
43 there's logic associated with each method.

44 And we went with a mathematical method
45 under the logic of, well, who needs bluefin tuna,
46 and therefore, the need for bluefin tuna, and to
47 account for it using IBQ, so to speak, we did a
48 correlation analysis to kind of answer this

1 question.

2 And so we correlated bluefin catch
3 with the numbers of hooks, and bluefin catch with
4 the numbers of sets, and bluefin catch with the
5 number of landings.

6 And there was a higher correlation
7 between bluefin and longline landings, and so in
8 our minds, that leads to the conclusion, or
9 that's one element that helps support the
10 conclusion that landings is an appropriate metric
11 by which to allocate bluefin quota.

12 MR. BROOKS: Thanks, Tom. Let me just
13 flag a couple of folks who are having some
14 technical difficulties in the chat.

15 (Simultaneous speaking.)

16 MR. BROOKS: George. George is still
17 not --

18 MR. MCHALE: Yeah, actually Bennett,
19 I thought there was one other question. This is
20 Brad for those that don't have video.

21 I thought there was another question
22 that Dewey was having, in regards to how permit
23 holders are or are not receiving allocation
24 whether if they're moving their permits off of
25 the vessel, or if they're participating in the
26 repose?

27 I can field that. I don't know if
28 Tom, you wanted to? Doesn't matter to me.

29 MR. WARREN: Oh no, go ahead, Brad,
30 thank you.

31 MR. MCHALE: All right, so if you
32 recall during that, to actually receive the
33 allocation, in Amendment 7 we set up a
34 prerequisite that the permits needed to be
35 associated with the vessel.

36 And therefore, that permit holder
37 would receive that allocation at that point in
38 time.

39 And when those permits were associated
40 with the vessel, that could occur at any point
41 throughout the year.

42 Those individuals that voluntarily
43 participated in some of the Deepwater Horizon
44 repose activities, they have voluntarily forgone
45 access to their IBQ -- and Randy, I may need some
46 assistance here -- but my understanding's for the
47 entire duration of their participation in that
48 repose.

1 So, it's not necessarily an apple to
2 apple comparison.

3 One is, is that if you qualified under
4 Amendment 7, you're eligible to receive the
5 allocation when your permits are tied to your
6 boat.

7 And then those that have voluntarily
8 forgone using the gear type, they do not have
9 that same ability throughout the year.

10 MR. BLANKINSHIP: Well, a little bit
11 of an added bit of information to add to what
12 you're saying the related to the Deepwater
13 Horizon Oceanic Fish Restoration Project, and
14 that is that their participation to repose, which
15 is voluntary, it takes place in the first half of
16 the year from January through June, and it is
17 during that period that those vessels would not
18 fish the pelagic longline.

19 And IBQ-associated vessels actually
20 still remain associated with those vessels, but
21 then those vessels are eligible to use that, and
22 they would need it when they fish with pelagic
23 longline in the second half of the year, and
24 therefore, it is still utilized.

25 And participation in that program is
26 contingent on those vessels being active, and so
27 they would've had to have made sets in a previous
28 year in order for them to be eligible for the
29 year that they're participating.

30 MR. BROOKS: Thanks, Randy. All
31 right.

32 Before I push on, just calling two
33 comments in the chat just to make sure we're
34 seeing them.

35 George Purmont weighed in saying he's
36 wholly in favor of retiring the purse seine quota
37 and making it available to fleet.

38 He added as well that it was his hope
39 that a major part of that quota would be
40 transferred directly to longliners.

41 Bob Humphrey weighed in as well, just
42 strongly in support of the proposal to divide the
43 current trophy north area into two zones. So,
44 just to put that in.

45 Let's go to Alan Weiss. And folks
46 who've already weighed in, I see hands still
47 raised.

48 If you've already spoken and you're

1 not looking to get back in queue, if you would
2 just lower your hands so I'll know who wants to
3 get in?

4 I'll also note there's at least one
5 person with a hand raised who's not a member of
6 the advisory panel, and just so folks know, this
7 portion of the conversation is just focusing on
8 advisory panel members, but we will be having an
9 opportunity for public comment at 3:15 today, so
10 anyone who's not a member of the AP and wants to
11 weigh in on any of these issues that have been
12 talked about today, or anything else for that
13 matter, that would be the moment to be weighing
14 in.

15 So, okay. Let's go over to Alan
16 Weiss. Your line is open.

17 MR. WEISS: Okay, thanks, Bennett. I
18 have several questions.

19 The first and largest is looking at
20 the annual IBQ shares determination portion in
21 the presentation.

22 I haven't been able to understand why
23 we would want to choose to make the system more
24 complex by dividing it into four different
25 categories when we could do something much
26 simpler, which is to just put everyone together
27 in one category and make a determination that you
28 get X number of pounds of IBQ for each pound or
29 each number of pounds of your landings, and just
30 leave it at that, and then assign an amount for
31 each vessel that ties directly to their landings
32 during the period that determines it because if
33 you set it up this way in four different
34 categories, first of all, there are people who
35 are going to be on the cusp of the next level up,
36 and if you're near the cusp, you're incentivized
37 to go out and, as I think Marty was alluding to,
38 you're incentivized to go out and bring in a
39 boatload of albacore, or target smaller yellowfin
40 tuna in quantity if you can find them, or target
41 small swordfish if you can find them.

42 Target anything you can get your hands
43 on to boost you up into the next category.

44 I don't think that's the kind of
45 incentive that people should be given. I don't
46 think it's the kind of incentive that they want.

47 I think they'd like to just simply be
48 assigned that amount of IBQ that is prescribed by

1 their performance.

2 The other problem with this lumping
3 together in four groups is that whatever group
4 you're in, your allocation isn't just tied to
5 your performance, it's dependent upon the
6 performance of all the other vessels in your
7 grouping.

8 So, that doesn't make sense either.

9 Why would people be given an
10 allocation that's prescribed by what 25 other
11 boats caught, rather than just strictly what they
12 themselves caught?

13 MR. BROOKS: Hey, Alan, Bennett here.

14 I want to hit pause on your comment
15 for a minute because I want to have the agency --
16 this has come up in several comments.

17 I wonder if someone might weigh in
18 from the agency, just to explain a little bit of
19 the thinking of the categories?

20 MR. WEISS: Sure.

21 MR. BROOKS: And then Alan, we can
22 come back to you.

23 MR. WEISS: Thank you.

24 MR. BROOKS: Go ahead, Tom.

25 MR. WARREN: So, one aspect of giving
26 a custom quota, so to speak, if it's a
27 percentage, you're always in a way tied to the
28 landings of the rest of the fishery because your
29 percentage changes based on others' landings.

30 But that said, one of the main reasons
31 why we lumped it is in the relatively low
32 percentages, the very low percentages would be
33 only a fraction of the fish.

34 And so, that causes a problem of,
35 well, what do you do about the minimum
36 requirement of having a minimum amount of fish to
37 fish in the Atlantic and the Gulf?

38 And certain fairness concerns about
39 vessels who land only a few fish, or do only a
40 few sets.

41 But just as important, if not more
42 important, is at the high-end of the spectrum, if
43 a vessel lands a whole lot of fish, they may be
44 allocated five percent, say, of the IBQ quarter.

45 And so, arguably landing a large
46 amount of target species would enable someone to
47 get a disproportionate amount of bluefin, which
48 as managed, is not a target species.

1 Okay? And arguably, a windfall of
2 bluefin would reduce the incentive to avoid
3 bluefin.

4 And that is still part of the FMP, is
5 the IBQ is a limited asset, you might say, a
6 limited resource to account for bluefin, but not
7 necessarily serve as a windfall by which nobody
8 can target.

9 MR. BROOKS: Thanks, Tom.

10 Alan, I'm going to come back to you,
11 but I'm going to ask you to be really succinct
12 because we only have about five minutes left of
13 this.

14 I can push it another five, but
15 there's at least three other people who want to
16 get back into this conversation, so if you can be
17 as succinct as possible, I'd really appreciate
18 that.

19 MR. WEISS: Okay, I'll try.

20 Just to address the points that Tom
21 just made, he said that the people at the upper
22 end -- that the analysis that the agency did
23 showed that they had the greatest need for
24 allocation, so I'm still not clear on why you
25 find it to be a problem to allocate the amount
26 that your analysis prescribes as needed.

27 And it's already been suggested that
28 at the lower end, you could assign the minimum
29 amount of, you know, that one whole fish that's
30 needed to get a boat out fishing, and then use
31 this allocation process for the rest.

32 I also had a question about why the
33 IBQ for the Gulf of Mexico would be capped at 35
34 percent? Why 35 percent? How was that figure
35 arrived at?

36 And also, in regard to the discussion
37 about dormant permits or inactive permits, or new
38 vessels coming in, Tom said a little while ago,
39 well, a new entrant would only have to lease
40 quota for the first year, and then they'd be
41 given allocation in year two, if they came back
42 in.

43 Well, who are they going to lease the
44 allocation from in that first year?

45 Because if all of the allocation that
46 can be transferred is held by the active vessels,
47 and there isn't that reserve backup that there
48 has been so far in the Purse Seine category, then

1 the people that are active fishermen, especially
2 in the early to middle part of the year really
3 have no incentive and are disincentivized from
4 wanting to lease any allocation to a new entrant
5 because if somebody leases a portion of their
6 allocation to someone else in January or March or
7 June, and then later in the year find that they
8 actually are running short, they have nowhere to
9 go to get it.

10 So, people will tend to hold on to
11 what they're given, and I don't think that
12 there's going to be a very ready market for
13 allocation to any new entrants or people coming
14 in with none. Thank you.

15 MR. BROOKS: Thanks, Alan. Appreciate
16 it.

17 Let me see if we can squeeze in the
18 last couple folks who want to get a second bite
19 at this conversation. Scott Taylor?

20 MR. TAYLOR: Yes. Thank you, Bennett.
21 I appreciate it. I'll try to be quick so that
22 you can get other people in.

23 I do appreciate the fact that you have
24 tried to address this issue regarding new
25 entrants into the fishery, and (audio
26 interference) three year average, but Alan's 100
27 percent right. (Audio interference) category,
28 (audio interference) catastrophic set or that we
29 need to access further and you eliminate that,
30 you're going to create a huge problem in the
31 first nine months of the year, which ties into
32 Marty's comment that if you're going to do this
33 -- and further, we would hope that there's still
34 some flexibility in your approach, you really
35 would need to go to a year-end reconciliation on
36 this because nobody's going to lease quota in
37 their only part of the year because they're not
38 going to know what this date is really going to
39 happen, and there'll be no fallback position.

40 The third thing I want to comment on
41 is effectively what you have done here, is the
42 handful of boats that have been fishing in the
43 Atlantic that may have had access to the Gulf of
44 Mexico, except for your Gulf fleet, you're
45 effectively going to stop them fishing, because
46 if you're going to operate quota based upon the
47 landings in the Gulf and the Atlantic fleet that
48 has been going into there, to essentially

1 swordfish with the legal scenario and all the
2 limitations that are there, those landings are
3 going to be very minimal, and then that there
4 probably is not going to be very much quota
5 that's going to remain, you know, moving forward.

6 And finally, I've got to be a little
7 bit condescending in terms of the fact that I
8 just don't understand with all the effort that
9 Blue Water has made, to include you in our annual
10 meetings and discussions and everything all along
11 the way.

12 One is that the agency consistently
13 thinks that they know better as it pertains to
14 these issues than the guys that are actually
15 executing the fishery.

16 That it's a valid question. We put
17 forth a tremendous amount of effort, Marty,
18 Glenn, everybody has worked so hard to work along
19 with you to try to explain what it is that we
20 need to survive.

21 Guys, we're dying out here. I own 13
22 boats and I'm fishing five boats now. Five out
23 of the 13.

24 Okay? Something's wrong with this
25 picture. Okay? We know what's best for us.

26 We demonstrated our ability, and
27 there's one major flaw in your thinking, Tom, and
28 also, you know, in terms of this.

29 We catch the bluefin tunas whether you
30 want to catch the bluefin tunas. Look at what
31 went on in the last couple of months off of the
32 Carolinas.

33 If we want to avoid the fish, and
34 you're giving us the flexibility and the design,
35 we have been able to avoid the fish. Okay?

36 You're taking all the potential of
37 commercial viability away from us, and I'm going
38 to record you, and give anybody else the final
39 chance, you need to rethink this.

40 This is not the right way to handle
41 it. Okay?

42 You need to rely on the people that
43 know the fishery the best to have substantial
44 weight with your decision making.

45 And I respectfully end my comment.

46 MR. BROOKS: Thanks, Scott. Great,
47 thanks, Scott.

48 Let me bring in David Schalit -- no,

1 you've taken your hand down.

2 Marty, you got a minute, and then I'm
3 going to need to push on, get everyone to a break
4 here. Marty, go ahead.

5 MR. SCANLON: Okay. You know, Tom
6 Warren's answer to Alan Weiss contradicts his
7 excuse of why they used weight as opposed to
8 sets.

9 He's worried about them catching too
10 many fish and controlling too much of the
11 allocation.

12 The problem that you take into account
13 by just simply using weights on the numbers of
14 fish and the type of fish you're talking about,
15 it doesn't take into account the value of those
16 fish, at all.

17 The fishery has changed. The dynamics
18 of this fishery has changed. You know?

19 Just because you catch less fish per
20 set, the idea is to catch less bluefin.

21 It's been the intent of A7 not to
22 catch the most fish, to catch the most bluefin,
23 and that's what he just told us we should be
24 doing.

25 That's a contradiction to A7 right
26 from the get-go.

27 The guys that have made the most
28 efficient sets can still make the most money and
29 catch the least bluefins -- should be rewarded
30 for that effort. It's as simple as that.

31 And like Scott says, we know the
32 fishery, we know how to make this fishery work if
33 you will allow us to make it work. We've proven
34 that to you with the IBQ system.

35 Let us do our job and listen to what
36 the industry needs, don't just be so stubborn and
37 think that you know better than us, because you
38 don't.

39 That's why this fishery is going out
40 of business.

41 MR. BROOKS: Thanks.

42 And let me just remind, I know this is
43 a passionate topic, I get it and I hear it, and I
44 don't mean to dim that at all, I just want folks
45 to be respectful in how they talk to each other,
46 and, you know, disagreeing with it is totally
47 on-game, but let's assume everyone's given it
48 their best effort here.

1 MR. BLANKINSHIP: Yeah, and I'd just
2 like to add that I can completely appreciate, you
3 know, the passionate expressions, but I would
4 request that while I know that Tom is an adult
5 and capable of taking a lot on his shoulders,
6 that said, you know, Tom is working hard on this.

7 This is the agency's proposal, and so,
8 you know, please try to direct your comments as
9 such for the agency.

10 If you wish to call out a person, you
11 may do so to me, but try to keep that in mind, if
12 you would, please.

13 MR. BROOKS: Thanks, Randy. All
14 right.

15 I want to just call out in the chat,
16 there is a comment from Angel Willey noting that
17 Maryland falls in the southern trophy area, which
18 often closes before fish are available in this
19 area.

20 The proposed trophy area changes won't
21 help someone fishing out of Maryland land a
22 trophy bluefin tuna.

23 There's also a comment from Rick
24 Weber, which I think I will just read, and I'll
25 try to paraphrase.

26 This conversation is amazing in
27 historical context. The agency has proposed a
28 fixed allocation, and it seems a number of people
29 are asking for a version of status quo, i.e.,
30 allowing the agency to decide where quota is
31 needed.

32 Formally ending the purse seine quota
33 makes sense. Perhaps most of it should end up in
34 the discretionary reserve.

35 Collective industries are expressing
36 trust in leadership. Take the win.

37 So, thanks for that comment again. I
38 recognize this is an area of great passion and
39 for lots of good reasons, and I thank everyone
40 for weighing in here.

41 And I think obviously that's why this
42 AP exists, is for the agency to hear these kinds
43 of thoughts and get feedback, so thank you all
44 for weighing in on this.

45 Just in terms of summing up here, I
46 think you heard a couple of strong signals from
47 AP members that dividing the trophy into regions
48 is a good idea.

1 Several people weighing in about good
2 to see the purse seine allocated.

3 Obviously some very, very strong
4 voices from the pelagic longline fleet, about
5 some of the challenges in the way that this is
6 being put forward in the proposed rule, some very
7 specific comments about shifting from tiers to
8 sets, that moving to tiers is going to be
9 problematic.

10 That the way this is structured could
11 lead unintentionally to having allocation issues,
12 leasing IBQ quota early in the year, that it
13 could incentivize just the kind of fishing
14 behavior that you don't want to see, that it
15 could be hurting economics, lots of other
16 comments here.

17 But I thank everyone for giving the
18 agency a lot to think about. Tom, I see your
19 hand up? Go ahead.

20 MR. WARREN: A quick response to
21 Alan's question of where did the 35 percent
22 maximum in the Gulf of Mexico come from?

23 This was from Amendment 7 set. That
24 is a maximum based on the historic period
25 analyzed 2006 with 2012 data.

26 I believe it represented the amount of
27 effort that was in the Gulf of Mexico.

28 MR. BROOKS: Okay. All right. Let's
29 get everyone to a break.

30 We are a few minutes late, so we're
31 just going to clip this break because I want to
32 make sure we get to public comment at the right
33 time.

34 So we'll come back at 2:30 sharp and
35 dive into our last bluefin tuna topic for the
36 day.

37 So thanks, Tom, for the presentation,
38 and for everyone for the feedback to the agency.
39 Thanks.

40 (Whereupon, the above-entitled matter
41 went off the record at 2:25 p.m. and resumed at
42 2:31 p.m.)

43 MR. BROOKS: All right. It's 2:30.
44 So, let's jump into the last topic here. I want
45 to have Carrie Soltanoff catch folks up on the
46 proposed rule to implement the federal Atlantic
47 tunas regulations in Maine state waters.

48 And again, for members of the public

1 who are here, this will take us to about 3:15,
2 and then, we will shift to public comments.

3 Carrie, over to you.

4 MS. SOLTANOFF: Thank you, Bennett,
5 and thanks to you all for sticking around for the
6 last presentation of the day.

7 I'll be presenting on our proposed
8 rule to implement federal tunas regulations in
9 Maine state waters.

10 To give you some background on this
11 action, the Atlantic Tunas Convention Act, or
12 ATCA, requires federal regulations implementing
13 ICCAT recommendations to apply within state
14 waters where state regulations are less
15 restrictive or not effectively enforced. It also
16 requires a continuing review of state regulations
17 and their enforcement.

18 For Atlantic tunas, NOAA Fisheries
19 made initial determinations regarding the
20 applicability of federal regulations in state
21 waters under ATCA in 1976. And at that time,
22 Maine was included, in part, with the exception
23 of some purse seine regulations and retention
24 limits.

25 The regulations were revised for the
26 1999 Fishery Management Plan, and that rulemaking
27 did not include Maine in the list of states for
28 which federal Atlantic tunas regulations are
29 applicable within state waters. The language in
30 the regulations for 1999 remain the same to the
31 present day.

32 Most states and territories bordering
33 the Atlantic and Gulf of Mexico are currently
34 included in the list in the regulations, with the
35 exceptions Maine, Connecticut, and Mississippi.

36 So, skipping ahead to present day, in
37 October of 2020, we had received a letter from
38 the Maine Department of Marine Resources
39 requesting that NOAA Fisheries add the state of
40 Maine to the list of states where federal tunas
41 regulations apply in state waters under ATCA. In
42 their letter, Maine noted that they lacked the
43 resources to adjust state regulations with the
44 frequency needed to remain consistent with
45 federal regulations and that commercial tuna
46 fishing activity in Maine state waters has
47 increased recently.

48 In our review of the Maine laws and

1 regulations, NOAA Fisheries found that state laws
2 do not address tuna fishing in state waters in
3 detail, other than restricting permitted gears to
4 harpoon and hook and line; implementing the
5 non-resident special tuna permit for
6 participation in certain tuna tournaments, and
7 requiring a commercial fishing license for
8 commercial tuna fishing in state waters. In
9 addition, Maine policy requires recreational HMS
10 fishermen, including tuna fishermen, in state
11 waters to obtain federal permits and follow
12 federal regulations.

13 Our proposed rule for this action was
14 published April 26th. And what we're proposing
15 is to add Maine to the list of states at 50 CFR
16 635.1(b) for which federal Atlantic tunas
17 regulations are applicable within state waters.
18 These applicable regulations would include all
19 Part 635 tunas regulations, including open and
20 closed seasons, retention limits, size limits,
21 authorized gears and gear restrictions, and
22 permitting and reporting requirements. The
23 Atlantic tunas managed under these regulations
24 are bluefin, bigeye, albacore, yellowfin, and
25 skipjack tunas.

26 Looking at the impacts of the proposed
27 change, this action is largely administrative
28 because tuna fishermen that might fish in state
29 waters would likely already have tuna permits.

30 This action would not result in a
31 substantial change in fishing location, timing,
32 effort, authorized gear types, or harvest levels.
33 And it's not anticipated to substantially change
34 ecological or socioeconomic impacts on Atlantic
35 tunas fisheries or have a significant economic
36 impact on a substantial number of small entities.

37 The action would provide regulatory
38 consistency and it would enhance enforcement of
39 season closures, retention limits, size limits,
40 and other federal regulations in Maine state
41 waters. And the action would also more directly
42 ensure that any tunas landed in state waters are
43 reported in compliance with regulations
44 implementing ICCAT requirements.

45 So, as I mentioned, Connecticut and
46 Mississippi are also not currently in the list of
47 states for which NOAA Fisheries has determined
48 that federal Atlantic tuna regulations are

1 applicable within state waters. In the future,
2 consistent with the continuing review required by
3 ATCA, NOAA Fisheries may more formally review
4 Connecticut and Mississippi state tunas
5 regulations to determine if these states should
6 be included under this regulation. In addition,
7 we may also review regulations for other HMS that
8 implement ICCAT recommendations for all Atlantic,
9 Gulf of Mexico, and Caribbean states and
10 territories to determine if those regulations are
11 at least as restrictive as the federal
12 regulations.

13 So, the comment period for this rule
14 closes June 10th, and we're taking public
15 comments on regulations.gov, using the keyword
16 that's shown, and we have a link here to our
17 action web page with more information on this
18 action and links to The Federal Register notice.
19 And if you need more information, you can contact
20 myself, Larry Redd, or Sarah McLaughlin.

21 And I'm happy to answer questions.

22 MR. BROOKS: Great. Thanks, Carrie.

23 Let's see if there's anyone who has
24 some questions or comments about this.

25 Marty, I'm assuming your hand was left
26 over from before. So, if it was, I'll let you
27 lower it. If not, keep it up and I'll bring you
28 in.

29 But let's bring in Bob Humphrey.

30 MR. HUMPHREY: Yes, thank you.

31 Would this change, if it goes through,
32 affect the required safety equipment in any way;
33 specifically, life rafts, survival suits, and
34 EPIRBs in state waters inside the 12 miles?

35 MS. SOLTANOFF: So, the safety
36 equipment requirement would be the same that it
37 is under the federal permits that would be held
38 by those fishermen. So, it wouldn't change any
39 of the requirements that are tied to the federal
40 tunas permits.

41 MR. HUMPHREY: Okay. Just to be
42 clear, currently, General category fishermen
43 inside of 12 miles do not have to have that
44 equipment, but once they cross that line, they
45 do. So, would that remain the same?

46 MR. BLANKINSHIP: Bob, you're talking
47 about commercial safety requirements under the
48 U.S. Coast Guard regulations. This proposed rule

1 would not make any change to those Coast Guard
2 requirements.

3 MR. HUMPHREY: Okay. Thanks.

4 MR. BROOKS: Okay. Thanks.

5 Anyone else care to comment on this
6 proposed rule? Or have questions for the Agency
7 on anything to do with this?

8 MR. BLANKINSHIP: It looks like Dave
9 Schalit has his hand up.

10 MR. BROOKS: Oh, Dave does? Oh, okay.
11 Dave, go ahead.

12 MR. SCHALIT: Thanks, Carrie, for the
13 presentation.

14 Just a quick question. Are there any
15 other coastal states that are in the same
16 situation as Maine? I'm thinking, in particular,
17 about North Carolina. Thanks.

18 MS. SOLTANOFF: All the other coastal
19 states are already included in the regulation,
20 except for Connecticut and Mississippi. So,
21 North Carolina is already included under the
22 current regulation.

23 MR. SCHALIT: All right. So, I guess
24 the implication here would be that, from the
25 perspective of enforcement -- I know we're going
26 to have an enforcement presentation another day
27 -- so, these states would then be obligated to
28 enforce federal regulations. You know, the state
29 agencies that are, let's say, environmental
30 police, that sort of thing, would be obligated
31 then to enforce federal regulations regarding HMS
32 in this instance, correct?

33 MS. SOLTANOFF: Right. So, to the
34 extent that they are encountering the tunas, then
35 they would be enforcing the federal regulations
36 in state waters, and that's actually part of, I
37 think, what Maine was seeking, was the ability
38 for the state to enforce the federal regulations.

39 MR. SCHALIT: Oh, is that it? Okay.
40 Thanks, Carrie.

41 MR. BROOKS: Okay.

42 MR. BLANKINSHIP: Just to build off of
43 that just slightly, because Carrie's right on,
44 but I think there's also some considerations
45 under the Joint Enforcement Agreements that NOAA
46 has with state agencies. And so, that may vary
47 slightly from state to state, because I'm not
48 familiar exactly with how those Joint Enforcement

1 Agreements are drawn up. But, as a general rule,
2 I think Carrie's right on.

3 MR. BROOKS: Thanks.

4 Bob Humphrey, your hand is still up.
5 Were you wanting to jump back in or is that just
6 left over?

7 MR. HUMPHREY: It's left over.

8 MR. BROOKS: Okay. All right. I'm
9 refreshing, and I'm not seeing any new hands
10 coming up here for this, Carrie. So, thank you
11 very much for the presentation.

12 I do want to note, from the earlier
13 conversation, Steve Iwicki had a comment in the
14 chat, basically, building on Angel's comment and
15 putting forward a suggestion that the southern
16 boundary of the northern area be shifted a little
17 bit farther south from Egg Harbor, New Jersey,
18 down to Ocean City, Maryland. So, I just wanted
19 to call that out as a comment that didn't get to
20 be folded into the conversation.

21 All right. Randy, I think I have a
22 question for you and Pete, which is, it is
23 quarter to 3:00, which is a half-hour before the
24 public comment is scheduled. Do we move into
25 public comment now? Do we take a break? What's
26 the right way to handle that?

27 MR. BLANKINSHIP: Well, my two cents
28 -- and Pete can jump in here, if he would -- is
29 that I think we've had some indication,
30 potentially at least heard, that we have some
31 folks that are interested in making public
32 comment. And some of those folks are on the line
33 now. And so, I would contend that we might want
34 to go ahead and move into public comment at this
35 point. Depending on how many public comments
36 there are, that might take us all the way into
37 when this was scheduled anyway, or pretty close
38 to it.

39 MR. BROOKS: Okay.

40 MR. BLANKINSHIP: Let's ask Pete if he
41 has any other thoughts about that.

42 MR. BROOKS: Yes. Pete?

43 MR. COOPER: Sounds good to me.

44 MR. BROOKS: Okay. Great. Then,
45 let's shift to public comment.

46 And thanks to all of you who have been
47 patiently observing the meeting and waiting for
48 an opportunity to weigh in. So, this is, indeed,

1 your chance.

2 So, I would invite any members of the
3 public, anyone who is not a member of the AP who
4 would like to weigh in on any of these
5 conversations or anything that you'd like the
6 Agency to hear related to its work.

7 If you could raise your virtual hand
8 at this point, that would be great. If you can't
9 find your virtual hand, which should be located
10 by your name, you can also just show in the chat
11 that you're wanting to get in, and we'll find
12 that there and bring you in that way, too.

13 We generally ask folks to limit
14 comments to three minutes, just so we make sure
15 we have enough time to hear from everybody.

16 And just to remind folks that public
17 comment is not a dialog back and forth. This is
18 really just an opportunity for you to share your
19 thoughts. So, it's not an opportunity to ask
20 questions of the Agency or expect a dialog. It's
21 just its purpose is for you to get to share your
22 thoughts with the Agency. So, that's where we
23 ask you to go with the time.

24 And then, the last thing is just, when
25 you come into the conversation, if you could
26 start with your name and affiliation, just so we
27 know who's talking, that would be great.

28 So, Ray Bogan, you've been waiting for
29 a while. We'll bring you in, and then, Glenn
30 Delaney, we'll go to you.

31 Raymond, your mic should be open, if
32 you are there.

33 Okay. I'm not hearing. So, let's go
34 to Glenn, and then, we'll come back.

35 Glenn Delaney, if you could start with
36 your name and affiliation, please?

37 MR. DELANEY: Hi. Glenn Delaney, Blue
38 Water Fishermen's Association. Assuming you can
39 hear me?

40 MR. BROOKS: We can.

41 MR. DELANEY: Thank you.

42 While you heard many of the
43 substantive reasons why the Amendment 13 proposed
44 rule is a problem, I won't get into all that, but
45 I want to address myself to the process.

46 You know, as was also repeatedly
47 mentioned today, the industry made extensive
48 efforts to what we thought was a process to

1 collaborate with the Agency in designing the IBQ
2 program, as that should be done because the
3 details of allocation are not so much a
4 conservation issue, but it's an operational and
5 economic one for the industry.

6 The Agency could have chosen to
7 allocate based on sets or hooks or landings and
8 meet the conservation goals and objectives, but
9 it chose to use landings, due to some correlation
10 analysis we'd never seen, as if that correlation
11 was all that mattered.

12 We filed our comments on your issues
13 and options paper on July 31st, 2019, nearly two
14 years ago. We explained in many meetings prior
15 to that, and in those comments, why the tier
16 system of allocation was counterproductive to all
17 of our objectives -- your conservation
18 objectives, our conservation objectives, and the
19 operations and economics of the fishery. But we
20 never heard another word.

21 And today, you're hearing the very
22 same reasons why the tier system is
23 counterproductive again, two years later. I
24 mean, for nearly two years since we filed those
25 comments, the Agency had the opportunity to
26 discuss this with the industry and work together
27 to find a mutually beneficial way forward on
28 allocation, not conservation. We're onboard with
29 conservation. I think you've seen that.

30 But, instead, we got radio silence.
31 Now we're in a comment period and we can't even
32 have those discussions. I just don't understand
33 what happened here.

34 Not long ago, the Agency's stated
35 priority objective was to facilitate this
36 fishery's ability to fully utilize the U.S. ICCAT
37 quota for swordfish, for a number of conservation
38 reasons. This proposed rule is the antithesis of
39 facilitating that objective.

40 I wish I could suggest a constructive
41 way forward, but I really don't know what that is
42 at this point. Once you lock into a proposed
43 rule, you know, the train is on the track and you
44 have pretty limited flexibility in how far you
45 can stray from what's in that document.

46 So, we're all ears, if you'd like to
47 talk to us and try to find a constructive way
48 forward that addresses the very same issues we

1 raised to you more than two years ago. So, I
2 hope there is a way to work together. Again, I
3 don't know what happened, but let's see if we can
4 find a way to do that.

5 Thank you.

6 MR. BROOKS: Thanks very much, Glenn.

7 Ray Bogan, are you there? Again, your
8 hand is up. I'm not sure if you're able or
9 wanting to comment anymore, but if you're there,
10 your line is open.

11 MR. COOPER: Rick Weber sent a message
12 that he was called away and will return soon.

13 MR. BROOKS: Oh, okay. All right.

14 Are there any other non-AP members who
15 would like to be weighing in on any of the issues
16 that we've talk about or have any comments that
17 you'd like the Agency to hear?

18 All right. Randy and Pete, I am not
19 seeing any other hands up.

20 I will note again, just since we have
21 a moment here, there is a comment in the chat
22 from Dave Kerstetter on the earlier conversation,
23 and just noting that he was yielding the floor to
24 Scott and Marty, but wanted to weigh in on a
25 couple of things. It's a long chat, so I won't
26 read it all, but I do encourage people to take a
27 look at it. There's just a couple of other
28 points that he's made there relative to some of
29 the issues that have already been raised by the
30 longline fleet.

31 And I guess the piece that's different
32 there is he was talking about the benefits of
33 researching into pelagic longlines by catch
34 mitigation efforts and how those technologies and
35 methods get exported to other fisheries, and
36 wanted to make sure that that research platform
37 can continue to survive and thrive, given its
38 broader benefits.

39 All right. I think, Randy and Pete,
40 I'm going to ask you that same question.
41 Particularly with Rick saying Ray is going to be
42 coming back shortly, what do you want to do?

43 MR. BLANKINSHIP: Well, one thing that
44 is noted in there, and David Kerstetter dropped a
45 comment of it, is I'm wondering if maybe there
46 actually might need to be -- if folks have more
47 to say on Amendment 13 and if we want to give the
48 AP members a little bit more time to say

1 something.

2 MR. BROOKS: Sure.

3 MR. BLANKINSHIP: We can check back in
4 with him on that.

5 MR. BROOKS: Sure. AP Members, if
6 that's something that you want to get back to, we
7 definitely have the time to do it right now. And
8 I'll add, obviously, I know there are folks
9 who've weighed in several times who will want to
10 weigh in, but I also really want to encourage
11 folks who haven't had a chance to weigh in yet.
12 If they have thoughts and perspectives on this
13 conversation, it would be great to hear that as
14 well.

15 Dave Kerstetter, would you like to
16 come off mute and sort of weigh in and expand on
17 your comment at all?

18 Maybe we can take Dave off mute for a
19 moment. There we go.

20 Dave, you're off mute, if you want to
21 come in. Dave Kerstetter, are you there? You
22 double-muted yourself by any chance? No? Okay.

23 Let's bring in Mike Pierdinock.

24 MR. PIERDINOCK: Thank you, Bennett.
25 I was just typing this out.

26 I mean, I know as much as it's
27 aggravating for everybody, I'd recommend at least
28 we stay on until 3:15, when there's a break,
29 because it could be those that are out there that
30 are counting on the fact that the agenda says
31 3:15 and may be calling in at that point.

32 You look tired, Bennett, but get a
33 drink, get a cappuccino, and come back on.

34 (Laughter.)

35 But I just throw that out there. If
36 that could be done, that would be great. Thank
37 you.

38 MR. BROOKS: Yes. No, Mike, I agree
39 with you, though. The comment about my looks, it
40 hurts; it hurts a lot, Mike.

41 (Laughter.)

42 But I agree with you, we won't adjourn
43 before we get to public comments. That would not
44 be good form.

45 MR. PIERDINOCK: Thank you.

46 MR. BLANKINSHIP: Marty?

47 MR. BROOKS: Yes, Marty Scanlon, you
48 wanted to come back in?

1 MR. SCANLON: Yes. Can you hear me?

2 MR. BROOKS: Yes, we can.

3 MR. SCANLON: One thing that I'm
4 disappointed in is, like Glenn had said, we had
5 worked very hard; we put a lot of time in with
6 the Agency in in-person meetings, at our annual
7 meetings, in-person meetings that we had a
8 contingent of Blue Water representatives meet
9 with NMFS in Silver Spring.

10 And to at least not see the Agency
11 develop our proposal, what we proposed to them in
12 how to do this, so that people on the HMS
13 themselves could have seen the value of what the
14 industry was asking you to do, and what the
15 Agency has done behind closed doors, so that the
16 HMS AP members themselves could weigh in on this,
17 but right now they don't fully understand what we
18 wanted. And they kind of understand what the
19 Agency has put forward. But it would be nice to
20 see the Agency get up here now, and before this
21 meeting concludes in three days, to see what that
22 would look like, and see if some of these answers
23 that we have gotten back in return on some of our
24 questions, if they actually float, or actually if
25 it doesn't make any sense.

26 I mean, like Glenn said and like
27 everybody said, we've spent an incredible amount
28 of time and effort working with the Agency,
29 working within the industry. I mean, I've spent
30 hours with almost 30 or 40 different fishermen on
31 these proposed, on what we've been trying to get
32 forward, what would work for them. And
33 basically, this has all been ignored. We don't
34 even see -- they didn't even elaborate on what we
35 put together. So, it would be nice to see them
36 put that together and let people see exactly how
37 that would work out. Let these people see what
38 it is.

39 MR. BROOKS: Thanks, Marty.

40 MR. SCANLON: I mean, I've worked in

41 --

42 MR. BROOKS: Marty, you're cutting in
43 and out.

44 MR. SCANLON: Can you hear me now?

45 MR. BROOKS: Yes, but you are barely

46 -- yes.

47 MR. SCANLON: Okay. Can you hear me
48 now?

1 MR. BROOKS: Yes, I can.

2 MR. SCANLON: All right. Like I said,
3 it would be nice to see the Agency move that
4 forward and let people see what it would look
5 like, so that we could actually get a real look
6 at what we're talking about here and see how much
7 sense the industry makes -- on this whole issue
8 here.

9 MR. BROOKS: Marty, Marty, we are
10 losing you.

11 MR. SCANLON: We, the industry has --

12 MR. BROOKS: Marty? Hey, Marty, we're
13 only getting every fifth word that you're saying.

14 MR. SCANLON: Can you hear me now?

15 MR. BROOKS: Yes, but it's really
16 breaking up. But, yes, can you finish up in 30
17 seconds? And I'll bring Dave Kerstetter in.

18 MR. SCANLON: Yes. All right.

19 MR. BROOKS: And then, see if we can
20 get something better going back --

21 MR. SCANLON: The bottom line is the
22 industry is going to have to live with this.
23 Right, wrong, or indifferent, we're the ones that
24 have got to live with this. It's one thing if we
25 go out and make a mistake and we live with our
26 own mistake, but we're tired of living with the
27 Agency's mistake and having to find a way through
28 it, because we no longer can accept anybody -- we
29 can make our own mistakes. We don't need any
30 help.

31 MR. BROOKS: Okay.

32 MR. BLANKINSHIP: I want to have just
33 a little bit of a response here before we go on
34 to Dave Kerstetter, if that's where you're going
35 to go with it next, Bennett.

36 MR. BROOKS: Yes, yes.

37 MR. BLANKINSHIP: But one of the
38 things that is the case is that the Draft
39 Environmental Impact Statement has a pretty
40 extensive analysis of other alternatives besides
41 the preferred alternative. What Tom presented
42 was a preferred alternative.

43 And as he referenced, there are some
44 other analyses in there that help explain the
45 rationale for selection of the preferred
46 alternative. There's also a discussion of pros
47 and cons of the various alternatives in that
48 document.

1 It is a very large document, and we
2 could probably spend all of another day and maybe
3 even more than one day, if we delved into the
4 entire thing in a presentation with the Advisory
5 Panel. We chose to do the presentation in this
6 forum, which means that there is a lot of
7 information in that document that we were not
8 able to lay on the table here before everybody's
9 view.

10 So, one of the things I want to do is
11 encourage folks to please spend some time in the
12 document and take a look at that analysis. There
13 are several aspects of the alternatives that were
14 developed that sought to incorporate input that
15 we heard through the scoping process, and there
16 was a lot of thought that went into that.

17 And so, we certainly are interested,
18 as this comment period continues and as we have
19 upcoming webinars on Amendment 13 and discussions
20 with the Councils, and other opportunities that
21 there are certainly for us to talk and for us to
22 receive public comment on the DEIS and the
23 proposed rule, for us to walk through some of the
24 other information in there.

25 So, I encourage you to go in and take
26 a look at it. If there are some aspects of some
27 of those other alternatives that work better,
28 please feel free to let the Agency know what
29 those are and the reasons why those would work
30 better, especially to the extent that they meet
31 what you are looking for perhaps a little bit
32 more, with the previous input that you've had
33 through scoping, if the preferred alternatives
34 don't accomplish what you were looking for.

35 We're certainly open to continuing to
36 work on this and to think about the input that
37 we're getting, and that we will continue to get,
38 through the comment period.

39 MR. BROOKS: Thanks, Randy.

40 Dave Kerstetter, you had stepped away.
41 Because we had a little extra time, I had reached
42 back out to you to see if you wanted to just
43 weigh in a little bit more on the comments that
44 you had put in your chat.

45 So, if we could take Dave off of mute,
46 that would be good.

47 MR. KERSTETTER: Yes, I appreciate it.
48 Thanks, Bennett.

1 MR. BROOKS: Yes.

2 MR. KERSTETTER: I assume that you all
3 can hear me.

4 MR. BROOKS: Yes.

5 MR. KERSTETTER: I've got students
6 coming in and out of my office, which is why I
7 chose not to do the normal intervention.

8 MR. BROOKS: Yes.

9 MR. KERSTETTER: I appreciate your
10 comments, Randy. I'll review the DEIS a little
11 bit more carefully and certainly submit my
12 comments to the Agency directly.

13 My concern usually, though, is that
14 not saying anything oftentimes implies
15 acquiescence, and I'm just not particularly happy
16 with the preferred alternative, and I'll submit
17 the rest of my comments later.

18 Thank you for the time.

19 MR. BROOKS: Okay. Thanks, Dave.

20 Scott Taylor, do you want to jump back
21 in?

22 MR. TAYLOR: Can you hear me?

23 MR. BROOKS: I can.

24 MR. TAYLOR: So, I just kind of want
25 to address Randy's earlier comment about
26 directing our frustration at any one individual,
27 which, clearly, sometimes isn't appropriate, in
28 our passion for what we believe and what we think
29 of it. Sometimes it doesn't always communicate
30 our position in the best way, and I'm certainly
31 as guilty of that as anybody that's out there.

32 But it is just extremely frustrating
33 for us when we can kind of see the landscape so
34 clearly. And you need to also keep into
35 perspective, Randy, just how troubling this last
36 three years has really been, with the absence of
37 a real permanent Chief and, you know, the whole
38 dynamic that was going on, and then, the COVID on
39 top of it; you know, our inability to be able to
40 get anything meaningfully done that is going to
41 economically benefit what we believe is an
42 industry that's in a lot of trouble, and the
43 effort that we're putting in collectively, as a
44 single voice, through Blue Water.

45 Sometimes that's frustrating because
46 our individual mandates and feelings don't always
47 necessarily align with what the group's position
48 is. But we kind of collectively come together as

1 a group and try to further that perspective, and
2 I won't say that it falls on deaf ears, but that
3 it doesn't bear any fruit. It, obviously, is
4 extremely detrimental to the process.

5 And I think that the frustration that
6 you're hearing from Marty, from myself, and to a
7 certain extent from Glenn, who has invested huge
8 amounts of time in this, is really to that end.
9 And if there's anything that I would want to
10 communicate to you, it would be that we really
11 need to have some help back from you and that
12 exchange, rather than us kind of just throwing
13 information at you, and then, finding ourselves
14 in a preferred alternative.

15 And my experience has been, since I've
16 sitting here on the AP, that, generally, when we
17 get to this point in the process, that we've
18 never been very successful in really making major
19 changes to it, but, hopefully, at least there can
20 be some tweaks to this.

21 I think you really need to look hard
22 at --

23 MR. BROOKS: Oh, Scott, you've just
24 cut out. Hey, Scott, just as you said, "you
25 really need to look hard at," you --

26 MR. TAYLOR: -- again at this issue
27 with what you're going to do.

28 MR. BROOKS: Hey, Scott. Hey, Scott.
29 Scott, Scott, Scott, Scott, you completely cut
30 out right as you said, "you need to look really
31 hard at," and then, you completely went blank.
32 Can you try that again?

33 Scott, are you there?

34 MR. TAYLOR: It's going to be a major
35 problem.

36 MR. BROOKS: Hey, Scott. Scott?

37 MR. TAYLOR: Yes?

38 MR. BROOKS: Are you hearing me at
39 all? This is Bennett. Can you hear me?

40 MR. TAYLOR: Yes, I hear you.

41 MR. BROOKS: Okay. We completely lost
42 you as you said, "you really need to look hard
43 at," and then, everything after that we didn't
44 hear it.

45 MR. TAYLOR: Okay. Can you hear me
46 now?

47 MR. BROOKS: I can.

48 MR. TAYLOR: I said you really need to

1 look hard at this sunseting of the purse seine
2 quota and the dynamic that it is liable to create
3 in the first substantial period of the year, and
4 the ability for us to be able to generate quota,
5 in the event that we need to exchange quota
6 within that active fishery. I think that you're
7 setting up a scenario that is not going to be
8 very conducive to that, and that you're taking
9 out the one safety valve that we really have
10 that's going to benefit the way that you've
11 designed it for every other segment, other than
12 the longline fleet. And I would implore you
13 that, if we're going to call that a "tweak," to
14 really look hard at those issues.

15 And I hope that you all realize that
16 I do appreciate all the hard --

17 MR. BROOKS: And you just cut out
18 again. Scott.

19 MR. TAYLOR: -- to be construed as
20 though that we have, that I have any contempt for
21 the Agency itself, because I don't.

22 MR. BROOKS: Thanks, Scott. Just a
23 heads-up to you; your sound is not great. So, I
24 don't know if there's something you can do for
25 days two and three and four, but I just wanted to
26 give you a heads-up on that.

27 MR. TAYLOR: Thank you very much.

28 MR. BROOKS: Okay. Mike Pierdinock,
29 were you looking to get back in or is that a
30 leftover hand?

31 MR. PIERDINOCK: I'm good. I'm sorry.

32 MR. BROOKS: Okay. And, Marty and
33 Dave and Scott, your hands are still up, but I
34 assume those are also left over.

35 All right. Were there any other
36 members of the AP that wanted to make a comment
37 here before we go back to public comment?
38 Because I believe we do have Ray Bogan on the
39 line now.

40 Okay. Randy, Agency, anything? Any
41 comments from you all before we go back to
42 public comment? No?

43 MR. BLANKINSHIP: No.

44 MR. BROOKS: Okay. Okay. Then, let's
45 go back to public comment.

46 If we can take Ray off mute, that
47 would be good.

48 And then, Ray, if you can just start

1 with name and affiliation, it would be great.

2 MR. BOGAN: Sure. Ray Bogan,
3 recreational fishermen.

4 I have more in the line of questions,
5 and therefore, any wait for me would have been
6 really anti-climactic. But the question that I
7 have is for clarity purposes, and I think Randy
8 has already confirmed this. Is it correct that
9 there is some theoretical reduction of the large
10 school/small medium fishery as a result of this
11 increase in the trophy fish? For whoever may be
12 able to answer that.

13 MR. BROOKS: So, while you were away,
14 I mentioned that, for public comment, we don't do
15 them as a Q&A and back-and-forth with the Agency,
16 and I know you didn't have the benefit of hearing
17 that. But I see Randy looking like he wants to
18 say something.

19 MR. BLANKINSHIP: That's all right.
20 I think we can answer this question. And
21 actually, I'm going to let Brad answer it because
22 he may be able, if he wants to, be able to flesh
23 it out more appropriately than I will. Because
24 the answer is yes in the short, but I'll let Brad
25 take it.

26 MR. MCHALE: Yes, and, Bennett, that
27 really falls into a clarifying question.

28 MR. BROOKS: Okay.

29 MR. MCHALE: So, Ray, good to hear
30 from you.

31 You are correct. So, in that proposal
32 to create a trophy north zone -- and I believe
33 the proposal included a 1.8 metric ton
34 allocation, which is on par with what the other
35 areas have been -- that would mean a 1.8 metric
36 ton reduction in the large school/small medium
37 size class allocations, if I understood it
38 correct how that would come to fruition, as
39 proposed.

40 MR. BOGAN: Thanks very much, Brad.

41 It seems nominal, but, in theory, that
42 is a very significant portion of the fishery
43 that's being impacted. And because that
44 particular sector would not be impacted, in my
45 opinion, by the tolerance, the weight tolerance,
46 contained in the ICCAT measures, it would be my
47 respectful recommendation that, if there is
48 another source -- and because of the discussions

1 associated with the purse seine allocation, and
2 others, I'm not sure how that would be done
3 vis-a-vis the rest of your framework here -- but
4 I would be concerned about what may seem nominal,
5 but is an exceptionally important component of
6 the fishery, that large school/small medium.

7 And I have over the years been very
8 involved in the process, particularly the old
9 days when large school/small mediums, that those
10 phrases were made up. So, I have some pause
11 caused by that because of the importance of that
12 large school/small medium fishery to the
13 recreational sector, even though I do recognize
14 it may not have a substantive difference, based
15 on what we catch every year.

16 The second part of it is with regard
17 to the area in which that's allocated. And I
18 raise this also because it seems each region has
19 this need. So, there seems to be an acknowledged
20 and agreed-upon need for there to be an increased
21 trophy fish allotment. The cutoff line is the
22 one that's more vexing from my standpoint. As
23 you know, they didn't get to New England, but
24 they also were plenty here in New Jersey and New
25 York, where we used to have, from a General
26 category standpoint, a specific allocation, which
27 we no longer have.

28 So, I raise this without answering my
29 own question, and that is, what's the best zone?
30 But I do mention that our region would certainly
31 benefit by any form of enhanced numbers. We,
32 too, would be on the north end of the southern
33 zone, based on the practical component of the
34 Carolina fisheries, and therefore, that's one
35 where I'm leaving it open, but would add some
36 form of supplemental comment later. But I want
37 to raise that as an issue, and that is where that
38 cutoff line is, recognizing it's too challenging
39 in this very small fishery to create three zones.
40 There's just not enough fish. It would be
41 unreasonable to ask for it. Therefore, it would
42 simply be where the cutoff point is.

43 So, (a), I am concerned about the
44 source of the additional tonnage, even though it
45 seems nominal; (b), I am, however, supportive of
46 the idea of an increased trophy fish allotment;
47 (c), the cutoff line of which I'm not sure what
48 the best area is, but I do want to take into

1 consideration that New Jersey/New York, or
2 otherwise known as New York Bight, is an area
3 where there is need for that; and where there has
4 traditionally, by the way, been a trophy fishery,
5 even before it was called a trophy fishery.

6 So, those are my points that I want to
7 raise, not a lot of good answers, but, hopefully,
8 some issues to consider in this very vexing
9 thing.

10 And then, finally, as it relates to
11 the longline industry, I just want to point out
12 that this has been an extraordinarily difficult
13 issue since so many years ago. When Nelson
14 Beideman was so heavily involved in the bluefin
15 tuna fishery, it was a very, very challenging
16 issue, all the way up to this day, knowing how to
17 handle that, because we have so many issues that
18 are being addressed with it.

19 I will say, however, at one point, we
20 tried to figure out how the longline industry
21 might get its, quote-unquote, "quota," or it's,
22 quote-unquote, "allocation," which was never
23 quite as certain as the other sectors. And I say
24 this not by being trite, but by being sincere, I
25 feel the pain of the longline industry here
26 because it's gone through such a beating, and the
27 ability to catch fish that make it profitable
28 entity is so important.

29 But, at the same time, based on what
30 I have read, I don't see anywhere where there's
31 any kind of indication that NOAA did anything
32 other than consider that and try to deal with a
33 very, very challenging issue. So, I'm not making
34 a comment that is substantive in nature, but,
35 rather, procedural in nature. And that is, I
36 don't see you folks -- I think you folks have
37 done what you can to try to deal with an
38 exceptionally challenging situation, and that I
39 feel greatly for the longline industry.

40 Thanks.

41 MR. BROOKS: Thanks very much, Ray.
42 Appreciate the thoughts there.

43 Are there any other members of the
44 public that would like to be weighing in here?

45 I'm not seeing any hands up.

46 MR. COOPER: Hey, Bennett, earlier
47 today --

48 MR. BROOKS: Yes?

1 MR. COOPER: -- I remember Captain
2 Johnny Johnson had his hand up at the beginning
3 of the meeting. Do you want to check in with
4 him?

5 MR. BROOKS: Okay. Indeed, he did.
6 Sure.

7 Captain Johnson, are you still there,
8 and did you want to weigh in with any kind of
9 comment here? And we'll take you off mute.
10 You're off mute now. Are you there, Captain
11 Johnson?

12 Maybe not. If there's anyone on the
13 call who knows Captain Johnson, you could shoot
14 him a text, see if he is on the phone and still
15 interested in weighing in. That would be great.

16 All right. So, we are just about at
17 the time of public comments starting. So, I
18 think if we just sort of peek around the corner
19 for our next minute or two and just see if
20 anyone's going to come in. But it's seeming a
21 little less likely now than it did at quarter to
22 3:00.

23 So, let me just, I guess, a couple of
24 --

25 MR. BLANKINSHIP: Bennett, one thing,
26 I saw, as you were talking, a little popup that
27 came on my screen that said that Captain Johnson
28 was speaking. So, I'm not sure, given the
29 technology and my unfamiliarity with Webex
30 exactly, but I was just curious if he actually
31 tried to speak there while you were trying to get
32 his attention.

33 MR. BROOKS: Let's try it again. Can
34 we take Captain Johnson off of mute, please?

35 Okay. Captain, Johnson, are you
36 there? I am not hearing anything. Is anybody
37 hearing anything?

38 Okay. All right. Well, Captain
39 Johnson, if you are there, you are hearing me,
40 but, for some reason, we're not hearing you.
41 Please just throw a quick note in the chat.

42 Scott Taylor, I see your question.
43 Check your sound? Yes, we've got a minute here.
44 Why don't you just -- can we take Scott Taylor
45 off mute and just make sure that he's got his
46 sound worked out better?

47 Scott is not off mute yet. Can we
48 take Scott Taylor off mute? There we go.

1 Scott, want to try it?

2 MR. TAYLOR: Any better now?

3 MR. BROOKS: That certainly sounds a
4 lot better, yes.

5 MR. TAYLOR: Okay. I think I've
6 discovered the problem. I appreciate that.

7 MR. BROOKS: Okay. Good. No, that's
8 actually much, much better, Scott. Thanks.

9 Okay. So, just I guess a couple of
10 reminders for tomorrow. We will start just as we
11 did today. We'll start looking for folks to join
12 in around 8:45-8:50, just so we can get you in
13 and settled, and if there's any technical issues,
14 we can help you deal with it. We will start at
15 nine o'clock.

16 The morning will be focused on several
17 shark-related issues. That will take us through
18 lunch.

19 Again, lunch will be from 11:30 to
20 1:00. So, to the extent that you all have other
21 things to do, which I'm sure everybody has other
22 things to do, if you can put them into that
23 window, whatever that is, that would be great,
24 just so that we can have focused conversations
25 and still give you time to manage other pressing
26 issues.

27 We'll reconvene at 1:00 after lunch,
28 and start talking about the best scientific
29 information available framework. And then, after
30 the break, talk about electronic technologies and
31 electronic monitoring.

32 Tomorrow, we will take public comment
33 at three o'clock, and then, we will wrap up at
34 3:30.

35 For AP members that did not have the
36 "AP" in front of their name, I'm not sure whether
37 you get the chance to kind of re-register when
38 you come in in the morning, but if you do, as
39 always, if you can throw a big capital
40 "A"/capital "P" in front of your name, that's
41 good. It just puts you all in the same spot on
42 the attendee list, and it's just a little bit
43 easier to manage it all.

44 I think that's all I need to say at
45 this point. But, Randy or Pete, anything you
46 want to fold in here?

47 MR. BLANKINSHIP: I would like to
48 check one more time to see if Captain Johnson --

1 MR. BROOKS: Has a comment?

2 MR. BLANKINSHIP: -- since we're just
3 now past the 3:15 mark.

4 MR. BROOKS: You bet. So, again, is
5 there anybody on the call, non-AP members, who
6 want to be weighing in with a public comment at
7 this point?

8 I am not seeing anything. I see a
9 comment from Brandon Paterson to all panelists
10 that says, "Sure, if you have a link." Now I
11 don't know what that is. Oh, that was a mistake.
12 Okay. Thank you, Brandon. A good, quick answer
13 there.

14 All right. I just am not seeing
15 anything at this point.

16 So, Randy, I guess back to you.

17 MR. BLANKINSHIP: The only thing I'll
18 say is thank you for a good first day. Thank you
19 for being engaged, and certainly for all of the
20 input that is extremely valuable to us. As I
21 stated before, we take it very seriously and we
22 will be discussing a lot of the points that were
23 raised here. They will certainly help us develop
24 better approaches, and we'll look forward to
25 continued dialog over the next couple of days.
26 So, thank you very much for all of your time and
27 your input.

28 MR. BROOKS: Great. Pete, anything
29 from you before we go?

30 MR. COOPER: No. Just reiterate the
31 thanks from Randy, and see everybody tomorrow.

32 MR. BROOKS: Great. All right. We'll
33 see you all tomorrow again, sort of 8:45 to just
34 come in and make sure that everything is working
35 with tech. And then, we'll start up at nine
36 o'clock.

37 Thanks, everybody.

38 (Whereupon, the above-entitled matter
39 went off the record at 3:21 p.m.)
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Before: US DOC/NOAA

Date: 05-25-21

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