

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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WEDNESDAY
 SEPTEMBER 8, 2021

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

MEMBERS PRESENT

PATRICK AUGUSTINE
 RICK BELLAVANCE, New England Fishery
 Management Council
 CHESTER BREWER, South Atlantic Fishery
 Management Council
 PETER CHAIBONGSAI, The Billfish Foundation
 MARCUS DRYMON, Mississippi-Alabama Sea
 Grant; State Representative for Alabama
 AMY DUKES, South Carolina Department of Natural
 Resources
 MEAGAN DUNPHY-DALY, Duke University Nicholas
 School of the Environment
 YAMITZA RODRIGUEZ FERRER, Puerto Rico DNER,
 Recreational and Sport Fisheries Division
 SONJA FORDHAM, Shark Advocates International
 KRISTIN FOSS, Florida Fish and Wildlife
 Conservation Commission
 STEVE GETTO, American Bluefin Tuna
 Association
 JOHN GRAVES, Virginia Institute of Marine
 Science

MARCOS HANKE, Caribbean Fishery Management
Council
LUKE HARRIS, Pure Harvest Seafood
DEWEY HEMILRIGHT, Mid-Atlantic Fishery
Management Council
GREG HINKS, New Jersey Department of
Environmental Protection
EVAN HIPSLEY
RUSSELL HUDSON, Directed Sustainable
Fisheries, Inc.
BOB HUMPHREY, Sport-Ventures Charters and
Casco Bay Bluefin Bonanza
WALLACE JENKINS, South Carolina Department
of Natural Resources
TRISH MURPHEY, North Carolina Division of Marine
Fisheries
ROBERT "FLY" NAVARRO, Fly Zone Fishing
JEFF ODEN, F/V Sea Bound
TIM PICKETT, Lindgren-Pitman, Inc.
MICHAEL PIERDINOCK, CPF Charters
"Perseverance"; Recreational Fishing
Alliance
GEORGE PURMONT
MARK SAMPSON, Ocean City Charterboat
Captains Association
MARTIN SCANLON, F/V Provider II
DAVID SCHALIT, American Bluefin Tuna
Association
SCOTT TAYLOR, Dayboat Seafood
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

HEATHER BAERTLEIN, Atlantic Highly Migratory
Species Division
RANDY BLANKINSHIP, Division Chief, Atlantic
Highly Migratory Species Management Division
KARYL BREWSTER-GEISZ, HQ Fish Branch Chief,
Atlantic Highly Migratory Species Division
CRAIG COCKRELL, Atlantic Highly Migratory Species

Division
PETE COOPER, Branch Chief, Atlantic Highly
Migratory Species Management Division
DAN CREAR, Atlantic Highly Migratory Species
Division
JENNIFER CUDNEY, Atlantic Highly Migratory
Species Division
TOBEY CURTIS, Atlantic Highly Migratory Species
Division
KELLY DENIT, Director, Office of Sustainable
Fisheries
GUY DUBECK, Atlantic Highly Migratory Species
Division
BEN DUFFIN
STEVE DURKEE, Atlantic Highly Migratory Species
Management Division
CLIFF HUTT, Atlantic Highly Migratory Species
Division
LAUREN LATCHFORD, Atlantic Highly Migratory
Species Division
BRAD MCHALE, Northeast Branch Chief, Office of
Sustainable Fisheries
SARAH MCLAUGHLIN, Atlantic Highly Migratory
Species Management Division
IAN MILLER, Atlantic Highly Migratory
Species Management Division
DELISSE ORTIZ, Atlantic Highly Migratory
Species Management Division
RICK PEARSON, Atlantic Highly Migratory Species
Division
LARRY REDD, JR., Atlantic Highly Migratory
Species Management Division
GEORGE SILVA, Atlantic Highly Migratory
Species Management Division
DIANNE STEPHAN, Policy Analyst, Atlantic Highly
Migratory Species Division
TOM WARREN, Atlantic Highly Migratory Species
Management Division
JACKIE WILSON, 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

9:05 a.m.

1
2
3 MR. BROOKS: Good morning to
4 everybody. It's nice to virtually be together,
5 still in this space again. I will repeat I'm
6 glad we at least have these options so we can
7 keep doing our work together.

8 I know it's, you know, an ongoing
9 frustration for all of us that we can't be in a
10 room together having the informal conversations
11 and the connections that are, you know, for sure
12 nice when we're all in a room. But we will
13 continue to muddle through, we'll continue to
14 find ways to get all of your advice for the HMS
15 team.

16 So before I sort of walk us through
17 our game plan for the next couple days, I want to
18 hand it off to Kelly Denit, the Sustainable
19 Fisheries Director, to give a welcome, and then
20 over to Randy Blankinship.

21 So Kelly, over to you.

22 MS. DENIT: Good morning, everyone.
23 It's nice to see you all. Put that in air quotes
24 again. I hope you all have been having a nice
25 summer and enjoyed your Labor Day weekend.

26 And in particular I hope those of you
27 down in the Gulf all the way up into the
28 Northeast who were impacted by Ida are doing okay
29 and be able to do some clean-out and start
30 getting yourselves covered. It certainly was a
31 substantial storm with a lot of impacts over a
32 really wide range.

33 So if you are able to -- have been
34 able to join us, we really appreciate you being
35 able to do so after such a devastating storm.

36 As Bennett said, we know that everyone
37 continues to be frustrated with the fact that
38 we're not in person. Two months ago I was really
39 optimistic that come this fall we would be back
40 in the office, at least at some -- some degree.
41 But with delta it just doesn't seem like that's
42 going to happen quite yet.

43 So we really appreciate everyone's
44 continued patience in working with us. We of
45 course are all still operating remotely. I know
46 that the team has been working diligently to
47 respond to all of you when you do have questions
48 to get these AP and run effectively virtually.

1 And just really appreciate everyone continuing to
2 bear with us and actively participate in these
3 virtual settings.

4 Like Bennett said, we're fortunate
5 enough to be able to use these tools. We know
6 it's not ideal, but again, we really appreciate
7 everyone jumping in and offering their thoughts
8 on the topics that we've got coming up this week.

9 I know that the agenda as usual is
10 jam-packed. And I also know that a few of you
11 are double-dipping this week, paying attention to
12 things that are going on in the ICCAT world,
13 getting up early and the participating in the AP
14 for the rest of the day. So appreciate your
15 attention to the agenda.

16 Bluefin is major topic this week, in
17 particular Amendment 13. I know the team is very
18 much looking forward to talking with you all in
19 some more detail about what's included in that
20 amendment and getting your feedback, as well as a
21 host of other topics which I know Randy's going
22 to touch on as part of his overview, and then the
23 rest of the team is going to hit on throughout
24 the next three days.

25 So I will wrap up by saying, again, we
26 greatly value the input that you all provide, and
27 in particular the diverse perspectives that you
28 all offer as part of these conversations. Really
29 encourage everyone, whether it's via the chats,
30 raising your hand, etc., to put forward those
31 ideas and questions that you do have.

32 And again, my appreciation to the HMS
33 team for putting together this meeting. It's not
34 easy to get this all coordinated in a virtual
35 environment and to continue to troubleshoot over
36 the three days. So again, thanks to Team HMS and
37 thanks to all of you for your active
38 participation over the next few days.

39 And I'll pass it off to you, Randy.

40 MR. BLANKINSHIP: Thanks, Kelly.
41 Thanks for those comments. I also want to join
42 you in welcoming everybody to the Advisory Panel
43 meeting. We're excited and really pleased that
44 you're with us for today and the next couple of
45 days.

46 Once again, thanks for joining, thanks
47 for spending the time, providing us valuable
48 information that helps us manage Atlantic highly

1 migratory species. That input is really valuable
2 and we really appreciate getting it, and we take
3 it very seriously.

4 Echoing some of Kelly's comments,
5 we're really looking forward to being able to
6 meet in person again at some point. Can't do
7 that quite yet. And hopefully, maybe that'll
8 happen in the spring meeting and we can look
9 forward to that.

10 I also want to echo some of Kelly's
11 comments there about the impacts to some of you
12 all and to family and friends that were affected
13 by Hurricane Ida and other storms that have
14 occurred across much of our country. And we know
15 that there is a lot of difficulty going on out
16 there.

17 We also know that some of the AP
18 members are actually having difficulty, gave us a
19 heads up ahead of time that they might not be
20 able to join because of connectivity issues still
21 associated with Hurricane Ida aftermath. And so
22 if those folks are able to join us, we're really
23 glad that they can. But certainly understand
24 that they may not be able to.

25 This AP meeting has had its share of
26 scheduling conflicts with the various commitments
27 and other schedule events, both during this week
28 but also outside of this week. You all know that
29 for years this has been kind of a traditional
30 time period for our fall meeting because we do
31 avoid many conflicts when we have it this week.

32 But this week has had other conflicts.
33 Kelly mentioned some of those related to ICCAT
34 and the SCRS Bluefin Working Group, which is one
35 of those conflicts. And we appreciate the extra
36 time that so many team members are doing -- are
37 going through in order to cover both bases that
38 they may to cover in that regard.

39 We have tried very hard to mitigate
40 the conflicts that are occurring by adjusting the
41 AP agenda. And I hope that you can appreciate
42 our efforts to work with that agenda and make it
43 work as best we can while mitigating those
44 conflicts. And we will continue to do that as
45 best we can and have already made several of
46 those changes before we even got into posting the
47 draft.

48 I wanted to give a little bit of a

1 heads-up about a staff change that has happened
2 recently within HMS Management Division. One of
3 our HMS staffers, Nic Alvarado, who you all, I
4 guess many of you may actually know was our point
5 of contact for tournament registration, that he
6 has moved on to a new job in the National Ocean
7 Service.

8 And so we certainly are feeling the
9 impacts of that, but we'll be covering those
10 bases with other staff members for many of his
11 responsibilities. So if you don't hear Nic's
12 name, you know, moving forward, just know that
13 he's moved on to better -- bigger and better
14 things at NOS.

15 I do want to give at least a heads-up
16 and a nod to something that will be happening
17 right after lunch. Some of you may be aware that
18 our -- one of our AP members, an academic seat
19 holder, Dr. Bob Hueter -- who isn't with us at
20 this meeting and has sitting in as a proxy Dr.
21 Damian Chapman.

22 That Bob Hueter retired from Mote
23 Marine Lab, and this would have been his last
24 meeting on the AP. Because his term was expiring
25 in the academic seat, and since he retired he
26 couldn't be eligible for that seat any longer.

27 But anyway, he would be cycling off
28 and this would have been his last meeting. And
29 he is on expedition in Nova Scotia and couldn't
30 attend. But he did provide a statement that
31 Damian Chapman is going to read after lunch.

32 So we're not going to do that right
33 now, but I did want to give you a heads up that
34 after lunch when we reconvene, we're going to
35 give some time for Dr. Chapman to read that
36 statement from Bob Hueter. So please join us
37 promptly after lunch for that statement before we
38 continue on with our agenda at that point.

39 So with that, I think that covers my
40 introductory comments. I'll pause for a second
41 to see if Bennett has anything that he wants to
42 say at this point.

43 MR. BROOKS: (Audio interference) and
44 some grounds, and then you jump in. Does that
45 work, Randy?

46 MR. BLANKINSHIP: Yes, you bet, that
47 sounds good.

48 MR. BROOKS: Okay, and I have a little

1 bit of delay. So if I'm slow to jump it's
2 because I think I have about a two-second delay
3 here, so.

4 So anyway, I think as of right now we
5 have about 35 panel members, a good mix from
6 academic, commercial, rec, environmental, state
7 reps, councils, commissions, etc. So I think we
8 have all the right folks at the table to have a
9 good conversation over the next couple of days.

10 As always, a busy agenda. Just to
11 give us a quick scan, this is going to be a two
12 and a half day meeting. So today in the morning
13 we'll start with Randy's kind of overview of
14 recent activities. We'll get an update on the
15 report to Congress on shark and dolphin
16 depredation.

17 We'll have a lunch break from 11:30 to
18 12:45 today, and then in the afternoon we'll come
19 back and talk about a few different topics.
20 Pelagic demersal -- we'll talk about pelagic
21 demersal species indicator list and gear
22 considerations. We'll get an update on best
23 scientific information available framework for
24 HMS, which we talked about I think on our last
25 call.

26 And we'll have an afternoon break, and
27 then we'll come back and hear about a couple of
28 current year sort of bluefin tuna issues, the
29 2021 season update, and an update on the
30 restricted fishing days final rule. We will go
31 into public comment at 3:30 today, and we will
32 adjourn at four o'clock.

33 Tomorrow we will start at nine o'clock
34 again. Again invite folks to come in a little
35 bit early just to make sure that, you know, tech
36 -- we're connected you, you know, by sound so we
37 can hear you.

38 We'll have a mix of topics in the
39 morning. We'll have the economic situation
40 report, which again has been of great interest to
41 you all since that started up in kind of our
42 post-COVID world.

43 We'll have a break. We will hear from
44 leadership tomorrow morning, so that's a great
45 opportunity to hear from the new Administrator
46 for NOAA Fisheries, and Sam as well will be here.

47 And then we'll spend the rest of the
48 day on the Amendment 13. Obviously we had some

1 good, pretty lively conversations on that back in
2 May, and the intention was to come back and give
3 that more room to play out informed by the
4 scoping sessions and really see what further
5 input you all could give that will benefit HMS.

6 And we'll do that in sort of three
7 chunks. Before the morning we'll talk about IBQ
8 program alternatives. After lunch we'll talk
9 first about bluefin tuna quota alternatives and
10 purse seine categories.

11 And then we'll have a third chunk
12 where we'll just talk about other alternatives,
13 all the different pieces of A13. And we will
14 very deliberately take it in those chunks so we
15 can have a nice, focused conversation.

16 Lunch tomorrow will be from 11:30 to
17 1:00. Public comment will again be at 3:30 and
18 we will again adjourn at 4:00. And then on
19 Friday, which will be a short day, that will just
20 be from 9:00 to 11:30, we'll have two main
21 topics.

22 We'll have an update on spatial
23 management, and then we will have a conversation
24 around AP term limits. You just heard Randy
25 refer to that a little bit. And that will take
26 us to 11:15, when we'll have a 15-minute public
27 comment period till 11:30. And adjourn.

28 I'll just remind folks to please use
29 those big chunks at lunch, which are, you know,
30 again, 11:45 to 1:00 today and then 11:30 to 1:00
31 on Thursday, to schedule calls, work.

32 We know you all are busy, and the more
33 you can put your work into those spots the more
34 you can be focused for the conversation that
35 we're all having here. So please do that, and
36 obviously we have breaks throughout as well.

37 Ground rules, for those that are new
38 or you know, helpful to get a refresher, the
39 usual rules apply, which is contribute so we can
40 hear from you. Again, I can't say it enough, you
41 all have perspectives that are important.

42 Some of you feel very comfortable
43 weighing in frequently. Some of you are weighing
44 in less frequently. We really want to hear from
45 all of you, particularly those quieter voices.
46 You all have insights.

47 When you do weigh in, be considerate
48 of the time you take so that everyone else can

1 weigh in. I understand these are always
2 important issues and everyone does have a lot of
3 to say. But we need to try to balance that so we
4 hear from everyone. Ask questions of each other,
5 make sure we understand what we're saying and
6 why.

7 Emphasize that this is not consensus-
8 seeking, this is a discussion that the HMS staff
9 can use to inform its work. It's helpful to see
10 where there is a convergence of views and not,
11 but again, this is not an explicitly consensus-
12 seeking body.

13 And just as we have these
14 conversations, focus on bringing best-available
15 data to these discussions. Characterize data in
16 way that is consistent to the data and that is
17 helpful to the conversation.

18 For any members of the public who are
19 on the phone or patching in by computer, AP
20 members are the primary participants and the
21 conversation is among AP members. If the HMS
22 staff thinks there are other people in the mix
23 who can contribute to the conversation, certainly
24 invite you to weigh in and bring those folks in.
25 But otherwise the conversation is really among AP
26 members.

27 And again, we have comments periods at
28 the end of each of the days for any members of
29 the public. And invite you please to join in at
30 that point.

31 Just in our virtual world that we
32 still live in, a couple of rules just to
33 remember. One, most importantly, Pete and Craig
34 are our tech gurus today, so if you are having
35 any technological issues, please send -- put
36 something into the Q&A or send an email to Pete
37 or Craig, and they will do their darndest to get
38 it fixed.

39 As we've already seen this morning,
40 everybody is on mute until you are called in.
41 When you are called in, which you'll do by just
42 waving, wave your virtual hand, which is located
43 in the -- at the bottom of your screen you see a
44 little smiley face and if you put your cursor
45 over it, it says reactions.

46 And right at the top of that dialog
47 box there's a raise hand. Just click on that
48 hand so we know you want to get into the

1 conversation. And then we'll take you off mute.
2 You will get a little dialog box that will pop up
3 and say, you know, you have to accept it, and
4 then you're in. So please do that.

5 Everyone else, everyone's off-camera
6 all the time, except for whoever is speaking.
7 And of course that means you need to look at me a
8 lot. I'm sorry.

9 We have a Q&A set up, so if there are
10 questions that you have, please post it in there
11 or a comment or a piece of information you think
12 it important to share, please throw that in
13 there. And then we can get that out and around
14 to folks as needed.

15 If folks wouldn't mind just practicing
16 in your Q&A right now, I would like everybody
17 just to answer the following question: what's
18 been the highlight of your summer so far, because
19 we've still got a couple of days left in summer.
20 And I do this once so that you all know what the
21 Q&A is and you use it and you can see it.

22 And also honestly, it's just nice to
23 be a little humane and have a little bit of the
24 chat we might have if we were around the coffee
25 table. So I invite you just to open up your Q&A
26 and again, just throw in there what's been the
27 highlight of your summer so far.

28 Last couple things, I'll just say I
29 will run the queue as if we are just in the room.
30 So when you raise your hand I will generally work
31 my way down that list. With two exceptions, one,
32 if there's value in having a back-and-forth, I
33 will invite that.

34 Also, you know, if there are folks who
35 haven't been weighing in I may just decide to
36 sort of help those folks jump the queue so we can
37 get a good diversity of voices into the mix. And
38 also a diversity across the different kinds of
39 participants that we have on the panel.

40 I think that's all I want to note. I
41 will note that if it hasn't started yet, we will
42 be recording this conversation. So please be
43 aware of that. And then also we do have a, you
44 know, a note-taker, and as always, if folks can
45 start off with their name and affiliation, that's
46 really helpful.

47 I think that's it, other just to
48 invite people to be comfortable, stay focused.

1 Stand up, do whatever you need to do to, you
2 know, endure six and a half hours on a virtual
3 call.

4 With that, let me just see if there's
5 any questions that folks have at all, either
6 about the agenda or the ground rules. And if you
7 do, just raise your virtual hand.

8 And while I'm waiting for that, I will
9 note that some of the highlights have been hiking
10 trips and fishing. Two tournaments records set
11 and maybe one for blue marlin. And time with
12 family. Oh, and Brad McHale, who I'm hearing is
13 a daddy for the first time. That's pretty nice,
14 Brad. If there's a way to post pictures in this
15 Q&A, do that.

16 All right, I don't -- Dewey, let's
17 take Dewey off of mute.

18 MR. COCKRELL: Yeah, Dewey, you're off
19 of mute. I sent you a request to take off mute.

20 MR. BROOKS: Dewey, you there?

21 MR. COCKRELL: I sent you another
22 request, Dewey. We didn't hear you.

23 MR. BROOKS: Dewey -- yeah, we got you
24 now, Dewey.

25 MR. HEMILRIGHT: Yeah, just wanted to
26 -- I can't see none of the attendees. There's a
27 number there but it don't show nobody. I was
28 wondering what's up with that.

29 MR. BROOKS: Yeah, thanks, Dewey. It
30 is a -- it's a limitation of Webex. We don't
31 have any way to show -- to make that available to
32 folks, unfortunately. We tried to see if there
33 was a way to troubleshoot that, and unfortunately
34 it defies and easy solution. So that's the why.

35 MR. HEMILRIGHT: Thank you.

36 MR. BROOKS: Yup. Okay, so I think
37 with that, I'll just note Mark Sampson. His
38 highlight was counting down the days to this
39 meeting. Rick, that is both touching and we need
40 to get you a life. And Rick Bellavance,
41 congratulations on your son's marriage.

42 And with that, Randy, I'm going to
43 hand it over to you to give us an overview of
44 recent activity.

45 MR. BLANKINSHIP: Thank you, Bennett,
46 appreciate that. And I will -- I'm noting,
47 actually, and we might want to come back to this
48 in just a little bit, but Rusty has put a post in

1 the question there that this will be his last HMS
2 AP meeting. So anyway, we can note that a little
3 bit later, that caught my eye.

4 So I'm going to go ahead and share my
5 screen. And hopefully it's done correctly.

6 Okay, can I get a verbal confirmation
7 if you see my presentation?

8 MR. BROOKS: Yes, yeah, Randy.

9 MR. BLANKINSHIP: Okay, very good. So
10 just as a reminder for anybody that doesn't know,
11 my name is Randy Blankinship, I'm the Chief of
12 Atlantic Highly Migratory Species Management
13 Division.

14 And as is our custom at the beginning
15 of AP meetings, I give a overview presentation of
16 recent happenings within the division,
17 particularly things that have happened since the
18 last AP, which was back in May of this year.

19 And then just touch on a few other
20 topics that are happening both inside and outside
21 of HMS Management Division. And this will be a
22 very brief overview. I'll be hitting a lot of
23 topics very quickly.

24 On this slide, you know, just it's our
25 usual slide on the left-hand side are a list of
26 items that I will be briefly touching on. On the
27 right-hand side of course are discussion items
28 that are on the agenda for this AP meeting. And
29 I will not be touching on those during this
30 overview, we have agenda items for those topics
31 later on.

32 But after I go through this
33 presentation, we certainly can talk about the
34 things on the left-hand side and any questions or
35 comments that you all may have about that.

36 So starting off, just a quick overview
37 of rulemaking and Federal Register notices.
38 Since the spring AP meeting, we had a final rule
39 related to the request from the State of Maine
40 for -- related to federal tuna regulations
41 applying within their State waters under the
42 authority of the Atlantic Tunas Convention Act.
43 Talk a little bit more about that in a moment.

44 We also had the proposed rule for
45 2022, shark specifications. We had a final rule
46 for Bluefin tuna restricted-fishing days. We had
47 a proposed rule for draft Amendment 13. That
48 proposed rule came out just after the AP meeting.

1 And the EIS had been released just prior to the
2 AP meeting back in May.

3 And the Final Amendment 12 and the
4 notice of availability for that came out as well.

5 We also had a lot of activity within
6 the division related to operations management of
7 other migratory species. This is just a summary
8 of a snapshot of some of those activities and the
9 numbers associated with that and the numbers of
10 exempted fishing permits or scientific research
11 permits or letters of acknowledgment.

12 Shark research fishery permits, HMS
13 permits registered, which is up a little from
14 last year, although still not as high as previous
15 to the pandemic. And then some other numbers
16 that you see listed here.

17 As I mentioned, Final Amendment 12 was
18 released earlier, and this was a while in coming.
19 We've had several presentations and discussions
20 about Amendment 12 with you all in previous
21 meetings. As a reminder, Amendment 12 revises
22 some of the objectives under our Consolidated HMS
23 Fishery Management Plan.

24 It also adopts the ICCAT stock
25 determination criteria for ICCAT-managed species,
26 which will help reduce some confusion in how we
27 are able to write and do things related to stock
28 assessment determination.

29 Also, different reviews and updates of
30 the standardized bycatch reporting methodology
31 for HMS. And establishes triggers for review of
32 allocation for quota-managed HMS in -- that is
33 consistent with some of the policy directives
34 that the agency has put out over the last couple
35 of years.

36 And then also modifies the timing of
37 the release of our annual SAFE report. There's
38 no implementing regulations with this and any
39 follow-on action that would be conducted if there
40 is any regulatory action that needs to be taken.

41 Amendment 14 is -- a little bit of an
42 update on this. Of course we had a comment
43 period that ended in December of last year. We
44 received several comments, and overall there was
45 support for the management options, but some
46 concern about the lack of specificity on how
47 acceptable biological catch, or ABC, control
48 rules are managed and handled. And some details

1 about how the fishery would be actively managed.

2 So HMS and the Southeast Fisheries
3 Science Center have been working together on
4 developing ABC control rule specifics. And we
5 are intending to release or revise ABC control
6 rule portion of Amendment 14 and accept public
7 comments on that in this -- a little bit later
8 this fall.

9 And then anticipate a final Amendment
10 14 to be released in 2022. So be on the lookout
11 for that opening of the comment period on the
12 revised ABC control rule portion of Amendment 14.

13 Also, as mentioned, 2022 proposed
14 shark specifications. This is for the commercial
15 shark fishery for 2022, which would open on
16 January 1. In this proposed rule there's a
17 commercial retention limit would start at 55
18 large coastal sharks, other than sandbar sharks,
19 per vessel per trip.

20 And then also the commercial retention
21 limit for blacknose sharks would start at eight
22 sharks per vessel per ship.

23 The comment period on this actually
24 closed yesterday. And the final is expected
25 later this fall.

26 So as I mentioned earlier, we have the
27 State of Maine request to add Maine to the list
28 of states in which federal Atlantic tunas
29 regulations are applicable within their state
30 waters under the authority of the Atlantic Tunas
31 Convention Act. And so we have conducted the
32 rulemaking and released the final rule on this
33 action.

34 And so Maine is now on that list. So
35 this is applicable to Atlantic tunas and relates
36 to open and closed seasons, retention limit, size
37 limits, authorized gears, and other associated
38 regulations. Applies to bluefin, bigeye,
39 albacore, yellowfin, and skipjack tunas.

40 And if you may remember, in our
41 presentations about this before, this was
42 conducted as a result of a request from the State
43 of Maine.

44 We've had some inseason actions since
45 the spring AP meeting and some of those include
46 the retention limit adjustments for bluefin tuna
47 General category in the June to August time
48 period. And the shark, Large Coastal Shark

1 increase in the retention limit in the Gulf of
2 Mexico.

3 We also had the closure of the bluefin
4 tuna General category June to August time period,
5 and a quota transfer in the Harpoon category for
6 bluefin tuna.

7 A bit of an update on litigation for
8 Amendment 5B, which dealt with dusky sharks.
9 Back in March of this year, the District Court
10 for the District of Columbia upheld Amendment 5B,
11 which addressed dusky shark over-fishing and
12 rebuilding. Since then, Oceana has appealed the
13 decision and briefings will start on that in
14 October of this year.

15 Another litigation update is on the
16 Pelagic Long Line Bluefin Tuna Area-Based and
17 Weak Hook Management measures. This was a final
18 rule that was published back in April of 2020.
19 And shortly thereafter, a lawsuit was filed on
20 this action.

21 Administrative records have been
22 filed, and supplemental records, and briefing
23 completed. And so we are still awaiting the
24 judge's ruling on this particular lawsuit.

25 On a related note to the topic of that
26 final rule, we had in the 2021 Appropriations Act
27 on the Joint Explanatory Statement that
28 accompanied that act there was language in there
29 that directed the agency to reconsider Gear
30 Restricted Area/Weak Hook Rule, and specifically
31 the decision to open the spring Gulf of Mexico
32 monitoring area to pelagic longline fishing.

33 And if we maintain the status quo, to
34 then increase monitoring in the area. So in
35 response to this JES language, the agency
36 published a public request for any information
37 that was not considered in development of the
38 final rule. And we accepted that information and
39 the submission of the information from June 15
40 through July 15 and held two public webinars.

41 We also, and we highlighted this back
42 in the spring AP meeting as well, we also posted
43 on the website catch data from within the
44 monitoring areas of the Gulf of Mexico and also
45 including the Northeast monitoring area as well.
46 And so that link is available in the PDF of the
47 presentation that I'm giving here. You can also
48 search for it and get to that information on our

1 website.

2 So the agency is reviewing the
3 information that was submitted earlier this
4 summer and determining next steps related to this
5 subject.

6 Related to the electronic reporting,
7 or eReporting, we are looking towards doing a
8 future rulemaking on this subject. The HMS
9 Management Division is involved with other
10 regional offices and entities with the one-stop
11 reporting initiative to streamline vessel
12 electronic reporting.

13 So there is a, kind of a timeline
14 associated with this that's driven by the Greater
15 Atlantic Regional Fisheries Office, or GARFO, and
16 their need to have a system in place this fall.

17 Currently, eTrips in one program that
18 fulfills the reporting requirements associated
19 with all of the regions in HMS. And we will be
20 doing some rulemaking to update our regulations
21 to make it consistent and facilitate continued
22 electronic reporting.

23 On the topic of online workshops, this
24 is something that we've been working on for quite
25 some time. Many of you are aware that we have
26 two different workshops that are required under
27 our regulations for certain portions of our
28 constituents and our fisheries.

29 There's the safe-handling and release
30 and identification workshops, and also the shark
31 identification workshops. Those have been in-
32 person workshops for a long time and will
33 continue to be in-person. But we are also
34 anticipating releasing or making available online
35 recertification workshops beginning this fall for
36 persons that have already attended an in-person
37 workshop.

38 The in-person workshops will continue,
39 but at a reduced frequency. But the online
40 capability of recertification is, I think will be
41 a big help and, you know, to folks that need to
42 participate in these workshops. We will be
43 notifying permit holders later this fall when the
44 option becomes available. So stay tuned for
45 those of you that, for which this affects and
46 applies.

47 So this slide is our usual one where
48 we provide some links to landings and tournament

1 updates. I encourage you to go to these websites
2 to take a look and see what the latest
3 information is. And keep these handy if you want
4 to reference back to some of the activities going
5 on in our fisheries.

6 And there's a lot happening outside of
7 HMS Management Division. And so I just wanted to
8 provide a few links on some different subjects.
9 One is just the awareness that NOAA research
10 cruises are happening, thankfully, and continue
11 to collect data.

12 There was a recent news release that's
13 linked here about some of that activity in the
14 Northeast Fisheries Science Center. The bottom
15 longline cruise that had quite some -- that had
16 some success with some of the shark catches that
17 they encountered during the course of their
18 sampling.

19 And then some other things that are
20 happening. That Atlantic Large Whale Take
21 Reduction Plan in Phase II is underway. And
22 please follow the links there for more
23 information.

24 Also, the Pelagic Longline Take
25 Reduction Plan and changes happening there, that
26 is still an ongoing process. The proposed rule
27 was published in 2020, and looking forward to
28 more news along those lines, as many of us are.

29 Other things that are happening
30 outside of the Division include expansion the
31 Florida Keys National Marine Sanctuary, linked
32 information is here. Also related Aquaculture
33 and the Southeast Regional planning teams in the
34 Aquaculture Opportunity Areas, and other things
35 that are happening along those lines.

36 Also in the Gulf of Mexico, there's
37 the modification of the fishing access in the
38 eastern Gulf. And related to marine -- I'm
39 sorry, Madison-Swanson and Steamboat Lumps areas.

40 Also, there is the Northeast Canyons
41 and Seamounts and some activity along those
42 lines, although like many of you, we are awaiting
43 any outcome of some of the follow-on evaluation
44 of those areas that the White House has
45 undertaken and that the Secretary of Interior
46 conducted as a result of a review earlier this
47 year.

48 So another thing that has been

1 happening is a report on Limited Access Privilege
2 Programs in Mixed-Use Fisheries. And this
3 results from the "Modern Fish Act" of 2018, which
4 instructed the National Academies of Science,
5 Engineering, and Medicine to examine the effects
6 of lapse in mixed-use fisheries.

7 And the Bluefin Quota Program was one
8 of those that was included, as well as snapper,
9 grouper-tilefish, golden tilefish, and wreckfish
10 IFQ programs.

11 Generally, there was strong evidence
12 found that IFQs reduced the race to fish and
13 increased fishery profitability. And some
14 evidence that they reduce wasteful fleet
15 overcapacity. There was no evidence that they
16 have led to fleet consolidation or of direct
17 effects on private or for-hire recreational
18 sectors.

19 The evaluation found strong evidence
20 that IBQ -- that the IBQ program has ecological
21 benefits from reduced discards of bycatch and
22 incentivizing avoidance, as would not be a
23 surprise for many of you all that have been
24 certainly reviewing or privy to the presentations
25 about the per year or the IBQ program over the
26 last couple of years.

27 So the final report is available at
28 the link here. Please take a look at that if you
29 wish to see more information.

30 So in follow-on to the spring AP
31 meeting, where there was some expressed interest
32 about needing more information about the
33 US/Bahamas Boundary, where its location and
34 outreach information associated with that to help
35 with folks both I think recreational and
36 commercial recognize where those are and what
37 regulations apply for vessels that may be
38 crossing that boundary.

39 We have, with the help of the Office
40 of Law Enforcement, developed a slide deck that
41 is linked in the agenda online. So if you look
42 under this overview presentation right below
43 there's a link there. And you can open up that
44 link to that slide deck, which has a series of
45 links to information that hopefully will be
46 helpful to you all. And you can share that
47 information more broadly.

48 So, looking ahead for some things that

1 are coming up on the horizon, of course Amendment
2 13, which we will discuss tomorrow. The comment
3 period on that ends on September 20.

4 Also, related to other upcoming rules,
5 actions, and notices, the -- you can expect the
6 2021 annual northern albacore, swordfish, and
7 bluefin tuna Reserve category quota adjustment a
8 little bit later this fall, coming soon.

9 Then also, as I mentioned, draft
10 Amendment 14, ABC control rule specifics later
11 this fall. And Final Amendment 14 expected in
12 earlier 2022.

13 There's also the '22, the 2022 shark
14 specifications final rule later this fall. And
15 the share document, which we presented back,
16 well, in earlier AP meetings and had discussion
17 on. That shark fishery review is expected to be
18 released later this fall as well.

19 So our goals for our AP meetings, as
20 always, are to reduce the chance of surprises.
21 We open this dialog so that we can keep you all
22 informed of things that are happening within the
23 agency or coming up on the horizon.

24 But we also depend upon you all to
25 listen and to engage in the discussions and share
26 your, you know, your information and your
27 thoughts with us and bring those ideas and advise
28 us as we work to manage HMS fisheries.

29 And as we go through this process, it
30 is important, as always, for us to have respect
31 for each other and for our individual points of
32 view. That we come from a diverse set of
33 experiences and backgrounds and constituencies,
34 and it is important for us to be able to open a
35 very helpful dialog and be respectful of one
36 another as we do this.

37 A reminder that our federal offices
38 are -- continue to be closed and that staff in
39 our agency are working remotely. If you need to
40 contact us, you can still do so, and email is the
41 best way to do that. We also are monitoring our
42 phone lines back at the office.

43 So if you call the main line for HMS
44 Management Division and leave a voice mail, we
45 will get that message and get it to the right
46 people so that they can give you a call back or
47 email you back.

48 And in conclusion, we're looking

1 forward to a great meeting for engaging in all
2 these different issues. And with that, I am
3 going to turn it back over to Bennett.

4 MR. BROOKS: Great, thanks, Randy.
5 Thanks for the good presentation. Thank you.

6 We've got about 25 minutes or so
7 before we scheduled to go to break. So if folks
8 have questions, we can -- we can jump into those.
9 I see a couple of hands up. Christina Vaeth, and
10 Christina is sitting in for Dave Campo as his
11 proxy today. So let's go to Christina, and then
12 to Rick Weber.

13 Christina. And you'll have to accept
14 -- yeah, there you go.

15 MS. VAETH: Dusky and tuna litigation.
16 But I didn't see any mention of my letter to the
17 Secretary of Commerce about preempting state
18 shark fin laws. I was just wondering what the
19 status of that letter was. Has it been reviewed,
20 when can I expect a reply?

21 MR. BLANKINSHIP: Yes, Christina,
22 thanks for that. We have received that letter
23 and are considering that within the Office of
24 Sustainable Fisheries and within the agency. And
25 a response is intended.

26 MS. VAETH: Okay. And also, is HMS
27 going to notify the Secretary of Commerce of the
28 negative effects that the state bans are
29 currently having, the lack of fishery
30 participation, the underharvests? Are -- is HMS
31 going to inform the Secretary of Commerce of
32 those issues?

33 MR. BLANKINSHIP: So the agency, well,
34 our division has opportunities to brief
35 leadership up through chain on many different
36 subjects. And as some of our leadership, you
37 know, has -- we've had new folks come in, we have
38 had opportunities to do those briefings.

39 And the subjects that you're talking
40 about are within the scope of many of those
41 briefings that we're able to do. So I believe
42 we'll be able to keep them informed certainly as
43 needed.

44 MS. VAETH: Okay, and one last
45 question. I see that the SHARESHARE document is
46 coming later this fall. I'm just curious why it
47 hasn't come out sooner than that.

48 MR. BLANKINSHIP: Well, as you might

1 imagine, with many things within the agency it
2 takes some time for review and clearance to take
3 place. And so it is still within the reviewing
4 plans process.

5 MS. VAETH: Okay, thank you very much.

6 MR. BROOKS: Great, thanks. Let me go
7 to Rick Weber and then to Marty. And there's a
8 question in the chat from Rick around, and Pete
9 or Craig, this is for you, which is to remind
10 folks how to raise a hand on the phone. I think
11 it was either star-6 or star-9, but if one of you
12 could weigh in.

13 But Rick, let's go to you.

14 MR. WEBER: I think I'm -- I think I'm
15 on, yes?

16 MR. BLANKINSHIP: You are, yeah.

17 MR. WEBER: Okay, very good. Randy,
18 I apologize, I'm calling in by phone so I'm not
19 on my computer. Is there an update on the
20 tournament status? And you know, I know we
21 reduced greatly, you know, the 250 was a major
22 concern last fall at this time.

23 The two tournaments that I'm most
24 familiar with had a fairly decent reduction. But
25 I also know we added a couple of tournaments, and
26 I'm curious if you guys have anything on the net
27 -- net change.

28 MR. BLANKINSHIP: Thanks, Rick, I
29 appreciate that question. And certainly after
30 last year and how close we came to reaching the
31 250 fish limit for blue and white marlin
32 combined.

33 We were continuing to monitor very
34 closely what was happening this year, and
35 especially as, you know, we were aware that
36 tournaments like yours and other have made some
37 modifications to your tournament rules and
38 increased the minimum size limit of fish that you
39 were accepting in your tournament and seeing how
40 those things played out.

41 And this year, as a result of close
42 monitoring, I think we can say that it, that the
43 landings have been considerably less, and that we
44 are not in the same situation that we were in
45 last year.

46 I do have a slide that shows some of
47 the information that we have available. It is
48 not up to date with the latest reports that may

1 still be coming in from some of the recent mid-
2 Atlantic tournaments.

3 And so while right now it shows
4 through quarter two a total of 49 -- 49 marlin
5 and white marlin and roundscale spearfish
6 combined landed, that indicates that of course
7 we're certainly in good shape related to the 250
8 limit. But also it does not reflect some of
9 those more recent tournaments, as those
10 tournament reports are still coming in.

11 And so this will be updated and will
12 be posted online in that link later on in the
13 coming weeks, the link that I provided earlier
14 with the update, landings updates reports.

15 So far, and a quick answer to your
16 question in summary is that I think things are
17 looking pretty good this year, and much better
18 than they did last year.

19 MR. WEBER: I would imagine that we
20 are. Like I say, I think we're good for this
21 year. But I don't want that to lull us into
22 thinking that we are safe for 250 in the long
23 run, Randy.

24 A lot of people are going boating, and
25 I think that's going to increase the market for
26 tournaments. Your mid-Atlantic tournaments, mine
27 and others, we're all having record participation
28 years this year. So I'm really proud that we
29 also managed to reduce landings in years where we
30 had record participation.

31 But I've got some data that is just
32 CPUE from the tournament, so it's really only
33 good for the third week of August. But we've
34 seen a really odd oscillation that even years are
35 frequently up and odd years are frequently down.
36 And if that pattern returned next year, we could
37 be back looking at that line again.

38 I'm hoping that we're not, but what we
39 learned last year is that we don't necessarily
40 have the tools to deal with it. And so I don't
41 even know what I'm asking for yet, other than we
42 need to keep it on the scoping radar of starting
43 to look for ideas and look for problems and
44 continue to play what if.

45 You know, if your tournament
46 registrations aren't getting back to where they
47 used to be, or if you're having compliance
48 issues, maybe those who have been around the

1 longest need some protection from those that
2 joined, you know, right at the last minute.

3 I don't -- I don't know, I just think
4 there's stuff we need to explore, and I don't
5 want to do it in your overview. But certainly
6 the tournament operators would be more than happy
7 to come down and sit and have some conversation.

8 MR. BROOKS: That definitely sounds
9 like something that may be, you know, worth
10 putting on a future agenda as a topic to talk
11 about. Thanks, Rick.

12 MR. WEBER: That's all I've got,
13 Bennett, thank you.

14 MR. BLANKINSHIP: Thank you, Rick.

15 MR. BROOKS: Okay, let's go to Marty,
16 and then Dewey. Marty, yup, we got you.

17 MR. SCANLON: Yes, it's pertaining to
18 the Gulf of Mexico gear restricted area, you
19 know. The use of our VMS units has proven to be
20 effective. You know, we had done that double,
21 you know, we had done the human observer and the
22 VMS simultaneously through the implementation of
23 A7 through A7 two-year review to verify that.

24 And on top of that, when you're
25 talking about bluefin tuna interactions in the
26 Gulf of Mexico GRA, there's been neither landings
27 nor have there been discards in that area, you
28 know, since they opened that.

29 I mean, just like Blue WaterBlue have
30 told you that, you know, the industry is more
31 than capable of, you know, being able to, you
32 know, operate in that area if and when it's
33 possible, you know.

34 So I mean, to me, you know, all these
35 people want to, you know, constantly increase
36 monitoring on us, whether it be human observers
37 or increased use of VMS units on us. You know,
38 just the redundancy is ridiculous here.

39 So just wanted to point that out
40 there, that, you know, it's being monitored quite
41 well and the industry has responded quite well to
42 that being, you know, having access to that.

43 MR. BROOKS: Thanks, Marty. Before we
44 go -- before we go to Dewey, in the chat there's
45 a question from Amy Dukes on one-stop reporting
46 group. It says when and how will HMS work and
47 provide outreach inclusiveness to the states to
48 ensure that reporting that is linked state

1 reporting requirements can be considered and
2 incorporated?

3 Specifically, have discussions started
4 to address how to handle previously reported
5 data, date after the GARFO implementation
6 timeline has been met, and approaches to
7 positively apply to all reporting applications?

8 MS. ORTIZ: Hey, Bennett, this is
9 Delisse. Jackie and Brad will respond to Amy.

10 MR. BROOKS: Great, thanks.

11 MS. ORTIZ: Shortly.

12 MR. BROOKS: Sorry, in the chat
13 they'll be responding?

14 MS. ORTIZ: Correct.

15 MR. BROOKS: Okay, thanks. Okay, so
16 Amy and others, just look and keep your eyes on
17 the Q&A for a response to that. And let's go to
18 Dewey.

19 MR. HEMILRIGHT: Can you hear me?

20 MR. BROOKS: Yes, we can, Dewey.

21 MR. HEMILRIGHT: Yeah, can you put
22 your marlin count page back up, please. And my
23 question would be how does -- these are billfish
24 reported from the accounting of the tournaments,
25 how does their accounting process work for fish
26 that do not qualify?

27 Is it the angler's responsibility to
28 report these fish, or do the tournaments report
29 these fish? And what is the differences in that
30 reporting, and where could we find that breakout
31 for the did-not-qualify fish?

32 For there's a difference there, and I
33 don't think these numbers reflect the did-not-
34 qualify fish. They might, but maybe you can
35 enlighten us. Thank you.

36 MR. BLANKINSHIP: Sure, Dewey, thanks
37 for that question. It's one that we've received
38 certainly many times over, over the years. So
39 there are multiple reporting processes that the
40 agency gets data from.

41 Some of them include tournament
42 reporting, but also the non-tournament reporting,
43 which is the requirement for individual anglers
44 or actually permit holders for vessel permits to
45 report landings of billfish.

46 And then in the states of North
47 Carolina and Maryland, there's a catch card
48 program where they're required to report through

1 those catch card programs.

2 And so specifically to your question
3 about a fish that is, let's say, a participant in
4 a tournament that may bring a fish in that
5 doesn't meet the tournament's minimum size limit
6 or something like that that causes a fish to be
7 disqualified and the tournament does not accept
8 that fish. Or perhaps the person doesn't bring
9 the fish to the dock for the weigh-in for some
10 reason, whatever it may be.

11 In those cases, the vessel permit
12 holder is responsible for reporting those fish
13 that are landed but they are not entered in that
14 tournament, whether it's their disqualification
15 or something else.

16 So if they're in the tournament, then
17 that is required to be reported by the
18 tournament. If for some reason they are -- those
19 fish are not entered into the tournament, then
20 it's the angler's responsibility to report.

21 And we have an accounting process for
22 taking those data sources. And also looking at
23 some of the fishery survey information, actual
24 intercepts dockside, in order to ensure that we
25 get as comprehensive of a coverage of landings of
26 billfish as we possibly can.

27 And then compare those data sources to
28 detect when there might be instances that
29 individual fish may show up in more than one data
30 set. And then we look to evaluate those
31 instances and only have a fish counted once.

32 So if it's in two different data sets,
33 it's only counted once and we avoid duplication.
34 But that is the process by which we account for
35 those fish.

36 We do report the landings information
37 from tournament and non-tournament fish in the
38 SAFE report. But we don't break them out by
39 showing how many fish were disqualified from a
40 tournament but were still reported through the
41 non-tournament reporting programs.

42 So, anyway, that's the gist of the
43 answer to your question. But we can discuss
44 further offline if we need to.

45 MR: HEMLIRIGHT: Yeah, I got a follow-
46 up, if I could. I would just think it would be
47 helpful to show that, because you might need some
48 compliance assistance.

1 And you know, as far as the SAFE
2 report, I've had my fill with that over the
3 years, and it's really difficult to weed through
4 that SAFE report because there's so many
5 anomalies and caveats to it. But thank you.

6 MR. BROOKS: Great, thanks. Thanks,
7 Dewey. Amy Dukes, you wanted to jump in here.

8 MS. DUKES: And I appreciated -- just
9 a follow-up to what was just said. Randy, it may
10 be helpful to do some outreach to the tournament
11 directors to ensure that you're getting cohesive
12 data requirements from all of them.

13 Personally speaking, from South
14 Carolina tournaments, when we do the HMS
15 reporting requirements, host the tournament, we
16 are inclusive of disqualified fish. That may not
17 be the case up and down the Eastern Seaboard. So
18 perhaps maybe some better outreach with
19 tournaments on the response post-tournaments
20 would be helpful to ensure that you're getting
21 accurate data.

22 MR. BLANKINSHIP: Sure, that's a great
23 idea, Amy. And let me be clear again is that
24 even if a tournament is reporting disqualified
25 fish, which is very good, it's better to report
26 more fish than, let's say, less fish.

27 And let's say an angler does report a
28 fish that was disqualified, through our
29 accounting process we do have the capability to
30 detect if that was the same fish that was
31 reported through two different data sources.

32 MR. BROOKS: All right, I am not
33 seeing any other hands up at this moment. So if
34 that's the case, what I would like to do --

35 MS. ORTIZ: Bennett?

36 MR. BROOKS: Is get a -- yeah, go
37 ahead.

38 MS. ORTIZ: Oh, sorry, this is
39 Delisse. Scott Taylor has a question, I think.
40 Are landings for the United States recreational
41 included? I guess if he could rephrase the
42 question or the statement.

43 MR. BROOKS: Scott, you want to come
44 off mute and clarify the, that comment? Scott
45 Taylor, are you off -- are you off mute there?

46 MR. TAYLOR: Can you hear me?

47 MR. BROOKS: Yes, now we can.

48 MR. TAYLOR: That was, I think, a

1 rhetorical question that as I understand that is
2 total reported landings for the entire United
3 States for everything other than the, you know,
4 other than the HMS leaguefleet, which obviously
5 has discarded billfish. That includes
6 recreational landings as well, does it not,
7 Randy?

8 MR. BLANKINSHIP: Yeah, I'm not sure
9 exactly I'm following you. But it includes, so -
10 -

11 MR. TAYLOR: This isn't just -- this
12 isn't just tournament fish, this is all
13 recreational landings of billfish.

14 MR. BLANKINSHIP: Yeah, that's
15 correct.

16 MR. TAYLOR: That have been reported.

17 MR. BLANKINSHIP: Yes, both tournament
18 and non-tournament, correct.

19 MR. TAYLOR: Just wanted to point that
20 out.

21 MR. BROOKS: Yes, thanks, Scott. And
22 Rick notes, Rick Weber notes that theirs are
23 inclusive as well, so.

24 Okay, with that, I want to get us to
25 break. We are a little bit ahead of schedule,
26 and one thing I've learned in working with the
27 advisory panel over many years is never give up
28 time because we're going to want it later on.

29 So I would like to propose that we go
30 to the break now, but we start up about ten
31 minutes early. So let's reconvene at 20 after.

32 Karyl, I know you're up, does that
33 work for you?

34 MS. BREWSTER-GEISZ: Yes, that will be
35 fine.

36 MR. BROOKS: Okay, great. So everyone,
37 we're going to go to break now. It is 10:05, we
38 will reconvene at 10:20, so a few minutes earlier
39 than is on the agenda.

40 All right, thanks, everybody, we'll
41 talk to you in a few.

42 (Whereupon, the above-entitled matter
43 went off the record at 10:05 a.m. and resumed at
44 10:20 a.m.)

45 MR. BROOKS: Okay. Well, let's get
46 going again. Let me just note a couple things
47 before I hand it off to Karyl. One, I want to
48 just note if you did not see it in the Q&A that

1 Yamitza Rodriguez noted that she had to leave the
2 meeting, because she's having to respond to a
3 marine mammal stranding. Obviously, I don't know
4 how long that will take her away from the table.
5 That could be a while. So, just so folks know
6 that.

7 I also want to flag for anyone, AP
8 members who are participating by phone, or public
9 for later in the day, if you want to raise your
10 hand to get into the conversation, you hit star
11 three on your phone. Star three, and that same
12 star three will also lower your hand. If for
13 some reason that's not working, and you want to
14 get in, or you can't get into the chat, you can
15 type into the Q&A, and say that you want to get
16 into the conversation.

17 Again, you can raise a virtual hand by
18 clicking on the little smiley face icon at the
19 bottom of your screen, and that will open up a
20 dialogue box that will say raise hand. So, a
21 bunch of different ways to make sure that we're
22 seeing you, and getting you into the
23 conversation. And if these issues are so
24 problematic, reach out to Craig, reach out to
25 Pete, and they will troubleshoot as they've just
26 done for Peter.

27 So, with that, we have one topic we
28 want to cover before lunch, which Karyl will take
29 the lead on. We've talked about this I think at
30 either the last meeting, or the meeting before,
31 which is a report to Congress around shark and
32 dolphin depredation. We want to get an update
33 today, and talk about in particular the outline
34 of that report and get your feedback on it. So,
35 Karyl, over to you.

36 MS. BREWSTER-GEISZ: Great, thank you,
37 Bennett. And hello, everybody, it is great to be
38 at another advisory panel meeting. For those of
39 you who don't know me, my name is Karyl
40 Brewster-Geisz. I have worked in highly
41 migratory species for a number of years now. I'm
42 going to talk today about a report to Congress,
43 which is a new report to Congress. Let's see if
44 I can switch slides. There we go.

45 This was another directive out of the
46 2021 appropriations act joint explanatory text
47 statement. It directs NOAA Fisheries to
48 undertake a review and to better understand the

1 occurrence of conflicts between dolphins -- so
2 that's the marine mammal dolphins; not the
3 dolphinfish -- and sharks, along with fishing,
4 specifically in the Gulf of Mexico and South
5 Atlantic regions.

6 So this directive requires that we
7 provide a quantification of the degree to which
8 dolphins and sharks interfere with fishing, and
9 also recommend nonlethal deterrents for both
10 dolphins, and sharks. It also says that we need
11 to consult with the Marine Mammal Commission,
12 along with the Gulf, and South Atlantic Councils.
13 It also asks that we consult with all of you,
14 which is why we are here today talking about
15 this.

16 And we also want to conduct outreach
17 to commercial for-hire recreational fishermen.
18 So if you are a member of the public, we
19 definitely welcome your comments during the
20 public comment session at the end of today.

21 So, the report itself, we are at this
22 point expecting to do one report that combines
23 the results for both dolphin and sharks. For
24 sharks, we are focusing on all commercial
25 fishing, recreational fishing, and for-hire
26 fishing gears. So, longline, gill net, trawl,
27 all the hand gears.

28 For dolphins, given the extent of the
29 take reduction teams, we are really focusing
30 primarily on the hand gear issues related to
31 commercial, recreational, and for-hire fishing.

32 The next couple slides goes through
33 the topics that we are going to be looking at in
34 this report to Congress. These are the topics
35 that we really primarily want your comments back
36 on. So, the first topic, of course, we're
37 getting into what are these types of interactions
38 between sharks and dolphins and the fishermen.

39 We are looking at depredation, and we
40 are defining depredation as -- I'm going to focus
41 on sharks, because that's what I know; I'm not a
42 dolphin person. So, this depredation is when the
43 shark, or I suppose dolphin, bites the fish, and
44 the fish is on your fishing line or in your
45 fishing gear. Scavenging is more when you have
46 caught the fish, you release the fish back into
47 the water, and then the shark or dolphin comes
48 and eats that fish that you just released.

1 We're also looking at the consequences
2 of these interactions, and we've split this into
3 two parts. One is the consequences on the
4 fisheries. So this is the economic loss to the
5 fishermen of any damage to gear. This is the
6 impact to the target fishery population. So the
7 impact to snapper, the impact to yellowfin tuna,
8 along with the consequence, and the impacts of
9 degrading the fishing experience for the people
10 who are fishing.

11 The other way we're splitting the
12 consequence of the interactions with is to the
13 sharks and dolphins themselves. So, what are the
14 population level impacts on sharks and dolphins?
15 What is the injury risk to the shark and the
16 dolphin of being entangled in the fishing gear?
17 And is there a chance of increased retaliation by
18 the fishermen? Some more of the topics that
19 we're looking at, of course, the directive asks
20 us to quantify shark and dolphin interactions.

21 So, we are looking at fishery and
22 observer data to see what can mine there, along
23 with reviewing scientific literature. And then
24 the directive also asks that we recommend
25 nonlethal deterrents. I think that pretty much
26 speaks for itself, but I did want to point out
27 that NOAA Fisheries did release a proposed rule
28 with guidelines for nonlethal deterring of marine
29 mammals. We released that a little over a year
30 ago, in August of 2020. The comment period
31 closed in October of 2020, and we are currently
32 reviewing all the comments we received on that
33 rule.

34 And then the last major topic we're
35 looking at are the research needs. So, how do we
36 want to move forward? What do we still need to
37 research in order to help find a solution for
38 this problem?

39 So, I have a number of discussion
40 questions, which I will come back to in a moment,
41 and these will be the questions we focus on for
42 the rest of the time. I just wanted to give you
43 a quick idea before we get into those about the
44 time line. So, we are currently consulting with
45 all of you, along with the councils, it actually
46 turns out we'll be consulting and discussing with
47 the Gulf Council at the end of October, and then
48 we're also accepting public comment during all of

1 these consultations.

2 We hope to have a final report by
3 March of next year. As I mentioned before, I am
4 mostly shark focused. I am not a dolphin person;
5 other than watching them as they go by the docks
6 when I'm at the ocean, I don't really know much
7 about dolphins. So, if you have dolphin
8 questions or additional information for us,
9 please reach out to Jessica Powell or Stacey
10 Horstman. If you have questions, or additional
11 information regarding shark depredation, please
12 reach out to me or John Carlson of the Science
13 Center.

14 And then going back to the questions,
15 which is where I want to focus our time, we are
16 specifically looking for comments, suggestions on
17 how to improve those lists of topics. So, are
18 there types of interactions that you don't think
19 are defined through either depredation or
20 scavenging that we should be looking at?

21 Have we overlooked consequences either
22 to the fisheries or to the shark and dolphin
23 populations that you really think we need to pay
24 attention to? Are there other data or
25 information sources that you think we should be
26 looking at? Are there any studies on nonlethal
27 deterrents that we should be reviewing? And do
28 you have any suggested research needs?

29 And with that, Bennett, I'm going to
30 hand it back to you.

31 MR. BROOKS: Great. Thanks, Karyl,
32 and I'll note that I believe Jessica Powell and
33 Stacey Horstman are on the phone. So, Karyl, if
34 it's helpful, please invite them in as needed to
35 the conversation.

36 MS. BREWSTER-GEISZ: Sounds good.

37 MR. BROOKS: So we've got a chunk of
38 time to dive into this, and as always, it's
39 helpful to start with clarifying questions if
40 people want to better understand exactly what
41 this report is, and then obviously there are some
42 very specific questions that the agency would
43 like some feedback on. So, Christina, I see your
44 hand up, so let's open up with you.

45 CHRISTINA VAETH: I know that you do
46 realize that the shark underharvesting does
47 impact depredation, so if the remaining shark
48 fishermen are forced out of the fishery with the

1 passing of a national fin sales ban, and no
2 fishing is occurring, how is NOAA going to deal
3 with that? Are they prepared? Because I see
4 retention limits have increased to 55 fish, but
5 without the ability to sell both the meat and the
6 fins you could increase the limit to 100 fish,
7 and it wouldn't matter.

8 And while I'm on the topic of
9 marketing of sharks, why did NOAA remove its post
10 that promoted the marketing of the shark fishery?
11 I just don't understand why it didn't stand
12 behind its fishery.

13 MR. BROOKS: So, I'm going to invite
14 Karyl to respond, probably to the first question.
15 I want to keep us on topic here, and maybe the
16 second question someone could respond to in the
17 Q&A. So, Karyl?

18 MS. BREWSTER-GEISZ: Thanks, Bennett.
19 Yes, sticking to the first question for now.
20 Yes, we are aware that there is a relationship
21 between commercial fishing, and commercial
22 fishing efforts along with depredation, but also
23 understand that that is not the only answer
24 regarding depredation. Depredation has been
25 occurring for years, there's history of it going
26 back into whenever people started fishing back in
27 the 1700s, and 1800s.

28 You have reports of people having fish
29 being depredated on. It seems to be an issue
30 where sharks tend to learn fishing behavior. We
31 do have some scientific reports indicating that
32 they do learn to recognize the sound of motors,
33 dolphins do, whales do, that's not a new
34 phenomenon either. So, we're aware there's
35 relationships.

36 I just want to say that it's more than
37 just commercial fishing effort that relates to
38 depredation, and interactions with fishing. If
39 the fin bans go into place, then there will be a
40 lot of work to do, and yes we will figure that
41 out when it comes to it.

42 MR. BROOKS: Thanks. Tim Pickett, why
43 don't you jump in?

44 MR. PICKETT: Hello?

45 MR. BROOKS: Yeah, we got you.

46 MR. PICKETT: Okay. Yeah, I was just
47 pretty much going to echo the statements and the
48 questions that were just made. You know, I think

1 there's been some surveys that have been done
2 with this, with respect to the recreational
3 community. I think that's something that we need
4 to continue, because I see this as a problem
5 that's getting drastically worse. And you got
6 into the difference between depredation and
7 scavenging; I'd like to see -- it's a pretty
8 recent phenomenon, has been in the sailfish
9 fishery down in here in south Florida. People
10 never used to get sailfish eaten while they were
11 catching them, and now it's an incredibly
12 frequent occurrence.

13 So, I think the scavenging aspect of
14 that, too, because all these sailfish tournaments
15 and the general recreational sailfish fisheries,
16 a release fishery, I'd like to know how many of
17 these sailfish get eaten after they get released.
18 It would be something that would be interesting.

19 And I'd also like to echo what was
20 just said about the commercial shark fishery
21 potentially ceasing to exist with the fin ban. I
22 think that's a very important management tool in
23 all of this, and you've seen a lot of coalescing
24 between the recreational fishery here in South
25 Florida and the commercial industry as it
26 revolves around this depredation issue. The
27 recreational fishery in South Florida is
28 clamoring for a robust commercial fishery to
29 assess this issue, and really it's the only way
30 you can fix it, in my opinion.

31 So, I'd like to see the agency throw
32 its weight behind that, and I'll comment with the
33 leadership when that comes up. But that's about
34 it.

35 MR. BROOKS: Thanks, Tim. So, to your
36 comment on the questions that Karyl has up there,
37 it seems like to the last bullet on suggested
38 research needs, understanding impacts to sailfish
39 fisheries seems to be one, and also continuing
40 these to survey recreational fishers on impact
41 seems to be also equally important, so thanks.
42 Let's bring in Mike Pierdinock.

43 MR. PIERDINOCK: Hi, how are you,
44 Karyl?

45 MS. BREWSTER-GEISZ: Hi, Mike, I'm
46 good. How are you?

47 MR. PIERDINOCK: Okay, just a few
48 questions. Since this order that's come down

1 that you have, I think it's the first slide, is
2 this specific just to sharks that are regulated
3 by HMS, or all sharks that are regulated in state
4 waters, or a mix of both? Are the comments just
5 specific to our HMS ones or other sharks?

6 MS. BREWSTER-GEISZ: So, I've moved
7 back to the details of the directives so you can
8 see it. It doesn't specify just HMS sharks,
9 though we tend to manage the same ones that are
10 managed in state waters. It is specific to the
11 Gulf of Mexico and South Atlantic regions.

12 MR. PIERDINOCK: Thank you for
13 clarifying that. And that's where I'm a little
14 disappointed. You know, you've heard it from me
15 and others up here in the Northeast, and we have
16 these issues, predation issues with dogfish in
17 tremendous numbers, porbeagle, great white
18 sharks. I've said it before, I wish there would
19 be also outreach up here, but that order looks
20 like it's only specific to South Atlantic and
21 Gulf of Mexico.

22 Now, as far as, I believe it's a
23 questionnaire about marine mammals, and that's
24 where I wanted to, again, being up here, we have
25 a booming population of 50,000-plus grey seals,
26 that we used to have 1,500 in early 2000, and
27 there's 50-plus thousand, and they're moving
28 south into other waters. So, I don't know
29 whether that would be an option, but are the
30 marine mammals only just specific to dolphins?
31 Which you don't have a grey seal issue down
32 there, but it's kind of twofold here. I wish you
33 were dealing with us, but you're not. So thank
34 you.

35 MS. BREWSTER-GEISZ: Thanks, Mike,
36 yeah, I hear you. It is specific to sharks and
37 dolphins, dolphins bringing the marine mammal,
38 and it is also specific to the South Atlantic and
39 Gulf of Mexico.

40 MR. PIERDINOCK: All right. I
41 therefore have nothing more to say, since it's
42 not applicable up here, thank you.

43 MR. BROOKS: Thanks, Mike. Peter
44 Chaibongsai wanted to jump in here.

45 MR. CHAIBONGSAI: Can you hear me?

46 MR. BROOKS: We can.

47 MR. CHAIBONGSAI: All right,
48 excellent. I just had two questions, Karyl. One

1 was, I think you were just giving examples of
2 economic loss for the recreational side, and that
3 was in regards to gear, but I just want to
4 clarify, was that just an example, or was that
5 also just -- was that the only thing that was
6 taken into account for economic losses?

7 MS. BREWSTER-GEISZ: Yeah, we were
8 thinking primarily lost or damaged gear or lost
9 or damaged catch.

10 MR. CHAIBONGSAI: So, I would like to
11 infer, and I'm sure some of my other recreational
12 representatives would agree, it's not only the
13 gear or the catch that would be lost. It would
14 also be the loss of potential clients, repeat
15 clients. A lot of our constituents base their
16 livelihoods off of repeat clients and their
17 fishery being fantastic.

18 Now, Tim mentioned it fantastically,
19 to where we're seeing, and so did Mike, where
20 we're getting a lot of these interactions that
21 are not only hampering what people are catching,
22 but then can really hinder the future of the
23 recreational community in those regions. I think
24 Mike said it as well, to where it's not only
25 South Florida, he's seen it up there, and we've
26 heard about it from our constituents all
27 throughout the East Coast.

28 So I really want to stress economic
29 loss for the fishery is not just in gear or
30 catch, it's based off, I would like you to also
31 include the economic impact that it would have to
32 those charter boats, those for-hire fleets as
33 well.

34 The other question -- I'm sorry, did
35 you have something to add? Okay, sorry, Karyl.
36 The other thing that I wanted to bring up, too,
37 was let's say, just for an example, Randy goes
38 out and he catches a blue marlin with you off of
39 South Florida, a beautiful blue marlin. And he
40 is just about to release it, or he does release
41 it, and a shark interacts and essentially kills
42 that marlin. I want to make 100 percent clear,
43 does that count towards our quota?

44 MS. BREWSTER-GEISZ: So, the marlin's
45 already been released, correct?

46 MR. CHAIBONGSAI: If it is released,
47 that's the first option, or the first episode,
48 right? To where it's just been released and it's

1 been scavenged. Or, and the second episode would
2 be Randy is still fighting the fish, just about
3 to get to the line, and then, boom, it is taken.

4 MR. BLANKINSHIP: The ICCAT
5 recommendation with the marlin 250 limit for
6 United States is a landings limit. If the
7 portion of that fish that was shark damaged still
8 have to meet the minimum size limit in order to
9 be landed legally, is landed, then it would
10 count. If it's a released fish or dead discard,
11 it's not a landed fish, and would not count
12 against the 250 limit.

13 MR. CHAIBONGSAI: Okay, that
14 definitely clarifies it. I just want to make
15 sure. I figured I understood the aspect of if it
16 was released and scavenged, but I wanted to make
17 sure I understood the depredation side. So, as
18 long as -- so I just want to make sure I
19 understand this correctly. So, as long as the
20 fish is on the line, and it is to be landed at
21 that point, and is landed, then that would count
22 towards the quota. Okay, thank you, great,
23 thanks.

24 MS. BREWSTER-GEISZ: Yeah, just to
25 clarify, it is only counted if the fish is
26 landed.

27 MR. CHAIBONGSAI: Correct.

28 MS. BREWSTER-GEISZ: If the fish is
29 bitten and then you release it, you discard it,
30 it is not counted.

31 MR. CHAIBONGSAI: Correct, thank you,
32 I just want to be certain.

33 MR. BROOKS: Great, let's get a few
34 more folks in. I've got Scott Taylor, then Mark
35 Sampson and Marcos Hanke, and then Marty and then
36 Greg Hinks. Scott Taylor.

37 MR. TAYLOR: Good morning, this is
38 Scott Taylor. This depredation issue is a huge
39 issue for us as it pertains to the pelagic fleet
40 as well. (Audio interference) that we do anymore
41 in which there's not interactions with some level
42 of depredation, and in some cases the entire set
43 can be lost to either a combination of
44 substantial shark interaction or mammal
45 interaction. So, this is something that's
46 obviously very important to the pelagic fleet.

47 The shark fin laws that are going into
48 place at the state levels, whether or not that

1 they're all finally enacted, or whether or not
2 that we have a federal law that actually becomes
3 law, we've effectively ended the commercial shark
4 fishing down here in Florida. There really is no
5 economic value to just the meat itself; the value
6 of the fin is what made this an economically
7 viable fishery from a financial standpoint.

8 And unless you are oblivious to the
9 situation -- that's not directed at you -- we've
10 had a couple of the big shark buyers recently
11 criminally prosecuted in terms of concern about
12 whether or not that they would even attempt to
13 handle the fins anymore, regardless of whether or
14 not the bans go into place. And here is really
15 where the question comes in: as we have seen
16 these populations continue to increase, and
17 clearly they have been increasing from at least
18 our perspective, from the observation
19 perspective, have you seen or are you monitoring
20 the relationship between the level of depredation
21 and the decline in fisheries. You say that the
22 commercial sector, the commercial effort for
23 these fish is not really the whole story, and
24 clearly nothing is ever the whole story, but
25 obviously this depredation issue is one that has
26 fairly come to the forefront here, as we've seen
27 these populations, at least down here in Florida
28 and in these other areas, continue to increase.

29 And the depredation levels have seemed
30 to have gotten not only worse for us pelagically,
31 but clearly there is an outcry, as Tim pointed
32 out, from the recreational sector across the
33 board. So, are you looking at this relationship
34 between commercial decline in shark fisheries and
35 the increased level of depredation?

36 And, again, one more thing and then
37 I'm going to allow you to answer that, but the
38 fact that you really will not have a commercial
39 shark fishery of any of the large coastal sharks
40 once these fin bans become a permanent fixture in
41 the landscape. And how is NOAA prepared to deal
42 with that issue moving forward if there clearly
43 is this relationship between effort and
44 depredation?

45 MR. BROOKS: Thanks, Scott. Karyl?

46 MS. BREWSTER-GEISZ: So, you raise a
47 number of good points, Scott, in terms of the
48 relationship between the increased depredation.

1 At least the increased depredation reports we're
2 getting, along with a decrease in the commercial
3 fishery, they are happening at the same time, the
4 commercial fishery as you all know, as we
5 presented with SHARE last time, it is decreasing.
6 I'm hopeful that eventually we can turn that
7 around.

8 In terms of the depredation, those
9 reports are also increasing, but they can be
10 happening for very different reasons. And so we
11 would have to show that that correlation is
12 causative, which I'm not sure we can. A lot of
13 the reports of depredation are happening from
14 species that we know are overfished.

15 So, I'm going to use oceanic whitetip
16 as an example, that often comes up as one of the
17 species people point to as causing depredation.
18 It may be causing depredation, but it is also
19 currently listed on the Endangered Species Act,
20 and the status review shows it is a steady
21 population in our part of the world. It is not a
22 steady population throughout the world, just in
23 our part of the world it is steady. So, that's
24 where those links between increasing depredation
25 and decreasing fisheries may or may not be
26 directly related.

27 There is a relationship, I'm just not
28 sure specifically what those are. So, we are
29 looking into them. I just don't want that to be
30 the only thing that we are looking at, is the
31 only way to decrease shark depredation is to
32 increase the commercial fishery. There are other
33 solutions that we're looking into. One of the
34 big research needs that we have identified is
35 being able to fully count for and look at the
36 scope of depredation.

37 As Mike pointed out, depredation is
38 not just happening in the South Atlantic and
39 Gulf. We are very much aware of that. Where is
40 it happening, how do we quantify it throughout
41 all of our fisheries? We don't have a good way
42 yet of doing that in the recreational fishery.
43 There are surveys that are happening, but most of
44 the surveys happen, people who answer it are the
45 ones who are being directly affected, and lots of
46 people who haven't noticed it, so there's a lot
47 at play here.

48 MR. TAYLOR: Can I respond quickly to

1 that?

2 MR. BROOKS: Yeah, go ahead, Scott.

3 MR. TAYLOR: So, we can only look at
4 this from the commercial sector, through the eyes
5 of the commercial fishermen. And that the
6 species that we're concerned about surviving are
7 the commercial fishermen, not the sharks. The
8 sharks seem to have adequate protection, it's the
9 commercial fishermen that really haven't. And
10 what we're seeing is the eradication of another
11 fishery that has other impacts into the pelagic
12 fishery, and the other things as well.

13 And so this is really going to be at
14 the forefront of where we know what it is, you're
15 seeing a steady decline in effort, not just in
16 this fishery, we've had this discussion before.
17 It's the death of a thousand cuts. Whether or
18 not we're losing fish on the line here, or
19 whether buying and selling the fish as a result
20 of shark fins, and all of these various fisheries
21 have this increasing level of protection, but
22 there doesn't seem to be any whatsoever for the
23 fishermen themselves that are just trying to find
24 a way to make a living.

25 And it's very disappointing to us in
26 terms of the fact that NOAA seems to have been,
27 excuse the phrase, somewhat impotent in the fact
28 that this is a federally regulated fishery, and
29 that that voice seems to just be getting drowned
30 out in terms of all of the political chatter in
31 terms of the shark fin. You eliminate the shark
32 fins from commercial viability, you eliminate the
33 commercial viability of the shark fishery, it's
34 just that simple.

35 Besides it being a reasonable
36 resource, you just can't get enough money out of
37 the meat to be able to do that. So, effectively
38 what we're seeing is the end of the fishery,
39 except for the small coastal sharks, which may
40 have a little different value. And I just want
41 to lead by imploring you guys that you've got to
42 start looking at some of these things through our
43 eyes, and we're just not going to be here. You
44 talk about data, where else are you getting the
45 source of data, if it isn't through the
46 commercial effort?

47 Because up to this point, the
48 recreational information that you get is dubious

1 and scattered at best. I'm saying that it may
2 not be better, you're getting better, but it
3 certainly is not your primary source of
4 information. You lose that, and then what do you
5 have?

6 MR. BROOKS: Thanks, Scott.

7 MS. BREWSTER-GEISZ: Thank you, Scott.

8 MR. BROOKS: I want to get to some
9 folks in the queue here. Mark Sampson, you're up
10 next, and then we'll go over to Marcos Hanke.
11 Mark, I think your line is open. Yeah, we can.

12 MR. SAMPSON: Okay, great, thank you,
13 and good morning, everyone. Yeah, so, obviously
14 in this group, it sounds like everybody seems to
15 be taking this very seriously, and that is good.
16 I hope that as we all speak with our constituents
17 and all over this issue, we will make sure that
18 other people are aware of the importance of this.
19 I just see this as an absolutely, not only big
20 issue now, but of course into the future this
21 could just be monumental, and effect so many more
22 fisheries than it is right now.

23 Just a brief example, down off Key
24 West, the Western Dry Rocks has been an area
25 where people would go down and do all kinds of
26 fishing. It's a big catch and release thing.
27 And yet, this year, I think for three months they
28 closed this zone of reef area to all fishing,
29 catch and release and everything, primarily
30 because of the depredation of sharks that are
31 taking the catch after it's released. That would
32 be the permit, and snappers and groupers and
33 whatever they're landing in there.

34 That's one little example. Of course,
35 through South Florida, and it sounds like pretty
36 much the whole state of Florida, it can't be
37 over-emphasized the problems that are going on.
38 On the Outer Banks the tunas are getting eaten,
39 and even off the waters we fish here of Maryland
40 and Virginia, although you might not hear about
41 it as much, more and more captains are
42 complaining, primarily the offshore captains.

43 Compounding this, of course, is the
44 fact that the sharks, many different species are
45 providing this situation of depredation. And I
46 think I mentioned at the last HMS meeting that as
47 far as some research needs, perhaps that could be
48 quick and dirty to start getting a good handle on

1 this, this is the kind of thing you're asking for
2 now, would be right now it seems like we need to
3 know what sharks are causing the problems in the
4 different areas.

5 Too many times I've questioned
6 fishermen when they've been telling me that their
7 tunas or marlins or whatever got eaten, I say
8 what kind of shark? They say, well, I don't
9 know, it's a big brown shark. Usually they can
10 tell if it's a hammerhead or a thresher or a
11 mako, maybe a tiger, but usually "a big brown
12 shark." Of course, sometimes, depending on the
13 size, you can come up with the fact, well, it
14 sounds like a big dusky shark.

15 But, anyway, that's obviously an
16 issue. Down South, lemon sharks, sandbar sharks,
17 blacktips, bull sharks, or whatever. Up here
18 we're hearing more about primarily the dusky
19 sharks, and occasionally the mako sharks. So, it
20 seems to me whether it's NMFS or some private
21 research groups could get focused on, I mean, it
22 doesn't seem like it should be that challenging
23 to get somebody on the boats just riding along,
24 somebody who knows something about the sharks, or
25 at least can get some photographs or something,
26 or catch a couple of them to identify what
27 species are the primary culprits in the different
28 areas.

29 Same respect, a huge problem, or thing
30 we have to consider is are these sharks, are they
31 transient sharks, or are the sharks that are
32 providing the depredation in specific areas, are
33 they residents? So, for instance, if we're
34 talking about the dusky sharks, if they're just
35 blowing through North Carolina in the late
36 spring, early summer, and they're getting eaten,
37 or they're doing their damage there, okay.

38 However, if they are hanging out
39 there, if that's where all the dusky sharks are
40 that time of year, and they're no place else,
41 well, then we know that those fish are holding
42 there because they're getting a free meal. If
43 they're transient fish, maybe that means, okay,
44 there's more dusky sharks.

45 And so it seems to me, again, I'm no
46 scientist, but a quick and dirty way to do this
47 would be to get some very identifiable tags on
48 these fish. So, I'm imagining like the roto tags

1 that go on the fins that are big, they can be
2 color-coded. Let's just say you go off South
3 Florida in a certain area and you put yellow tags
4 on the sharks that are eating the fish. And
5 obviously you need to catch some, get tags on
6 there. Off North Carolina, you put a red tag,
7 someplace else, you put a blue tag, those sharks
8 could then be seen in other areas, they wouldn't
9 have to be caught, but if they could just be
10 seen, and you realize okay we've got blue tag
11 sharks here, we also have them up there, we've
12 got some transients.

13 So, that might be a quick and dirty
14 thing to consider. Also, for a little bit more
15 money, they could start putting some popup tags
16 on some of those sharks, too, which would tell
17 people if they're traveling or not, or hanging
18 out in the same area.

19 And then just one other thing to take
20 into consideration. So, here off Maryland, shark
21 fishing is what I do, and my records show over
22 the years, just talking about two species now,
23 the sandbar and dusky sharks, still catching the
24 same amount that we were in past years.

25 We still get them, some years a little
26 bit better than others, but, for instance, if
27 either of those species are experiencing, let's
28 say, a population surge, and therefore they're
29 creating more depredation, I'm just asking why
30 aren't we catching them here? Why aren't I
31 seeing more of them on my hooks? I'm hearing the
32 guys in other places seeing more, but why aren't
33 they here?

34 Could that be an indication that these
35 folks are not so transient, but it's the same
36 ones? And I think that's extremely important to
37 know, because if we're going to consider opening
38 some of these species up for more harvest, you've
39 got to know. I mean, if they're local fish,
40 let's just say sandbar sharks, and they're all
41 hanging out in South Florida eating sailfish and
42 snapper, and you say we're going to catch the
43 heck out of sandbar sharks all up and down the
44 East Coast to handle that, what have you done
45 now?

46 You might have provided a detriment to
47 the entire population. So, that's very important
48 I think, to know whether these fish are transient

1 or not.

2 And finally, just one thing, I know
3 you're aware of this, but it's worth repeating.
4 Anglers are taking matters into their own hands
5 in some cases. I mean it is extremely
6 frustrating for guys that are fishing for other
7 species, obviously, and it's getting crunched by
8 sharks for every one they catch.

9 I was talking to a captain just
10 yesterday who fishes off the Outer Banks there,
11 and he told me when I'm out there in the tuna
12 fleet trolling around and the sharks are bad,
13 it's not uncommon to hear the gunshots from this
14 boat or that boat or whatever. So, yeah, I'm not
15 saying it's right, it's not right, and certainly
16 it's not the solution to the problem, but in some
17 angler's minds, it's getting to that point. So,
18 thank you for your time.

19 MR. BROOKS: Thanks, Mark. I've got
20 a few people in the queue here, so I want to -- I
21 know this is an issue of real importance, and I
22 don't want to waste time. We've got a half hour,
23 so we don't have to rush through it, but I want
24 to make sure I get a chance to get folks in.
25 I've got Marcos Hanke, Marty, Greg Hinks, Dewey,
26 Marcus Drymon, Jeff Oden, and Damian Chapman.
27 And I may have missed one or two. But the folks
28 who have already weighed in, if you would be able
29 to lower your hands again. So, let's go to
30 Marcos right now.

31 MR. HANKE: Hello, everyone. I just
32 want to give some context for our area, for the
33 Caribbean. First of all, I just want to say that
34 I share the thoughts from Mark and from Peter,
35 most of what they said. In the Caribbean, we
36 have the Caribbean reef shark, which is very
37 abundant. And those species that we interact,
38 once we are fishing on the platform, on the
39 drop-off, mostly silky and Caribbean reef sharks
40 are the ones that eat our fish.

41 That's the information that Mark just
42 requested, to be true for all the areas. And I
43 want to add, which is true for about everybody,
44 is that there is an added cost on terminal tackle
45 to the charters, and to the recreational cost.
46 For example, on my charter, the part of it, I was
47 spending 20 to 30 percent more fuel trying to get
48 away from the sharks, and that also creates, for

1 the charters especially, a shift on effort for
2 maybe other species, and maybe on the data that
3 can be reflected in the future.

4 If I go, let's say, to this reef, 130
5 feet, there's so many sharks now that I cannot
6 fish for my usual species, I have to move deeper,
7 and am going to be catching other fish and other
8 sizes of fish. And that's something important to
9 bring to the table.

10 And let me see here. I have some,
11 just as a point that I brought to this meeting
12 before. There are some areas where the charters
13 used to lead, related to the fishing boats, you
14 stop the boat before you put any bait in the
15 water, and a few minutes after a few sharks pop
16 up around the boat waiting for the food, for us
17 to work for them to catch an easy meal. And
18 that's the situation in the Caribbean, and I lost
19 some clients that don't want to go fishing
20 anymore because they got so frustrated, and they
21 don't want to come back. Thank you.

22 MR. BROOKS: Thanks. Marty Scanlon.

23 MR. SCANLON: I have a couple of
24 things to say here. Number one, I'll start with
25 what you finished up on when you talked about
26 overfished stocks participating in predating
27 these fish. Those overfished stocks, you've got
28 to remember, are directly competing with the
29 flourishing stocks in the same areas, and for the
30 same food source. So, those overfished stocks
31 are being driven to predate those fish. So,
32 that's one of the answers to maybe your question
33 right there.

34 Another thing that I have to say is
35 the research on pingers to be implemented into
36 this gear may be a helpful source of how to put
37 an end to some of this predation.

38 And the other thing I want to add is
39 that Bennett said that this shouldn't be part of
40 the discussion, but how is NMFS not standing
41 behind this managed fishery? How is that
42 shouldn't be part of the discussion with this
43 panel?

44 I mean, we all take part in this
45 panel, we all give you our advice, we all depend
46 on you to take that advice and create the
47 regulations. You standing up for the managed
48 fisheries after we all participate in this

1 process shouldn't be a request from this panel,
2 it should be the expectation of you from this
3 panel. So, I don't see where we shouldn't be
4 discussing that.

5 As far as the shark fin ban, that's
6 one of the biggest disgraces that I see in those
7 managed fisheries. That NMFS did not stand
8 behind the regulations on a federal level, and
9 that's why we have the problem we have, is
10 because they didn't want to get their feet wet or
11 dirty. They didn't want to get involved in the
12 political issue at hand, and they know damn well
13 that that's not managing the stocks at maximum
14 sustainable yield when you're making them throw
15 those fins away when they've been properly
16 harvested. So, that's pretty much all I have to
17 say.

18 MR. BROOKS: Thanks, Marty.

19 MS. BREWSTER-GEISZ: Thanks, Marty.
20 Just to respond somewhat, the agency has stood up
21 for the fishery quite vocally. Alan Risenhoover
22 went and presented in front of Congress about the
23 shark fin bans. If you remember, our previous
24 NOAA Administrator also stood up and presented
25 views that the agency did not support the
26 national fin ban. I do not know what the current
27 administration will do; it is still too new. But
28 I just want to point out the agency has in fact
29 stood up for the fishermen, and will continue to
30 do so.

31 MR. BROOKS: Thanks, Karyl. Greg
32 Hinks, why don't you jump in?

33 MR. HINKS: This is on the Gulf of
34 Mexico -- I'm sorry, can you hear me?

35 MR. BROOKS: Yeah, we can Greg.

36 MR. HINKS: Okay. I was just curious,
37 what's the reason that this particular case
38 focuses on the Gulf of Mexico and the Southeast?

39 MS. BREWSTER-GEISZ: I wish I had an
40 answer for you. I only know this is what
41 Congress directed us to look at.

42 MR. BROOKS: So, the intent was from
43 Congress. Greg, did you have any other question
44 or comment on that?

45 MR. HINKS: No, that was it, just
46 clarification, thank you.

47 MR. BROOKS: Okay, yeah, great. Let's
48 go to Dewey, then we'll go to Marcus Drymon, then

1 Jeff Oden, then Damian. And Kristin Foss, I see
2 your hand has gone up. So, let's get to Dewey.
3 Yes, Dewey.

4 MR. HEMILRIGHT: Yeah, probably the
5 reason why Congress focused on the Gulf of Mexico
6 and the South Atlantic, just to guess, is because
7 the constituents in that area are hollering the
8 loudest, given the depredation.

9 I think Mark Sampson's point about
10 needing to know the species of fish is very
11 important, that would probably be one start. And
12 we're seeing here in North Carolina, for
13 different sectors that are being affected by the
14 shark depredation, certain sectors are moving to
15 other species to harvest, and it's having an
16 effect on the annual catch limits of a particular
17 species.

18 So, it's having a big effect, but,
19 hey, it's going to get worse, a lot worse. And
20 so we just need to prepare for that, because
21 we've had years of the shark industry quota was
22 cut 50 percent in 1997. So, either there's a
23 black hole or there's plenty more sharks. And it
24 appears like there's plenty more sharks. So, I
25 guess we're going to have to get used to it,
26 because it's going to get worse. Thank you.

27 MR. BROOKS: Thanks, Dewey. Marcus
28 Drymon. Marcus? There we go.

29 MR. DRYMON: Okay. So, hey, this is
30 Marcus Drymon, Mississippi State University, and
31 Mississippi Alabama Sea Grant. I would just like
32 to speak to both Mark and Dewey, you both
33 mentioned the need to know the species
34 responsible for depredation, and that's obviously
35 definitely the case, and I wanted to say NOAA has
36 finally put some funding to that end. There's a
37 current project that's using some genetic
38 techniques to be able to swab these depredated
39 fish and be able to determine the species
40 responsible.

41 Because, like Mark said, and like
42 Dewey said, actually, off the coast of North
43 Carolina, that shark species is likely to be a
44 different species than what's doing depredation
45 down in Florida. So, while this current CRP
46 project focuses on Florida, there's a need to
47 understand how those species differ in places
48 like the North Carolina tuna longline fishery.

1 So, totally different dynamics, but I want to say
2 NOAA is putting money to that, and so I applaud
3 them for that, that's a really smart move.

4 Secondly, I want to mention that NOAA
5 has also put funding to get all of this collected
6 body of knowledge from stakeholders, from the
7 charter for-hire guys, the private rep guys, the
8 commercial guys to understand these small,
9 little, local ecological knowledge, traditional
10 ecological knowledge that's not captured in
11 fishery independent surveys, things like that.
12 So, those efforts are underway, and both of those
13 combined are an important first step in
14 characterizing this problem. Like a full,
15 complete, comprehensive characterization of this
16 issue, which I think we can all agree is long
17 overdue.

18 Karyl, last thing I wanted to mention,
19 to your specific question about are there any
20 studies on nonlethal deterrents that we should
21 review? I was just talking to the Aussie guys
22 early, early this morning. Their study on
23 testing these different nonlethal deterrents is
24 in review.

25 They tested a handful of them,
26 including the Zeppelin, which is making its way
27 around kind of South Florida area, so that's
28 definitely something you'd want to look at and
29 include in that report to Congress. But that's
30 it, thanks a lot.

31 MR. BROOKS: Thanks, Marcus.

32 MS. BREWSTER-GEISZ: I might reach out
33 to you to find out more information about that
34 paper.

35 MR. BROOKS: Okay. Got three folks
36 still in the queue, Jeff Oden, Damian, and then
37 Kristin Foss. And if folks have already weighed
38 in, if you could lower your hand, or Craig or
39 Pete, if you could do that, too, it'll help me to
40 manage the queue and know who's still in the mix.
41 So, Jeff, over to you.

42 MR. ODEN: Can you hear me now?

43 MR. BROOKS: Yeah, we've got you now
44 Jeff.

45 MR. ODEN: Okay, thanks. My question
46 is to Karyl. I guess we had our most recent
47 triannual mail survey finish up, I guess a couple
48 months back. Is there any preliminary data on

1 that survey trip? The question was to Karyl.

2 MS. BREWSTER-GEISZ: Jeff, you're
3 asking about the survey that the Northeast
4 Science Center does?

5 MR. ODEN: Yes, ma'am.

6 MS. BREWSTER-GEISZ: There is a link
7 in the overview that will bring you to the
8 preliminary results that they've announced, that
9 is the most up to date information I have, is in
10 that link.

11 MR. ODEN: Was it another all-time
12 high, or do you not know?

13 MS. BREWSTER-GEISZ: It was a lot of
14 sharks, it was around 2,500, but I do not think
15 it was an all-time high.

16 MR. ODEN: Three of the last four
17 prior to that were, and the only reason the last
18 one wasn't, because the one previous to that was
19 a 56 percent increase over the previous all-time
20 high. So, anyway, I would just love to see that
21 data, but the simple fact is there's way more
22 sharks out there, and a whole lot more predation
23 than there's ever been in my 45 years, and that's
24 a fact. And NMFS can stick their head in the
25 sand forever more on this issue, but the reason
26 the sandbar fishery isn't opening up just boggles
27 my mind.

28 The one individual I know who is in
29 the shark research fishery, it's CPU through the
30 roof every time they go, way beyond anything I
31 ever remember when I was setting the sizing
32 hooks, and they're setting 300 in a day set.
33 It's just mind-boggling. But, anyway, that's my
34 comment, thanks.

35 MR. BROOKS: Thanks, Jeff. Let's go
36 over to Damian, who I will remind everyone is
37 sitting in for Bob Hueter, who is retired.
38 Damian?

39 MR. CHAPMAN: Damian Chapman from Mote
40 Marine Laboratory and Aquarium, again, standing
41 in for Bob. Bob's been very, not to toot his
42 horn, but he's been very vocal against the shark
43 fin ban. He's testified before Congress. I just
44 wanted to echo some of the things that Marcus
45 said. Swabbing the bites, that's something that
46 the industry can do themselves and send them in,
47 and you can identify species. And I wanted to
48 add, I'm a geneticist, and I'm quite sure we

1 could also identify individuals from the swab in
2 some cases, so you could see if they're sort of
3 like repeat offenders with depredation.

4 And I would also echo Marcus on all
5 the interest in these devices like the Zeppelin,
6 and at Mote, we're about to actually in
7 collaboration with Marcus, put a bunch of sharks
8 in our 60-gallon tank and drag a Zeppelin across
9 it with some bait, and see how they respond and
10 see if we can get some numbers.

11 But I'd be really curious if people in
12 industry have had any experience with the
13 Zeppelin, or anything like it, and give any
14 feedback on whether it works or not. Certainly,
15 that should be going into the report.

16 So, I'm a geneticist, not a physicist,
17 but it's essentially putting a force field around
18 your fish by incorporating that into the gear.
19 It's kind of an interesting idea, so I'm
20 intrigued and want to play around with it in our
21 tanks at Mote. So, I'd be very curious to see if
22 anybody's had experience with it working in the
23 field. Thanks very much.

24 MR. BROOKS: Thanks, Damian. Let's go
25 to Kristin. And then Luke, I see your hand just
26 went up.

27 MS. FOSS: Can you hear me?

28 MR. BROOKS: We can Kristin.

29 MS. FOSS: Thanks, Karyl, for the
30 presentation and the opportunity to comment.
31 Shark depredation is a very important issue, and
32 it's been on the radar of our commission for a
33 while. I've brought it to several commission
34 meetings, and we're going to be bringing it up
35 again in August. In just trying to echo some of
36 the previous comments about agreeing that we need
37 to better understand what shark species are
38 involved, and highlighting those projects that
39 Marcus had brought up.

40 And then also trying to understand the
41 primary fisheries that are being targeted. Reef
42 fish pelagics, as some of these prey species may
43 be rebuilding, increasing likely influencing
44 these events as well. And then there's the
45 importance of trying to quantify, perhaps looking
46 through existing commercial or recreational
47 reporting programs, anything we can get from
48 current logbooks, HMS reporting surveys, all

1 things I'm sure you guys are working on.

2 And then just as we continue to wrap
3 this up, at the outcome of this, just continuing
4 to encourage a collaborative effort between HMS,
5 councils, and state agencies trying to avoid
6 duplicative work, and just trying to help address
7 this issue together.

8 MR. BROOKS: Great, thanks. Luke.
9 Luke, are you there? Are you -- there we go, we
10 got you now.

11 MR. WALSH: Hey, guys, sorry about
12 that. My name is Luke, I am one of the
13 cofounders of SharkTec LLC. We already have an
14 existing shark repellent technology that
15 specializes in the smell receptors by releasing
16 an organic chemical in the water that's already
17 natural to the ocean. We've existed for a couple
18 years now, but the actual technology has existed
19 for probably over a decade.

20 We are a sister company of the same
21 company that does the Zeppelin. We are from the
22 same scientists, so that technology does work, it
23 just works in a slightly different way in a
24 different capacity.

25 Overall, it is -- look, I'm going to
26 be very straight with everyone on this call.
27 These technologies and solutions have existed for
28 a while. I have been on many of these phone
29 calls, and it's repeatedly the same type of
30 conversation, where there's a problem and they're
31 just pretending that there isn't really a
32 solution. But the solution already exists, the
33 private market is already doing it, slowly. If
34 government is interested in rolling out a larger
35 program, then great, and contact us directly.
36 But I want to be really transparent.

37 I know people at NOAA, I know people
38 at FWC, I don't know if you guys actually want to
39 solve the problem, because it's the same type of
40 conversation over and over and over again. We
41 are testing our own technology where we're
42 creating frankly much larger devices that we sell
43 to aquatic farms that can last over 30 to 60
44 days. You can use them as beach defenses as
45 well. All organic.

46 But I want to be just really blunt, I
47 don't know why we pretend we don't know what the
48 problem is. Like, there's a clear problem, the

1 solutions already exist, it's very simple. So,
2 I'm happy to speak to people directly, but we
3 just get a bunch of scientists, you talk around
4 in circles, it's crazy. So, that's my take on it
5 all.

6 MR. BROOKS: Okay. Thanks, Luke. And
7 just for folks, I thought that was actually Luke
8 Harris, who is an AP member. So, I apologize, so
9 Luke you got in early, but this is for the AP
10 members right now. But thank you for the
11 comments. So, right, Katie Westfall, do you want
12 to jump in here?

13 MS. WESTFALL: Thank you, Bennett, and
14 thanks to Karyl and her team for looking into
15 this. I was also excited to hear about the CRP
16 work that's being done that Marcus mentioned, and
17 really want to encourage the agency to explore
18 all types of cooperative research opportunities,
19 both on the commercial and rec side. Really
20 getting, testing some of these mitigation and
21 deterrent measures will be really important.

22 I think in this report it's also
23 important to make clear, provide some information
24 about historic shark population levels, and what
25 the current stock statuses are to really kind of
26 avoid the perception that certain shark
27 populations are sort of exploding or out of
28 control, when in fact they may be overfished or
29 still recovering.

30 That's essentially what I wanted to
31 express, but also this may be an opportunity to
32 express to Congress that the agency has limited
33 capacity to do stock assessments, and that
34 increased capacity to do additional stock
35 assessments would be really beneficial in better
36 understanding how these populations have changed,
37 and are changing over time. Thanks.

38 MR. BROOKS: Great. Okay, I think I
39 don't see anyone else in the queue here, and
40 we're coming up on time. I want to thank
41 everyone for the really thoughtful conversation
42 and suggestions. I know Karyl was taking copious
43 notes, and obviously lots of good ideas, but I'll
44 just flag that on the research, in terms of the
45 questions that Karyl put out there on the
46 research front, so kinds of ideas that came up.

47 One, continue to survey rec, take a
48 look at the sailfish fishery, understand the

1 correlation between the commercial decline in
2 shark fishing and the increasing depredation. A
3 lot of comments around really getting a better
4 handle on what types of sharks are doing damage
5 and where, and being as specific and granular as
6 we can. Issues around residency versus
7 transient, and a number of different suggestions
8 on how do you deal with that.

9 And then this last comment there
10 around just sort of really comparing the historic
11 and the current level. So, we're dealing with as
12 much clear facts as we can. An economic loss,
13 understanding the impact on repeat customers,
14 there was a comment around the impacts on fuel
15 when you're running from sharks. And then on
16 nonlethal deterrents there were comments around
17 pingers, the CRP work, just trying to take a look
18 at that.

19 And then, more generally, there were
20 comments around just that it's unfortunate that
21 this is not looking at the Northeast, that the
22 potential, the impact from grey seals as well,
23 and then obviously a lot of comments around the
24 economics of the shark fishery, with finning bans
25 are hugely problematic, and obviously we're
26 hearing a lot of comments around the table for
27 that to be an area that the agency can just
28 redouble its efforts.

29 So, I'll leave it at that. Karyl,
30 anything you want to add in?

31 MS. BREWSTER-GEISZ: No. Thank you,
32 Bennett.

33 MR. BROOKS: Okay, great. And with
34 that let me just note that it is time for lunch.
35 We will reconvene at a quarter to one, and we'll
36 talk about pelagic demersal species indicator
37 list and gear considerations. Randy, anything
38 you want to say before we jump off for lunch?

39 MR. BLANKINSHIP: No, just thank you
40 for a very good and lively discussion so far this
41 morning. Looking forward to it continuing after
42 lunch.

43 MS. BREWSTER-GEISZ: Great. Thanks,
44 everybody. We'll see you at lunch.

45 (Whereupon, the above-entitled matter
46 went off the record at 11:25 a.m. and resumed at
47 12:39 p.m.)

48 MR. BROOKS: Okay, we are up so I

1 think we should (audio interference) --

2 MR. BLANKINSHIP: Hey, Bennett, you
3 were breaking up a whole lot there so I didn't
4 catch much of what you said.

5 MR. BROOKS: Was I?

6 MR. BLANKINSHIP: Yes, it was across
7 the board. I was waiting to see if it was on on
8 my end but we lost you pretty much for all of
9 that. We may have just lost you in entirety.

10 I think we may have lost Bennett
11 somewhat here. While he's working on those
12 details, if I may, I'm just going to go ahead and
13 say one thing we were going to do right here as
14 we came back from break was to go ahead and allow
15 Damien Chapman to read the statement that Bob
16 Hueter wanted to share with the AP, given this
17 would have been his last AP meeting but he
18 couldn't attend due to being on expedition in
19 Nova Scotia.

20 So, Dr. Chapman, if you could take
21 yourself off mute once this is passed over to
22 you, feel free to read that statement and Bennett
23 can take over after me so hopefully I don't have
24 to be talking.

25 MR. BROOKS: Can you hear me now?

26 MR. BLANKINSHIP: Yes.

27 MR. CHAPMAN: Thanks very much. I'm
28 not going to try to do a Bob Hueter voice, I'll
29 just read it in my normal accent.

30 It has been a privilege and most of
31 the time a pleasure to have served as an academic
32 member of the HMS advisory panel continuously
33 since 1997. I wish to thank the dedicated and
34 highly competent HMS staff for all of their hard
35 work to run these meetings and to manage and
36 conserve our nation's HMS fisheries over the past
37 quarter century. You have much to be proud of.

38 And to all my colleagues on the AP
39 from all the stakeholder sectors, it's been an
40 honor to get to know you, listen to your
41 concerns, debate with you, and have a drink with
42 you at the end of the day.

43 I don't think there's drinks in this
44 one, so, okay. The interesting thing is when I
45 started on the AP I was considered by some
46 stakeholders to be the enemy, an academic enviro
47 who would preserve all sharks and end shark
48 fishing. In recent years I've been treated more

1 as a friend by the fishermen, as a voice for
2 sustainable HMS fisheries. But honestly, folks,
3 I've never changed much over those 25 years. I
4 always tried to listen, judge the data not the
5 person, and be fair and forward-thinking with my
6 questions and recommendations. I've learned a
7 great deal from all of you and for that I'm
8 grateful.

9 You all have my respect for what you
10 do and together we can celebrate our successes
11 over these 25 years and keep working on the
12 challenges. I'm not going away, just stepping
13 back as required for the AP now.

14 So, you may just see me again back
15 here in the coming years. Thanks to all and have
16 a great meeting, listen to each other, follow the
17 facts, be fair, and continue to do the right
18 thing for our nation's fisheries, fisher folk,
19 and marine environment.

20 And that's everything.

21 MR. BROOKS: Andy's not here but I'm
22 sure, as he said (audio interference) --

23 MR. BLANKINSHIP: Unfortunately, it
24 looks like we're still having some difficulty
25 with Bennett's connection, but Dr. Chapman, thank
26 you very much for reading that on behalf of Bob
27 Hueter. And that was a very well-worded and
28 meaningful statement by Bob. Certainly, I
29 remember him when I first actually was on the AP.
30 As the State of Texas rep, he was one of the
31 first folks that I met.

32 So, thank you for that and give our
33 best to Bob. Bennett, you're back, or it looks
34 like it?

35 MR. BROOKS: Are you hearing me?

36 MR. BLANKINSHIP: Yes.

37 MR. BROOKS: I don't know what's going
38 on but let me get this next thing going and I'm
39 going to try to patch it differently. So, let's
40 hand it off to the commendation of Guy DuBeck and
41 Steve Durkee.

42 We want to take (audio interference)
43 now or maybe ever but we want to talk about
44 Pelagic Demersal Species Indicator Lists and Gear
45 Considerations and we're going to take these up
46 in two parts.

47 We'll talk about the Pelagic Demersal
48 Species Indicator List and then (audio

1 interference) --

2 MR. BLANKINSHIP: Okay, let's just go
3 ahead and hand it off to Guy and Steve. You all
4 go ahead and take it away with your presentation.

5 MR. DUBECK: Can everyone see the
6 presentation up?

7 MR. BLANKINSHIP: Yes.

8 MR. DUBECK: Perfect. Thanks, my name
9 is Guy DuBeck, HMS, I'm here in the Silver Spring
10 office. For this presentation today, Steve
11 Durkee and I will be tag-teaming this
12 presentation on the Pelagic Demersal Species
13 Indicator List and other issues.

14 So, I'll start first and I'll be
15 discussing the project and demersal species
16 indicator list part of the presentation, while
17 Steve will be discussing the fishing gear
18 considerations.

19 So, I want to start off with a little
20 background information for those who don't know
21 what I mean by pelagic and demersal indicator
22 species.

23 This is pelagic vessels, fishing in
24 areas close to bottom-line fishing may not
25 possess or land commercial species in a quantity
26 that exceeds 5 percent of the total weight of all
27 indicator species possessed on the landed trip.

28 Conversely, bottom-line vessels
29 fishing in areas close to pelagic line may not
30 possess or land pelagic species in excess of that
31 5 percent of the total worth.

32 So, in 2006, consolidated highly
33 migratory fisheries, fishery management plan,
34 implemented regulations to enforce gear
35 restrictions and closures, including species
36 lists.

37 This was applicable to in the
38 different gear closed areas and intended to
39 differentiate between the gears used on species
40 composition of catch. As you mentioned, there
41 was a five percent limit.

42 So, in our regulations here are the
43 two indicator species tables we're referring to.
44 In Table 2 we have an examination-- we have the
45 pelagic species so we're talking about the tuna
46 species, swordfish, pelagic sharks, and some
47 council managed species.

48 And in Table 3 here we have the

1 demersal species so in this one we have a lot of
2 small coastal species, large coastal sharks, and
3 other council managed species. Which is what we
4 mean by the pelagic and commercial species tables
5 and listening species.

6 However, since 2006, some species on
7 this list can no longer be targeted or retained.
8 Pelagic line vessels cannot retain oceanic white
9 tip sharks nor live mako, shortfin mako, or
10 porbeagle sharks.

11 Longline vessels cannot retain Sandbar
12 sharks, except in the shark history, and also
13 there has been changes in regulations for the
14 council managed species.

15 To continue on that, currently,
16 regulations may provide other ways to determine
17 which gear is being used in the closed area.
18 Electronic monitoring systems can require
19 all-pelagic vessels.

20
21 Vessels must declare the type of gear
22 used through VMS with the vessel-monitoring
23 system. VMS are required in all pelagic vessels
24 and also are required on some bottom-line vessels
25 in the Mid-Atlantic chart proposed here.

26 A point from stakeholders, some
27 stakeholders have stated over the years that the
28 interior species list and regulations are no
29 longer needed.

30 Stakeholders feel the regulations only
31 affect HMS permit holders, fishing in closed
32 areas, but not the non-HMS-permit-holder vessels
33 and they're fishing council species even though
34 the vessels are using the same thing.

35
36 These are some of the comments we got
37 from stakeholders and my last slide here for this
38 part of the presentation are the questions for
39 discussion.

40 Right now is there any additional
41 information at this time to not present that
42 we're not aware of and then what are your
43 recommendations for maintaining, updating, or
44 removing the indicator species list for
45 associated regulations.

46 MR. BROOKS: Can you hear me?

47 MR. DUBECK: Yes, we can.

48 MR. BROOKS: Hopefully, we can get

1 better apologies.

2 So, I think what we want to do is open
3 it up for conversation at this point and just see
4 what conversations and answers folks have for the
5 kind of questions that Guy just put out there.

6 And after we have a chance to chew on
7 this for a little bit we'll hand it over to
8 Steve. Let's see what thoughts or questions
9 folks have on this issue.

10 I'm not seeing any hands just yet or
11 else my computer is not refreshing.

12 MR. BLANKINSHIP: Bennett, we have
13 Jeff Oden, Dave Schalit, Kristin Foss and Tim
14 Pickett.

15 MR. BROOKS: Just came in. Jeff,
16 let's go to you first. Jeff, you might need to
17 accept that to come off mute. Go ahead, you're
18 open.

19 MR. ODEN: Am I on here?

20 MR. BROOKS: You're on, Jeff.

21 MR. ODEN: Thank you, I'm not sure if
22 I'm the reason for this being on the agenda.
23 I've been fishing for it for a long time. The
24 first time, I did say I was an observer.

25 I'm halfway offshore and I cast a line
26 off the stern trying to catch a mahi mahi or a
27 Wahoo on the way offshore and I'm told right away
28 that's illegal, that I'm confined to one gear,
29 which has since been upgraded to the allowance of
30 a green stick on vessel.

31 But other than that, even though I
32 have a snapper/grouper permit and many other
33 permits, I'm considered a fisherman, not
34 necessarily a pelagic longliner. I've got to be
35 classified, though, under this Council.

36 But it seems pretty loose because when
37 I'm sitting on bottom waiting to set that evening
38 where I could catch a limit (phonetic) or a
39 snowy grouper, or perhaps grey tilefish and have
40 the permit to do it and yet I'm disallowed
41 because of not being able to use a bandit rail or
42 an electric maid or what have you.

43 So, that was my main concern and
44 again, we're fishermen, sometimes even sitting
45 pelagic gear for my will catch a few, sharpnose
46 or cobia, or a limit of that's what we're
47 allowed.

48 We know what the limit is and we're

1 just trying to stay within the lines but why
2 should we be disallowed via 5 percent or what
3 have you on a species that we've got permits for.

4 Anyhow, that's my main concern and
5 that's why I put it on the agenda. I certainly
6 hope this doesn't take away from a full
7 discussion tomorrow on bluefin, Amendment 13.
8 Anyway, thank you.

9 MR. BROOKS: Just before you go, is
10 there any particular specific recommendation that
11 you want the agency to be thinking about?

12 And again, let me just emphasize this
13 is the start of a conversation but I think it's
14 helpful for the agent here any specific ideas.

15 MR. ODEN: Simply if you have a
16 permit, you are legally allowed to catch them and
17 you're not in a closed area setting longline gear
18 or you're just using a gillnet gear, which is
19 legally allowed by every other vessel around you
20 if they're permitted except you for us.

21 It seems ludicrous.

22 MR. BROOKS: Thanks, David Schalit
23 wants to jump in, and welcome to the meeting.
24 Your line is open, David.

25 MR. SCHALIT: Yes, but can you hear
26 me?

 MR. BROOKS: We can.

27 MR. SCHALIT: Thank you for this
28 presentation, just a question. The list of
29 pelagic species, would that also include coastal
30 pelagics like cobia, I don't know, king mackerel,
31 certain sharks?

32 Thanks.

33 MR. DUBECK: Thanks, David, these are
34 just the species that are in the regulations so
35 these are the indicator species in the
36 regulations. So, on the species list on here,
37 this is all we have.

38 As Jeff was saying earlier and
39 mentioned in his presentation, fishermen are
40 restricted in the closed areas when they're using
41 alternate gears even though they're retaining
42 some of these species.

43 Or accidentally catching another
44 species.

45 MR. BROOKS: David, did you have any
46 other question or comment or was that it?

47 MR. SCHALIT: It's just a follow up.
48 I'm assuming and I appreciate you're confirming

1 that the list in Table 2 are those species which
2 are managed by the HMS Management Division, which
3 cobia obviously is not, is that correct?

4 MR. DUBECK: Correct, even though we
5 also have council managed species on here too,
6 cobia is not on the list.

7 PARTICIPANT: The list contains both
8 HMS species and council managed species. It was
9 not meant to be HMS specific when we created
10 these lists.

11 MR. BROOKS: Kristin Foss, do you want
12 to come into the conversation?

13 MS. FOSS: Guy, thanks for the
14 presentation. I just have a couple of clarifying
15 questions to try to understand the issue more.
16 Is this five percent limit per vessel or is it
17 for the entire pelagic longline or bottom
18 longline fishery?

19 And what exactly happens when they
20 exceed that five percent threshold? Do they have
21 to close and stop fishing in that area?

22 MR. DUBECK: No, this is actually more
23 of a trip indicated species list. So, again,
24 this is more to determine and differentiate the
25 gear being used in those closed areas.

26 So, it was just the five percent of
27 the total catch to not exceed based on whether
28 it's a bottom longline and pelagic longline
29 closed areas indicator will kind of gear they're
30 using.

31 So, again, this is part of a vessel
32 trip and another check to see what gears are
33 being used in that area.

34 MR. BROOKS: Kristin, do you have
35 another question?

36 MS. FOSS: That's it, thank you.

37 MR. BROOKS: We'll throw in another
38 question from the chat here from Marcos Hanke.
39 Any difference on terminal tackle leaguining,
40 especially leader and hook specs for bottom
41 longline and pelagic longline? Also on the cloud
42 on each gear?

43 MR. DURKEE: There are some different
44 hook requirements and date requirements depending
45 on the longline that you're using.

46 That's one of the purposes of this
47 indicator species list is to show an enforcement
48

1 agent or perhaps the fishermen themselves what
2 kind of gear they're using.

3 Are they fishing pelagic longline
4 gear? If so, they're going to have mostly species
5 on that pelagic species list. Are they fishing
6 more bottom longline and so it's mostly fish that
7 are on the demersal species list.

8 So, yes, from the perspective, to
9 answer Marcos's question, yes, there are some
10 different bait and gear restrictions, depending
11 on the type of longline and that's, of course, a
12 whole long conversation topic that we could talk
13 offline about or refer you to the commercial
14 compliance grade.

15 MR. BROOKS: Let's go to Tim Pickett?

16 MR. PICKETT: You got me?

17 MR. BROOKS: We've got you, Tim.

18 MR. PICKETT: I'm just continuing on
19 what Jeff was saying. Fisheries today need to be
20 opportunistic. I think we're finding that as we
21 go along, gone are the days of the big high seas
22 boat that runs a 40-day trip and that's all they
23 do.

24 I think as we move forward here we
25 need to be cognizant that there are overlapping
26 fisheries and you need to be flexible to be able
27 to make a buck.

28 I'm guessing, and I'd like
29 clarification, as to the purpose of this, I'm
30 speculating and correct me if I'm wrong, that the
31 purpose of this is to ensure that a pelagic
32 longline boat isn't setting bottom longline gear
33 to try and catch bottom-dwelling species using
34 their longline gear, authorized or not.

35 This is becoming a gear definition
36 issue. I would argue that the pelagic industry
37 has enough monitoring capabilities in place
38 already for electronic monitoring.

39 The fact that when they turn their
40 main spool on, the camera is activated and you'd
41 be able to tell pretty quick through auditing the
42 camera footage and auditing the VMS if they were
43 actually bottom longline fishing or not, to echo
44 what Jeff was saying.

45 So, I guess that's my clarification
46 point, is the justification for this because
47 you're concerned that pelagic longline boats will
48 be bottom longline fishing or potentially fishing

1 in closed areas under the guise that they are
2 bottom longline fishing.

3 And that was my follow up to that, to
4 continue on Jeff's point, there's an issue here,
5 it's kind of the same but different.

6 I've been working with this deep water
7 horizon project and this spawned off a couple of
8 my constituents here having an EFP for a daytime
9 buoy fishing fishery.

10 Buoy fishing in general, there's a
11 couple longline boats here that would like to
12 buoy fish given the opportunity but they're
13 forced to remove their longline reel off the
14 boat, or remove the mono, which is even more
15 difficult, off of the longline reel before they
16 can go buoy fishing, whether it's under that EFP
17 with the daytime buoy fishing or not.

18 But it's kind of clunky and if we're
19 going to encourage multi-use fisheries to try and
20 keep these guys afloat, we need to use the EM for
21 the tool it was intended for.

22 No one's going to go out on the
23 streets of Florida and put 30 miles out, it's not
24 going to happen. These guys aren't going to do
25 it, they'd be crucified, they'd be all chopped
26 up. There's 100 daytime fishing boats out
27 there every day, it would never happen. They
28 wouldn't even dream of trying it.

29 Plus, they have the EM to let
30 everybody know if they were going to try it or if
31 they were going to try and fish in a closed area.
32 All I see this is doing is like Jeff said, you're
33 trying to put a trip together.

34 There's species of opportunity that
35 you can do to offset costs. Anything in the box
36 helps and I think this would discourage that and
37 I think, really, we have the tools to deal with
38 this already in hand and this is just redundant.

39 So, that's what I have to say.

40 MR. BROOKS: Let's go to Scott Taylor
41 and then Dewey. I'll note that Marcos weighed in
42 agreeing with Tim's comments in the chat.

43 MR. TAYLOR: So, Tim raises an issue
44 that opens Pandora's Box, which is a subject that
45 I don't think the agency was really ready to
46 fully discuss, particularly because there's
47 ongoing other issues of people on leave as it
48 pertains to me in particular.

1 But this is not what we were told that
2 the EM was doing before and not that we're
3 opposed to the use of EM.

4 But we're not getting the facet of any
5 flexibility but yet now we're continuing to have
6 discussions about the expansion of the EM that is
7 extremely problematic because it doesn't seem to
8 be graphing it in or getting it signed.

9 And there was an interesting fishery
10 that developed in North Carolina in particular,
11 which was another deep-set fishery, which was
12 showing a great deal of promise.

13 But there's a lot of ambiguity in the
14 gear types because it does use weighted drops in
15 order to bring the gear down deep. The agency's
16 position is that as long as it doesn't touch the
17 bottom, that's fine.

18 But there seems to be the need for
19 some refinement in the language of the
20 regulations are written, because the bottom
21 longline gear, if you read the definition on the
22 compliance guide, it says that rate is in
23 addition to reach the bottom (audio interference)
24 --

25 MR. BROOKS: Scott? Can you hold on?
26 We're going to pick up this topic a little bit
27 more specifically in a moment. Can I ask you to
28 hit pause on that until after Steve presents?

29 MR. TAYLOR: For you, Bennett, of
30 course.

31 MR. BROOKS: Who else here? Dewey,
32 you wanted jump in?

33 MR. HEMILRIGHT: I would echo both
34 Jeff and Tim's comments. Fishermen nowadays have
35 to be pretty much multi-species fishing with the
36 permits that are available.

37 You have trip limits in place that I
38 know of predominantly to bottom fish in the other
39 things that would be under this discretion of a
40 Council.

41 And so why not allow the fishermen to
42 be multi-tasking to have more income given the
43 expenses it takes nowadays to be profitable. So,
44 it's kind of like for me it's too much common
45 sense of why this shouldn't be changed.

46 You have vessel monitoring systems,
47 you have cameras, you have different things that
48 are put in place particularly to the pelagic

1 longline industry in allowing somebody else, say
2 the 200 pounds of the grouper or a snowy grouper
3 is \$1200.

4 That could pay somebody's bait bill
5 for a couple days.

6 So, allowing flexibility, it would
7 almost be the same way as allowing flexibility in
8 the recreational sector with folks that have
9 multiple permits that choose to go trolling under
10 HMS or dropping for the snapper/grouper species
11 under a headboat thing.

12 So, they're using their multiple
13 species permits and it would be the same for the
14 pelagic longline or other folks that possess
15 multiple permits. So, that would be help us.

16 There is a limit to the number.

17 MR. BROOKS: I didn't mean to cut you
18 off, I thought you were just finishing up.
19 Please finish your thought, Dewey.

20 MR. HEMILRIGHT: Yes, you cut me off,
21 thank you.

22 MR. BROOKS: Marty, I saw your hand
23 up?

24 MR. SCANLON: Yes, under recent
25 circumstances here it seems that the agency has
26 taken apart itself to expand what the use of
27 these EM units are on these vessels.

28 All of a sudden they become a
29 regulatory tool, not just a bluefin tuna IBQ
30 monitoring tool.

31 And with that being said, that also in
32 the same breath taken in fine ways to allow those
33 EM systems to benefit the fishermen, we don't see
34 that happening.

35 As I just said, with the time it's
36 become very, very difficult to fish and make ends
37 meet.

38 Weather gets bad, rather than have to
39 go to the dock and return to the dock to finish
40 up a trip, you can move up in shore and finish up
41 a trip doing something else.

42 We have the capabilities with the VMS
43 machines on top of the VMS machines to declare
44 what type of activity we will be participating in
45 each and every day.

46 One of the main circumstances that I
47 have here, and I wanted to get this brought up at
48 this meeting, was what exactly those VMS units

1 are being used for? What oversight?

2 What regulatory issues are they being
3 instructed to be looking for to be used against
4 the pelagic longline industry at this time. This
5 is very concerning to the industry, how are we
6 being watched over?

7 Why are we being watched over in that
8 manner?

9 And what's the overall plan if all of
10 that information is being guarded. To me, we're
11 being tried, convicted, and we're just waiting
12 for judgment day is what's happening with us with
13 that.

14 MR. BROOKS: Randy, I know you want to
15 jump in I think.

16 MR. DURKEE: I think Randy made the
17 same point that I did. I'll defer to Randy.

18 MR. BLANKINSHIP: Thank you very much.
19 I just want to step in here for one moment. A
20 couple of comments here, I think that I want to
21 have a moment to respond to one from Scott Taylor
22 and then one from Marty.

23 And their questions are along the same
24 line in combination of questioning about the use
25 of electronic monitoring information and data.
26 And with the implication that the use of that
27 data has expanded over time.

28 And specifically related to
29 enforcement action, which is what I heard the
30 reference there made to, I want to take a moment
31 to say that under Amendment 7, the objective, as
32 most of us know, for electronic monitoring is to
33 verify the accuracy of the accounts and
34 identification of bluefin tuna reported by the
35 vessel owner and operator as well as by the
36 observers.

37 And that information would be used in
38 conjunction with other sources of information to
39 estimate bluefin tuna dead discards and augment
40 the ability of the observer to fulfill their
41 duties in addition to that.

42 That specific objective in Amendment
43 7 and Amendment 7 as a whole was promulgated
44 under the Magnuson-Stevens Act which provides for
45 confidentiality of information submitted to the
46 Secretary as well as its disclosure and use for
47 fishery management plan development monitoring
48 and enforcement.

1 And so when information comes before
2 the agency in the course of conducting that, that
3 information is definitely available and can be
4 used and acted upon for enforcement purposes.

5 So, consistent with that statute, with
6 the Magnuson-Stevens Act, the agency responded to
7 public comment and the Amendment 7 final rule
8 with a response and made it clear that
9 enforcement is an important aspect of ensuring
10 the effectiveness of any regulatory program.

11 And new management tools at that time
12 such as the preferred electronic monitoring will
13 augment NMFS' ability to effectively enforce
14 regulations.

15 It was clear in Amendment 7 in the
16 final rule that was a use for electronic
17 monitoring information.

18 It has been implemented that way since
19 2015 and that aspect has not changed over time.
20 Nothing recently has changed since the
21 implementation of that final rule.

22 So, I wanted to make that clear, there
23 has been a slight expansion a few years ago with
24 the addition of accounting for the disposition of
25 shortfin mako sharks in accordance with ICCAT
26 recommendations.

27 That is the expansion that has
28 happened within the purpose of EM as a whole.
29 Thanks for allowing me to speak to that issue and
30 I'll hand that back over to Bennett I think.

31 MR. BROOKS: Thanks, Randy.

32 I'll invite you if you have any final
33 objections but for those who spoke here today on
34 this topic, there's clearly a lot of interest in
35 providing more flexibility, a lot of interest in
36 doing that so that the fishery can be more
37 opportunistic in its fishing.

38 And there's several comments that
39 there are other mechanisms in place, there is
40 monitoring in place that can make all of that
41 more doable.

42 So, I don't know what the agency's
43 thinking as to where you want to go next and
44 probably you want to reflect on what you've heard
45 here but if you have any thoughts before we hand
46 it over to Steve, please jump in.

47 MR. DUBECK: We're merging the two
48 topics so I'll just pass it over to Steve and

1 we'll finish with his presentation.

2 MR. BROOKS: Steve, over to you to
3 talk about care consideration.

4 MR. DURKEE: This is Steve. So, here
5 we're talking about fishing gear considerations
6 and some changes in the way fishing gear is being
7 used.

8 This segues with Guy's presentation
9 because of course, if you're using caps to
10 determine how fishing gear is being used, in
11 Guy's case pelagic longline versus bottom
12 longline, the weight of using that gear is going
13 to affect the indicator of this.

14 So, it's the connection between these
15 two topics. So, we'll go to the next slide, Guy.
16 We're aware that fishing gear and techniques are
17 continually changing and evolving.

18 And we've heard some recent
19 developments and changes into the way different
20 fishing gears are being used and we're interested
21 in AP input on some of these changes in both gear
22 and techniques that we've heard about.

23 Of course, there's the reminder that
24 regulations are clearly defined the fishing gears
25 that are authorized for specific fisheries.

26 And while there are some different
27 configurations of fishing gear that can still
28 meet our regulations, if you have questions on
29 those gears or techniques you can always reach
30 out to the HMS Office to get some answers.

31 The next slide, I'm going to start
32 with a couple of examples we heard recently.
33 Scott briefly touched on this with the pelagic
34 longline.

35 There was a number of fishermen that
36 are fishing their pelagic longline sets a little
37 deeper than normal, often times right below the
38 thermic line with the intention of catching
39 larger swordfish and perhaps maybe reducing
40 by-catch as well.

41 When you're fishing this pelagic
42 longline a little bit deeper in the water column,
43 you're not interacting with the surface currents
44 as well so these gears aren't drifting as far as
45 a normal shallower set pelagic longline might.

46 So, as we've seen with reports in the
47 observer program of how these deep-set pelagic
48 longline fishing techniques are being employed,

1 they seem to be legal and our meeting our
2 regulations at this point.

3 Perhaps, though, if it does get some
4 food evolutions where it's contacting the bottom
5 or is weighted to the bottom, there might be some
6 sets out there that no longer meet the
7 regulations.

8 The second one is kind of related to
9 buoy gear. Being we'll target those larger
10 swordfish during the day, the buoy gear fishermen
11 are entrusting it as well and so with that,
12 they're starting to set their gear in deeper into
13 the water columns as well, hopefully catching
14 those larger swordfish during the day and perhaps
15 in different by-catch limits as well.

16 The problem with buoy gear though is
17 that with that hook being so deep it can be
18 troublesome to put that gear back up onto the
19 boat and right now, with deep-set fishing buoy
20 gear fishing, while the technique itself is
21 legal, the training must be done by hand.

22 So, they can't use hydraulic or
23 electric assist. So, one of the requests we've
24 seen is to simplify this fishing technique is
25 hydraulic or electric assist, something to
26 program for that deep set buoy gear fishery.

27 The next slide, deep-set longlines.
28 This is going to take step back a little bit and
29 look at it more holistically with those two
30 specific examples in mind.

31 Some discussion topics and questions
32 for you all are, are there changes in fishing
33 gears or techniques that are particularly
34 effective and the things that you've seen out in
35 the water.

36 Are there maybe some other gear
37 modification requests that you've seen from
38 fishermen, your region, or sector, or perhaps
39 even some things you see on the horizon might be
40 changing, things you need to be aware of, things
41 that can help us more effectively manage those
42 fisheries.

43 Of course, something to keep in mind
44 as we're talking about gear considerations is
45 that when they're looking at new gear
46 configurations and techniques, we're definitely
47 concerned about the effects of the conservation
48 of the target, incidental and bycatch species.

1 We don't want to jeopardize the
2 sustainability of any of those. Of course,
3 enforceability is also a big concern.

4 We don't want to have any kind of gear
5 changes to either the tools themselves or the
6 techniques that will make it harder for
7 enforcement to enforce the existing HMS
8 regulations.

9 And I'm going to hold this slide up
10 here.

11 I do want to note that Scott had some
12 comments before on Guy's slide that I do want to
13 carry over, having some comments on clearly
14 define the difference between pelagic and bottom
15 longline to make sure it's clear when the
16 fisherman is using these deep-set pelagic
17 longline techniques that it is defined as pelagic
18 longline and not bottom longline.

19 Those comments were definitely
20 incorporated into this as well. With that I want
21 to open it up to some more questions and comments
22 as well.

23 MR. BROOKS: Thanks, Steven, and
24 Scott, let's go back to you and I'd like you to
25 continue to fold in your thoughts on this topic.

26 MR. TAYLOR: I appreciate the
27 presentation as usual.

28 This goes to the same thing you're
29 hearing from Dewey and Jeff on this, which is
30 that we need to have in fishery and the fisheries
31 are like this and what we want to try to avoid is
32 the deed or the interaction for enforced actions
33 being involved because there is ambiguity in the
34 way the regulations are written.

35
36 When you work with the bottom longline
37 definitions, it talks about weighted year and it
38 says the weighted year, the perception is there
39 is the weighted year and weight is sufficient to
40 make contact with the bottom in order to find it
41 a longline.

42 And we created a great deal of
43 confusion, at least for some of the things in
44 here about what was allowed and what was not, and
45 there was some clarification that --

46 MR. BROOKS: Scott, let me just jump
47 in, you're pretty garbled and I want to make sure
48 people can hear you clearly.

1 Are you able to get closer to your mic
2 or anything?

3 MR. TAYLOR: Is that better?

4 MR. BROOKS: That is better, yes.
5 Keep going, I want to make sure we can hear you.

6 MR. TAYLOR: So, it wasn't really a
7 question, it was much more of a statement that
8 requires some level of clarification if you're
9 going to allow for this modification.

10 Now, as far as the deep set buoy
11 fishery, its concern is really impossible to
12 execute that fishery without there being some
13 sort of mechanical contrivance to able to
14 retrieve the gear.

15 That gear only really operates based
16 upon the fact that you're literally dropping
17 pretty far down the bottom but you're using
18 synthetic braids.

19 And anybody that's not familiar with
20 these synthetic braids, they're extremely strong
21 and extremely thin and you won't be able to get
22 them with a pair of gloves in there or anything
23 else in there.

24 Some of this stuff is literally as
25 thin as a thread and it will snap. So, in order
26 to be able to execute these fisheries, there's
27 going to have to be some flexibility in terms of
28 the way that they are executed.

29 I just also wanted to echo exactly
30 what Dewey said, that we have to see some
31 additional flexibility. My last comment is going
32 to be on the EM.

33 My response to Randy is I think there
34 was a misconception in terms of a lot of the
35 numbers on the AP in terms of not so much
36 enforcement by the use of the EM, but that the EM
37 was going to be used for enforcement,
38 specifically for the bluefin tuna fishing
39 monitoring and then subsequently with the mako
40 monitoring, not that it was going to be a blanket
41 enforcement tool to be used in any type of
42 enforcement.

43 So, I think from a clarification
44 standpoint, that makes even more of an argument
45 that if you're going to use the EM in such a
46 broad spectrum like that, you have to show some
47 flexibility where it's pleasant to allow these
48 guys and allow us to try to execute these various

1 different techniques and fisheries in order to be
2 able to make a living.

3 MR. BROOKS: Thanks. Balance out that
4 broader use, Steven, if it was not anticipated
5 with the fostering of flexibility. Christina,
6 why don't you jump in?

7 MS. VAETH: A request to authorize the
8 hydraulic or electric assist. I just wanted to
9 encourage the panel to work towards this quickly,
10 not work on it for five years.

11 And I just wanted to request that it
12 be on the next agenda and I can't think of any
13 possible negative comments. Can anyone?

14 MR. BROOKS: Thank you. Marty, you're
15 back in the queue.

16 MR. SCANLON: In regards to the deep
17 set there, some of the things Scott referenced
18 here about weights on the gear, the key element
19 we had discussed with this a uniformed
20 enforcement agent who came down to talk to us and
21 we met with him and discussed the gear and how it
22 was being implemented there.

23 The key word involved in the use of
24 those weights is maintaining contact with the
25 bottom, was the key word.

26 Just like we put leaded swivels on the
27 gear, what that leaded swivel does is it not only
28 keeps the gear from spinning up but it also helps
29 get the bait away from the surface to mitigate
30 interactions on sea turtles.

31 Same thing with those weights that's
32 implemented on the gear to get the weight line
33 away from the surface as quickly as possible to
34 mitigate the interactions with the pilot whales
35 and such.

36 So, there's a reason for that being on
37 there and like I said, the key element is we read
38 the law with the agent was maintaining contact
39 with the bottom.

40 A three or five-pound little weight
41 put on the gear after a buoy is out is not going
42 to maintain the contact with the bottom when
43 you've got a poly ball that's capable of carrying
44 300 pounds of weight.

45 So, that's one thing to clarify on
46 that. As far as the EMs are going to here, my
47 concern and what I'd like to hear is what exactly
48 are these EM video monitors being instructed to

1 look for?

2 Just like a couple of years ago we
3 came up with an issue here with the observer
4 program where in a lot of the observers, the
5 old-time observers resigned as a result of it
6 because they said they were not there to be
7 enforcement agents.

8 They were there to observe the fishery
9 and that's what they were there for but then all
10 of the sudden they turned them into enforcement
11 agents in which they were monitoring the actions
12 of the boats and the crews on different
13 regulatory actions and what they might be doing,
14 what laws they may be breaking.

15 It's never been made clear to us
16 exactly what they're being instructed.

17 They did admit that they've basically
18 taken a two-week correspondence course on
19 enforcement, where a regular enforcement agent,
20 he goes -- I think Wynn at the time told us that
21 they go to school for six months on enforcement
22 issues to make sure they're clear.

23 So, here we are in the industry now
24 that all of the sudden we realize now after the
25 fact that we're being watched for who knows what
26 regulatory things we may be subjected to here.

27 We don't know, we don't know what
28 we're being looked at for, we don't know exactly
29 what their criteria is, how we're being judged by
30 these people.

31 I think that needs to be made clear to
32 the pelagic longline industry, not only the
33 pelagic longline industry but the rest of the
34 categories that are in the HMS industry.

35 Because guess what? When the pelagic
36 longline industry gets run out of business here,
37 they're going to be the next ones to have those
38 caps. Because that whole program is not going to
39 go away.

40 They're going to be the next ones that
41 are going to be watched like that. I think
42 everybody ought to sit up in their seat and pay
43 attention here to what's going on here.

44 To me, it's an infringement of my
45 civil rights to be monitoring me and to be
46 looking over my shoulder like that 24/7,
47 especially since I never had a concern that my
48 cabin was basically ranked 24/7 because they

1 never operated problem.

2 In my cabin, as soon as you turn my
3 engine on there, there's hydraulic pressure or
4 somebody moves that spool, those cameras are
5 activated.

6 So, those cameras are being way more
7 utilized then they're supposed to be. There's
8 only supposed to be ten percent of that footage
9 being monitored and being looked at.

10 That's also with A7, but because
11 there's indicators within those systems, they'd
12 indicate whether or not it's being hauled or
13 whether or not the gear is being stopped or
14 whether we're fighting fish or not, there's
15 indicators that indicate how much active footage
16 is actually there.

17 So, in essence, when you go through
18 that entire footage and identify the active
19 footage from the inactive footage, you monitor
20 100 percent, you've reviewed 100 percent of that
21 footage and that's in violation.

22 And on top of that now, because of
23 that, I'm being 100 percent monitored and to me,
24 that's a violation of my civil rights. You've
25 got me under house arrest here. I have a problem
26 with that.

27 I don't know what you guys are
28 watching for me to do or what my crew to do, I
29 don't know what I can be subjected to five years
30 from now. From what I understand, some of that
31 footage is being held for five years and some of
32 it's being held --

33 MR. BLANKINSHIP: We're going to cut
34 this off because we're running down a path that
35 is not on topic. I do want to take just a couple
36 of moments here to respond to a couple of things
37 and that is related to Marty's question about
38 training for the monitors and the reviewers of
39 the EM data.

40 They are trained for reviewing the
41 data and a subset of data that they review is in
42 the course and they have oversight through that
43 and there is confidentiality that is a very
44 important aspect of that whole program.

45 They have oversight for what they're
46 reviewing to verify what they may detect from HMS
47 Management Division Staff and it is in the course
48 of them reviewing the subsample of videotapes

1 that they review where if they see information
2 that may be a violation, that can be and has been
3 referred to OLE for follow up.

4 That is the basic process, we can have
5 further conversations outside of this venue if we
6 need to talk about that further but let's get
7 back on topic.

8 MR. BROOKS: I don't think I see
9 anyone else in the queue. Is there anyone else
10 who wanted to talk to any of the points that
11 Steve had walked through here?

12 So far we've heard content strongly on
13 the hydraulic electric assist, having that
14 flexibility as far as the weighted gear, making
15 sure it's clear, enforceable, avoiding ambiguity.

16 Anyone else have anything they want to
17 jump in here before we shift to best scientific
18 information available framework? If not, then
19 Guy, Steve, thanks very much.

20 At this point, I want to shift us over
21 to Jennifer Cudney, who's going to give us a
22 follow up presentation on the conversation we had
23 in May around the national effort around stock
24 assessment processes and best scientific
25 information available framework.

26 So, Jen, once your presentation is up
27 we will hand it over to you.

28 MS. CUDNEY: Can you see my screen or
29 at least one of them yet?

30 MR. BROOKS: Not yet, I'm seeing
31 Randy.

32 MS. CUDNEY: How about now?

33 MR. BROOKS: Still seeing Randy. Now
34 I got you.

35 MS. CUDNEY: Good. So, I am going to
36 be talking about our best scientific information
37 available, or BSIA, framework. We're continuing
38 this discussion concerning the framework.

39 We originally talked about it at the
40 last advisory panel meeting where I provided the
41 AP with an introduction to National Standard 2
42 and an introduction to BSIA as it pertains to
43 Atlantic HMS stock assessments.

44 So, this presentation is intended to
45 continue that dialog but we now have a product
46 for the AP to look at and we're hoping that we
47 can get some feedback from you on it.

48 That document is downloadable on our

1 meeting website. This is the outline of this
2 talk.

3 The presentation is going to briefly
4 remind us of what BSIA means in the context of
5 the NOAA Fisheries policy directive that dictated
6 the creation of our regional frameworks.

7 Then we're going to introduce you to
8 the structure and layout of the document and
9 discuss three stock assessment processes that are
10 covered in the document.

11 That's going to be your ICCAT process,
12 your CR process, and what we're calling our third
13 party or external stock assessments.

14 And then finally, I'm going to touch
15 briefly on some feedback questions that we're
16 hoping will generate some discussion and give you
17 some next steps for this project.

18 So, I do also want to point out that
19 if you'd like to review the previous
20 presentation, you can find it on our website at
21 the link in the green box in the upper right
22 corner of the slide under the Day 2
23 presentations.

24 So, reminding us, NOAA Fisheries
25 finalized a procedural directive in 2019 that
26 described a framework for determining that stock
27 status determinations and catch specifications
28 are based on the best scientific information
29 available.

30 So, this procedural directive is
31 intended to increase transparency in how BSIA
32 determinations are made.

33 To clarify, the roles and
34 responsibilities of the agency and the councils
35 and the SSCs and the fishery management process,
36 and specifically to only reflect status quo
37 processes and roles.

38 So, as we went through the process of
39 putting our regional framework together, we only
40 really wanted to reflect on what we're doing now
41 and not create new processes.

42 I also want to note that while
43 National Standard 2 covers many things, the scope
44 of this national framework and our regional
45 framework is specific to stock status
46 determinations and catch specifications or quota
47 rules that might come from the results of a stock
48 assessment.

1 There are definitely other policy and
2 procedure documents and regulatory language that
3 discuss BSIA and National Standard 2 requirements
4 for other management processes.

5 So, this is not the only time where we
6 will bring it up. But again, because National
7 Standard 2 could refer to many things, I want to
8 be very specific this framework is really
9 specific to stock status and stock assessments.

10 So, what again is BSIA? It can refer
11 to many different things such as factual input,
12 data, models, analyses, technical information, or
13 scientific assessments.

14 BSIA can be inclusive of surveys or
15 sampling programs that provide data, it can
16 include models that are representations of
17 reality constructed with the data from up above.

18 It can also refer to established and
19 emergent scientific information so it's dynamic
20 because the scientific process basically doesn't
21 stop with one set of results. We're always
22 getting new information so it makes sense that
23 BSIA would also be dynamic.

24 As I mentioned, it means different
25 things under different circumstances so any good
26 reference to BSIA or a BSIA statement is going to
27 clarify scope and uncertainty and specifically
28 what you're talking about.

29 So, the national BSIA framework
30 dictates that each region needs to develop their
31 own regional framework. In other words, this is
32 describing how the major steps identified in the
33 national framework are applied to regional
34 processes.

35 The national framework and procedural
36 directive provides a recipe but it does not
37 dictate what is happening in each region. And
38 again, not a place for creating new processes.

39 So, within the specific regional
40 processes, there are going to be places and times
41 where it's appropriate to really dig into
42 something like a terms of reference for how a
43 stock assessment is occurring.

44
45 That is at a much finer scale than
46 what we're going to be talking about here and
47 those conversations are typically going to occur
48 in strategic planning meetings or procedural

1 workshops that would predicate a stock
2 assessment.

3 So, there are six major steps that are
4 covered in the national framework and those are
5 the actual stock assessment, peer review process
6 revision. Step 4 is basically covering the SSC
7 and NOAA Fishery steps.

8 Step 5 and 6 are going to be your
9 catch specifications or in our case quota rules
10 and NOAA Fisheries leadership approval.

11 Our framework is really intended break
12 apart the three different major stock assessment
13 processes that we used for Atlantic HMS and
14 compare them to these six steps and what happens
15 as different little substeps in between.

16 In a couple of the cases here, Steps
17 1 to 3 are baked into already established
18 processes that are wholly or somewhat publicly
19 documented, so I think where we can really
20 provide you with some insight to what happens
21 within NOAA Fisheries is going to be in Steps 4,
22 3, and 6.

23 So, now onto the organization of our
24 framework document. We provide an introduction
25 that has an overview of national standards to the
26 BSIA framework procedural directive and the
27 regional BSIA framework.

28 So, why are we doing this basically?
29 We also provide a brief summary for HMS
30 management like we do in many documents that are
31 tailored specifically to our management region.

32 Then we have framework description for
33 each stock assessment process, so again, those
34 three different processes, those are each going
35 to have a background section that includes a high
36 level narrative and a description of that
37 process.

38 And then we use a table to identify
39 and align our major steps within the HMS, quote,
40 unquote, region to those six national framework
41 steps. So, what does that look like?

42 This is an example table that is
43 basically the meat and potatoes of our regional
44 framework, and in this we have the national
45 framework step that is identified by these light
46 blue bars in the table.

47 And then the white rows are going to
48 be more specific to what's going on within the

1 HMS, quote, unquote, region. So, on the left
2 you're going to have the major steps itemized
3 that are specific to our HMS assessment
4 processes.

5 We're going to have a description of
6 those and then on the far right of these tables
7 we've got examples that are going to provide you
8 with documentation, examples, coming from some of
9 our recent stock assessments, some FR notices.

10 So, our hope is that this is going to
11 be a really useful document for many different
12 reasons. So, since these tables are so detailed,
13 I didn't want to just put them up and walk you
14 through each row, each cell because that would be
15 very, very long.

16 I thought it might be useful to
17 present these processes with an extremely high
18 level flow chart. So, before I do, I just want
19 to make a couple of notes.

20 These flow charts are very simplified
21 for purposes of this talk and are going to focus
22 on the six key steps that are identified in the
23 national framework.

24 So, not all the nuances, steps, or
25 contacts that are actually occurring for each
26 process are going to show up in these flow
27 charts. You will need to look at our regional
28 framework for those steps and descriptions.

29 So, those disclaimers aside, you're
30 going to see the process laid out with a start
31 and an end point.

32 Those are the blue boxes on the
33 graphic with arrows in between all of the boxes
34 indicating the flow of a process.

35 The location of a box is going to
36 indicate which group, organization, or office is
37 responsible for that step. So, this example
38 schematic shows a process with three players,
39 organizations, or offices that are involved.

40 The steps they're responsible for are
41 captured within what we call a swim lane, which
42 is shown by the ovals that are extending from
43 left to right in the background of the figure.

44 If a step overlaps two swim lanes,
45 then I'm trying to indicate that both groups are
46 involved.

47 Swim lanes can be useful when you're
48 thinking about the role of different groups in a

1 process because they highlight where trade-offs
2 in the process are going to occur.

3 So, for this example, Group 1 is going
4 to start the process and is responsible for the
5 first two steps before they work with Group 2 to
6 complete Step 3.

7 Group 2 then passes along control of
8 the process to Group 3, who then complete Steps 4
9 and 5 before ending the process.

10 So, over the next few slides I'm going
11 to show you a similar type of flow chart
12 depicting the BSIA processes for three majority
13 types of stock assessment procedures.

14 You might see some other symbols that
15 are used in those charts such as these symbols
16 that may indicate a single or set of documents, a
17 database, or the diamond represents a decision
18 point.

19 So, you might see a question in there.
20 This is our first flow chart and it is for the
21 ICCAT stock assessment process.

22 So, I pulled out some of the players
23 that are involved with this, they each have their
24 own swim lane and at the top, you'll see that
25 swim lane is greyed out so that is more
26 indicative of a process that is not exactly
27 happening within our control but it's within
28 ICCAT.

29 It's also just emphasizing the
30 importance of ICCAT in the ICCAT stock assessment
31 process.

32 So, in this example, we have ICCAT,
33 the Science Center, the HMS Management Division,
34 our Headquarters Office of Sustainable Fisheries
35 and NOAA DOC leadership identified as some of the
36 players through this BSIA process.

37
38 So, first we start with that stock
39 assessment completed according to the standard
40 operating procedures, the Terms of Reference and
41 the schedule established by the ICCAT Commission,
42 the SCRS, and the Secretariat.

43 There are several layers of peer
44 review that are described in the BSIA framework.
45 The SCRS is going to review things like the
46 scientific papers, the information, and the data
47 that informed the stock assessment, the methods,
48 and the preliminary assessment results.

1 Peer review does occur throughout the
2 development of the assessment, especially as the
3 results were presented at different meetings.
4 Step 3 is assessment revision and again, this is
5 something that's going to be happening throughout
6 this process.

7 Adjustments are made and the stock
8 assessment results are going to be finalized and
9 adopted along with management advice at plenary
10 meetings of the SCRS and by the Commission at the
11 ICCAT annual meeting.

12 The finalization of management advice
13 is going to come from those recommendations that
14 are published by ICCAT. So, NOAA Fisheries is
15 involved with the SCRS, we've got folks that
16 stand in there.

17 But the next step is what happens
18 within the agency? So, I've got a step leading
19 here that is the receipt of the assessment.

20 We're typically aware of the results
21 in the fall prior to the ICCAT annual meeting
22 through participation of our staff in meetings
23 that happen prior to that ICCAT plenary.

24 NOAA Fisheries will formally receive
25 the final results of the stock assessment when
26 the SCRS plenary report is accepted by ICCAT
27 during that annual meeting session.

28 The Atlantic HMS Division kind of
29 works within the Office of Sustainable Fisheries
30 to finalize stock assessment determinations,
31 which is reviewed and approved by NOAA
32 leadership.

33 So, I have an arrow that swings down
34 between the HMS Management Division and
35 Sustainable Fisheries to DOC and NOAA leadership
36 and then back up again.

37 Next we will do some sort of
38 rulemaking if needed.

39 The BSIA framework refers to this as
40 catch specifications but we approach it more
41 broadly in our framework because it's going to
42 cover a wide variety of things depending on
43 whether or not something needs to change within
44 our current management framework.

45 And then we get NOAA Fisheries
46 approval and we will publish the rule in our
47 Federal Register and then implement the new
48 regulations.

1 So, the next process is SEDAR and the
2 overall process, there are a lot of inherent
3 differences baked in but when you look at from
4 this level of these six steps, the process is
5 going to look sometimes similar to the ICCAT
6 process except that instead of Steps 1 to 3 being
7 completed by ICCAT or the SCRS, they are
8 completed through the SEDAR process.

9 The SEDAR process has been certified
10 as compliant with the national standard to BSIA
11 standards through publication of a Federal
12 Register notice in 2016. And those processes are
13 thoroughly documented on the SEDAR website in
14 other locations.

15 So, if you would like some help
16 finding those, please let me know, I'd be happy
17 to help you. They're also going to be available
18 in this document.

19 I also want to acknowledge that in
20 reality, the line between the SEDAR organization
21 and the agency is probably a little less distinct
22 than what's shown here since we have some summer
23 staff that participate as analysts in the
24 assessment and the HMS Management Division itself
25 is a cooperator.

26 You do see the same type of process.
27 So, once that assessment is completed, the stock
28 assessment coordinator notifies our division and
29 others of its completion.

30 We initiate a stock status
31 determination and then a rulemaking step, and
32 then final approval by NOAA Fisheries occurs
33 before it is published in the Federal Register
34 and then implemented.

35 So, perhaps where I think much of the
36 interest last time we gave this talk was in the
37 third party or external assessments. And so
38 these are typically completed by somebody else.

39 In the past the third party has
40 sometimes included NOAA scientists, sometimes
41 not. The first three steps in this framework are
42 typically completed by that external entity
43 independent of any activity that the agency may
44 be involved with.

45 NOAA involvement is initiated when
46 staff become aware of an external assessment
47 that could potentially be used by management.

48 So, this could be when NOAA receives

1 that assessment. A big part of our NOAA steps
2 are the decision of whether or not an assessment
3 is appropriate for management, with this shown as
4 a question in the green diamond.

5 The HMS Management Division and
6 Southeast Center must agree that the assessment
7 has undergone appropriate peer review, uses
8 appropriate stock assessment modeling techniques,
9 and that the underlying data and assumptions can
10 be confirmed.

11 And so a lot of times that is a look
12 back at the information that's available for this
13 assessment to make those evaluations.

14 Sometimes we can tell whether or not
15 an assessment has been revised, we can tell
16 whether it's been peer reviewed and the extent
17 that it has been.

18 But again, this is happening outside
19 of our control.

20 So, simply put, if a stock assessment
21 doesn't have an appropriate peer review process,
22 it doesn't seem to use appropriate techniques and
23 doesn't have appropriate or confirmable data and
24 assumptions, we probably wouldn't want to use it
25 in management.

26 Once we agree with the Science Center
27 that the assessment can be used for management
28 purposes, then the staff will assist with the
29 identification of biological reference points and
30 other metrics that are needed for management.

31 And then we go through the same
32 process that we identified as before, which
33 includes our stock status determination working
34 with the Sustainable Fisheries Unit and getting
35 approval through NOAA DOC leadership, developing
36 of rulemaking, getting that approved, and then
37 publishing in the Federal Register notice.

38 So, next steps, the final framework is
39 going to include feedback from the advisory panel
40 and other interested parties.

41 Our intent, as I've said throughout,
42 is to accurately describe this process so does it
43 make sense?

44 Is there enough detail? Is there too
45 much detail? Are we missing anything? And then
46 one of the other questions that we had is that
47 processes can change. For example, the SEDAR
48 process is undergoing a reclassification of their

1 assessments.

2 We're in the middle of that. So, this
3 framework bridges those two different
4 classification schemes for SEDAR assessments. At
5 some point in the future, we might see changes
6 through other assessment processes.

7 How often should we make updates to
8 this document and how often should we look for
9 those changes?

10 And again, this reminder, we're not
11 debating the merits of the process or attempting
12 to change anything within this framework, all
13 it's doing is just describing what is out there.

14 The next steps for this, we're going
15 to be publishing a draft framework, we've already
16 actually published it today actually. We're
17 going to be collecting feedback this fall and
18 this winter we're going to be comparing our final
19 BSIA regional framework.

20 We have to publish it by May 2022.
21 So, that is it, you're welcome to contact me or
22 Pete if you have any questions. We've got some
23 emails and phone numbers up here and here is the
24 feedback questions in case you have any immediate
25 thoughts.

26 MR. BROOKS: Great, thanks very much.
27 It was a really good, clear presentation, I
28 appreciate it. Let's open it up to the AP and see
29 if there are any comments or questions.

30 And again, the feedback, does it make
31 sense? Is there sufficient detail, anything
32 missing? And the processes may change, how
33 should we address this?

34 Dewey, let's get you into the
35 conversation.

36 MR. HEMILRIGHT: Thank you. Can you
37 hear me?

38 MR. BROOKS: Yes, we can.

39 MR. HEMILRIGHT: I was curious as to
40 how this process across the board is consistent
41 with the policy of the councils, NOAA and
42 different entities.

43 Given NOAA is the overarching holder
44 of the policy part, is this with HMS and the
45 Councils on the same footing or is there some
46 differences in the way the councils choose to
47 view the BSIA, I can't remember exactly what it
48 was.

1 MR. BROOKS: You got it just right.

2 MR. HEMILRIGHT: Consistency across
3 the board, have you all looked at that to see how
4 that is even though this is in your wheelhouse so
5 to speak? Thank you.

6 MS. CUDNEY: Sure, so each region has
7 the flexibility to create this framework however
8 they want to.

9 So, we did what we thought made sense
10 to us but it could look different than what the
11 New England Council might put together, the
12 Southeast Regional Councils might feel is
13 adequate for their approaches.

14 MR. BROOKS: When you say the
15 framework can be different, what parts would be
16 consistent and is it the six steps that have to
17 be consistent or not necessarily? That's just
18 the HMS piece, right?

19 MS. CUDNEY: The six steps should be
20 addressed in all of the frameworks because that
21 is what the national framework says.

22 They've identified these six major
23 process steps, they want to see how they are
24 applied in the different regions but they also
25 recognized, the folks that drafted this
26 procedural directive, since also recognize there
27 are going to be pretty significant differences
28 from one region to the next.

29 So, the substeps, how that information
30 is visually presented might be different from one
31 region to the next but they all need to address
32 those six steps.

33 MR. BROOKS: So, the super structure
34 should be pretty consistent but in practice it
35 may look different?

36 MS. CUDNEY: Yes.

37 MR. BROOKS: Dewey, did that answer
38 your question?

39 MR. BLANKINSHIP: Can I build off of
40 that a little bit? One difference in the Council
41 process from the Atlantic HMS process is the role
42 of Council SSCs or science and statistical
43 committees and the role they play in providing
44 advice, scientific advice, in determining BSIA in
45 a Council process.

46 And the Council being a body that is
47 actually the decision making body that makes a
48 recommendation to the agency versus that things

1 operate in Atlantic HMS where we don't have a
2 Council.

3 We have an advisory panel which is
4 very helpful but it's not a decision making body
5 and Magnuson does not provide for an SSC for an
6 Atlantic HMS and so we have a different process
7 as outlined by Jim.

8 Those are some distinct practical
9 differences.

10 MR. BROOKS: Thanks, Marty Scanlon?

11 MR. SCANLON: Well, the one thing I
12 want to add to this is that to Jen's question
13 about whether this should be reviewed, I believe
14 all regulations moving forward should be reviewed
15 after three years to make sure that they are on
16 point and they are accomplishing what they're
17 meant to accomplish.

18 So, that's my comment right there, a
19 three-year review on any new regulations.

20 MR. BROOKS: Thanks, Marty. Let's
21 see, is there anyone else who wants to jump in
22 here?

23 MR. BLANKINSHIP: Marcos has had his
24 hand up. Craig, it looks like we've lost Bennett
25 so do you want to open up Marcos?

26 MR. COCKRELL: Sure.

27 MR. HANKE: Hello, just for
28 clarification purposes, I'm going to refer to the
29 third party that includes question number that
30 includes the industry and how much the industry
31 can participate and start this process compared
32 to the other people that are considered third
33 parties, NGOs kinds of people.

34 MS. CUDNEY: Sure, so this could refer
35 to several things.

36 I have seen some examples in the BSIA
37 framework and related documentation that does
38 talk about potentially contracting out
39 assessments or looking at assessments that other
40 individuals have completed.

41 Some of the ones that we have used
42 have been GLAD students working with Science
43 Center staff to work on assessments that have
44 been published. We have then looked at those to
45 determine whether or not they were appropriate
46 for use in management.

47 Another example that we have in our
48 past was the Government of Canada, DFO Canada

1 completed a stock assessment for porbeagle and we
2 were not involved in that process at all but it
3 was presented as the best information available
4 on the porbeagle stock.

5 We went through a similar evaluative
6 process to what we presented in here and
7 determined that was appropriate for management.

8 So, it can be a variety of things but
9 no matter what happened, we would go back and
10 look and make sure that appropriate peer review,
11 appropriate methods, and appropriate data and
12 assumptions were addressed in that assessment
13 before we would even consider using it for
14 management purposes.

15 MR. BROOKS: Shana Miller, do you want
16 to jump in?

17 MS. MILLER: -- a lot of work and
18 you've done a really good job outlining this, and
19 I haven't had a chance to read the entire
20 framework, I didn't realize that was released.

21 But I hope there is some kind of
22 qualifying text under the ICCAT Section and
23 probably the third party as well.

24 Because I think realistically, unless
25 things completely change the way NOAA responds to
26 ICCAT stock assessments, you have some NOAA
27 scientists participating in the assessment.

28 They may not agree with decisions that
29 are made at the assessment but ICCAT works on
30 consensus so eventually, it goes through. And
31 then there's very little room to contest an
32 assessment after it's been finalized.

33 So, these Steps kind of 4 through 6,
34 I don't know, I see your schematic you have but I
35 have a hard time seeing how that would work in
36 practice. So, hopefully, there's some qualifying
37 language in the document about how ICCAT
38 assessments, for the most part, once they're
39 complete, they're complete.

40 And then once the U.S. goes to ICCAT,
41 they can't very well bring up their own best
42 available science even if it is better.

43 So, I understand this was developed
44 for the domestic context, and so I think it's
45 more applicable there but still, it's a lot of
46 good work you did here. Thanks.

47 MS. CUDNEY: Thank you. And yes,
48 those are covered. We tried to describe the

1 caveats that are applicable to each of these
2 processes and definitely mention the
3 international aspects and our treaty obligations
4 as far as ICCAT goes in the framework.

5 MR. BROOKS: Thanks, Jenn. I don't
6 see any other hands at this moment. I can't see
7 anybody else at this moment.

8 MR. BLANKINSHIP: We can see you
9 talking. Are you out of options?

10 MR. BROOKS: Can you hear me now?

11 MR. BLANKINSHIP: Yes.

12 MR. BROOKS: Okay. Good. Magic. What
13 I was going to say is I don't see anybody else
14 left in the queue. We are supposed to go to
15 break at 2:30 p.m., we're about ten minutes ahead
16 of schedule.

17 What I would propose is that we go
18 take a 20-minute break and reconvene at 2:30
19 p.m., and then jump in our bluefin tuna
20 conversation with Brad and Larry at that point.

21 Does that work? Andy, Brad, or Larry,
22 any reason not to do that? (Pause.) Great,
23 let's all be back at 2:30 p.m. and we will jump
24 in bluefin tuna, and we will have a few extra
25 minutes in case we need it for that conversation.

26 Thanks, everybody, see you in a few.

27 (Whereupon, the above entitled matter
28 went off the record at 2:10 p.m. and resumed at
29 2:30 p.m.)

30 MR. BROOKS: Okay, it is 2:30 p.m., so
31 let's jump in. We're sort of diving into our
32 last topic for the day, which is to start talking
33 about bluefin tuna. And today's two
34 presentations are really focused on the kind of
35 current moment in bluefin tuna.

36 And so we'll have a 2021 season update
37 by Brad McHale, and then Larry Redd will walk us
38 through the restricted-fishing days final rule.
39 And then we will go to public comment at 3:30
40 p.m. so we've got plenty of time to talk about
41 this.

42 Brad, over to you.

43 MR. MCHALE: Right, so good afternoon,
44 everyone, Brad McHale here, Branch Chief of the
45 Fishery Reporting and Monitoring Group up here in
46 the city of Essex, Mass., normally in Gloucester.

47 So, the presentation I'll be doing is
48 a very expedited run-through of what we've seen

1 in the data from our fisheries for 2021. Through
2 other sources whether it be social media or just
3 fishing reports in general, it's been rather an
4 interesting year.

5 So, we wanted to at least convey some
6 of the data that we're seeing so far but I also
7 want to make sure that I leave plenty of time for
8 Larry and some of the discussion regarding some
9 more of the regulatory items that are at play as
10 it pertains to the bluefin fishery.

11 Jumping right in as far as some of the
12 actions the agency has taken is pretty standard
13 fare from what we've done in the prior years.

14 We've executed some transfers of quota
15 as it pertains to the winter fishery, essentially
16 frontloading that January timeframe, moving some
17 of the Purse Seine category to the Reserve, and
18 then transferring some of that to the Harpoon
19 category as well as some of the General category,
20 and knowing that there are likely going to be
21 transfers as we continue throughout the season.

22 Starting off with the recreational
23 fishery, we started off 2021 with daily retention
24 limits for our angling, our charter, and then our
25 inspected head boat vessels consistent with what
26 we've had in 2021. And so nothing kind of out of
27 the ordinary there.

28 What I did want to highlight or spend
29 a little bit more time on was the management of
30 our trophy fishery. And bear with me, I know
31 there's a lot of information in these slides that
32 I'm not going to be diving in deeply on, but they
33 will be there for your reference and I'll make
34 myself, or others in the Division will make
35 themselves available for more in depth
36 conversation.

37 One item I wanted noted here in this
38 table is we looked back across the past three
39 years for each of our three different management
40 areas. And essentially what I wanted to do is
41 highlight some of the challenges when we're
42 managing to this particular recreational category
43 where each one has a quota of 1.8 metric tons.

44 So, we're talking about 10 fish, more
45 or less. And as you look across the areas, as
46 well as the years, you can see when if you look
47 at percentages of quota harvested, there is some
48 gross exceedances that appear to be here. But

1 then when you start to look at the tonnage or
2 number of individual fish, it starts to put that
3 into more perspective of the challenges that are
4 before Randy's staff, and then in turn my staff,
5 to dial this in and get fisheries closed.

6 One part of this table that stands out
7 to highlight those challenges is what we
8 experienced in 2019, where we announced a closure
9 but yet the days of notice overlapped with the
10 weekend where the weather and the fish
11 cooperated. And sure enough, we had nine, almost
12 ten metric tons landed across that day before the
13 closure actually took place.

14 So, I just want to highlight this as
15 something that we're going to continue to try to
16 improve on our timing. But the challenges
17 continue to be there for this component of the
18 recreational fishery.

19 What I also wanted to share briefly is
20 I think we've heard some of the fishing reports
21 and other early reports of fish being encountered
22 off of New York. Vessels headed out to the
23 canyons very early in the year encountering
24 bluefin. So, I wanted to share some of our Large
25 Pelagics Survey initial indicators.

26 What you'll see in this slide here is
27 the data that we had for essentially the June
28 timeframe in that middle column referred to as
29 Wave 1, and then ultimately where did those Large
30 Pelagics bluefin tuna numbers end up at the end
31 of the year?

32 And so we're closely monitoring not
33 just what has already transpired but we're
34 looking forward to the additional data once it's
35 compiled from the Large Pelagics Survey
36 interviews and telephone surveys, as well as our
37 automated reporting, the ALRSALRS system, to get
38 a sense of actually how successful of a year was
39 it and what sort of information can be gleaned
40 from that, not only from an ICCAT context but
41 also from a domestic management context for the
42 remainder of the year, as well as for any kind of
43 adjustments for 2022.

44 Shifting gears slightly to more of the
45 commercial side of the equation, one observation
46 we had during 2020 was a rather dramatic increase
47 in the number of individuals acquiring their
48 Atlantic tuna dealer permits. This was primarily

1 driven due to some of the market conditions that
2 were in play last year as a result of the
3 pandemic and how it impacted bluefin tuna markets
4 globally, and the ingenuity of fishermen trying
5 to devise ways to market their product even if it
6 happened to be a smaller, more localized scale,
7 which some of the changes to the 2021 season are
8 more of that farmers-market type model.

9 One thing that we have seen is slight
10 downward trend of folks continuing on with those
11 permits given what the market conditions and how
12 they've shifted over the last 12 to 16 months.
13 That, in addition to just the number of permits
14 also then looking at the volume of fish that each
15 of those respected dealers are handling moving
16 through.

17 As you'll see here in this particular
18 bar chart, it's very few individuals that are
19 handling large volumes. And when you look over
20 to the far right, the large purple bar there
21 representing the 2020 where we saw this rather
22 dramatic uptick of folks that are just handling
23 that.

24 Very few fish seems to have come back
25 to some level of normalization for 2021. That's
26 something that we'll also be tracking as it
27 relates to ensuring that we're doing proper
28 outreach to these individuals that are entering
29 the dealer side of the monitoring aspect, as well
30 as making sure that we're not discounting these
31 lower-volume dealers as we're trying to inform
32 in-season transfers, getting closures as tight as
33 we possibly can be, as well as providing fishing
34 opportunities with the most informed information
35 that we can.

36 As far as other in-season actions that
37 refer to more to retention limits, we have here
38 both the General category as well as the Harpoon
39 category. With the General category, we'll touch
40 on this fishery a little bit more in depth in the
41 latter slides, you'll see that we had the winter
42 fishery. We then commenced the summer/fall
43 fishery, the three-fish limit, which I know has
44 been the subject of debate for years now.

45 Once we saw an uptick in landings, we
46 reverted from three to one in mid-July, and then
47 had a very early closure as of August 4th.
48 Again, some of the catch rates I'll show here in

1 just a moment will really show how that trend
2 played out in the fishery.

3 And here we are in September and we
4 are currently operating one fish per vessel
5 limit, and we've introduced restricted-fishing
6 days as an effort control to help spread out the
7 core utilization across that entire month.

8 For the Harpoon category, real little
9 fanfare here, it's two large mediums which has
10 been pretty standard for years now. And then
11 assuming that category doesn't hit its quota, it
12 has a codified closure date of November 15th. It
13 appears catch rates have tapered off, as we've
14 experienced in prior years as well.

15 So, getting into some of the details
16 of that Harpoon category-related information, the
17 vast majority of what we've seen to-date has been
18 the giant bluefin tuna landed in this particular
19 category.

20 And underneath the table you'll see
21 kind of those trips relating to at least one
22 bluefin, how many relating large mediums, how
23 many relating giants. One thing that we wanted
24 to keep a close eye on with this particular
25 category, given its limited number of
26 participants and some of the observations from
27 years past was, how many of these vessels were
28 landing very large numbers of fish?

29 So, in that bottom kind of item there
30 where we didn't have any vessels land nine or
31 greater fish in any particular trip, some had
32 landed between four and eight. One reason we
33 were really tracking that is we had in years
34 prior, some vessels had maybe 15-plus fish, and
35 then what did that ultimately mean in providing
36 fishing opportunities and utilization of that
37 particular quota? So, that was one thing we've
38 had our eye close to this year.

39 The last line in the table you'll see
40 is that we did do that transfer, and right now we
41 stayed at about 73 percent with the adjusted
42 quota. And that has really kind of flattened out
43 so far.

44 To do a quick comparison of Harpoon
45 category to General category, landings as it
46 relates to both participants using harpoon as a
47 gear type. Just to give some contextual
48 awareness, you'll see that in that first row of

1 the General category, here in 2021 we actually
2 had 11 vessels reporting having used harpoon gear
3 type, which equated to a number of fish, 44, to
4 about 5.5 metric tons. It's kind of on par with
5 what we observed last year as well.

6 And then just to compare General and
7 Harpoon category as the utilization of that gear
8 type can influence what category an individual
9 decides to go in, we're kind of continuing to
10 track the participation levels in each of those
11 groups.

12 And then really just another way to
13 look at different success rates and size classes
14 of fish that the Harpoon category vessels bring
15 back to the dock utilizing, and really the
16 take-home message is that most of the successful
17 trips were really landing just one giant bluefin
18 tuna.

19 That's where we're trying to manage
20 that fishery for: is the effort deployed on
21 giants? And more of a bycatch or an allowance on
22 the large mediums as it relates to that
23 particular fishery.

24 Then, as you'll see here, I just
25 demonstrated in the graph that line has flattened
26 out as, once again, once we execute a quota
27 transfer outside of what happened in the last
28 year, it tends to be tied right when the fish are
29 no longer available to that gear type like they
30 once were earlier in season.

31
32 Shifting quickly over to the General
33 category, again looking at the daily retention
34 limits, the tonnage landed in association with
35 those retention limits, and then some of the base
36 quotas here. Really, what I'll be focusing on is
37 that June through July 10th, and then the July
38 11th through the August 4th date, as it relates
39 to that ongoing discussion of where the retention
40 limits should be set at.

41 Again, the agency felt that three fish
42 was warranted early given low catch rates. And
43 again, once the team monitors any sort of uptick
44 we revert back to one.

45 Just another way to display some of
46 that information for that June through July
47 timeframe, you'll see here that only two percent
48 of the trips that were actually conducted in that

1 entire timeframe landed three fish. So, even
2 though on paper it looks like there is lots of
3 availability, lots of utilization, that in turn
4 is causation for early closures. Unfortunately,
5 in the data that continues to not be the case.

6 Even though the limits are
7 liberalized, it still remains a pretty small
8 percentage that is actually capitalizing on that
9 liberalization, hence where 91 percent of the
10 trips bluefin landed, the process timeframe were
11 only on one fish per trip.

12 This is a graph similar to what we've
13 shown in years past of kind of how the fishery is
14 going, although this year it is pretty much a
15 straight line all the way across between where we
16 started the fishery, whether you want to document
17 is as January 1st or really kind of the June 1st
18 date there, it's been steady Freddy. Even with
19 that three fish versus one fish, I think through
20 other reports and other sources, we can all
21 recognize that the fish have been available in a
22 rather broad geographic range.

23 We're still seeing a lot of commercial
24 fish landed down out of Rhode Island, down out of
25 New York, as well as out of the Gulf of Maine,
26 the north and south sides of Cape Cod. And
27 hence, ultimately, that August 4th closure, which
28 happens to be the earliest on record in quite
29 some time.

30 Unfortunately, we're not able to get
31 restricted-fishing days in play to help align
32 this fishery, but we currently have them in play
33 now. We'll see whether or not that's a viable
34 tool to help prolong those opportunities given
35 the quota limitations and fish availability.

36 Real quickly, average prices, haven't
37 really seen any dramatic shifts over time here.
38 There is the one anomaly for the 2019 in
39 December. For the most part, fish values are
40 bouncing between that seven and change just north
41 of four, nothing that even mirrors what is
42 displayed on some popular television shows.

43 As far as where these fish are ending
44 up, the trend is fish remaining domestic
45 continues to be the case, versus where we're at
46 say in the early to mid-2000s, even the early
47 teens there. And if we were to even go back
48 further in time on this particular chart, you'd

1 see that it's almost flipped on its head, where
2 the vast majority of the product used to be
3 exported to Japan, where there are much more
4 opportunities here domestically to not incur the
5 costs. Therefore, outside of the pandemic that
6 took place, that fish had been remaining here
7 domestically for a number of years now.

8 As far as reporting requirements, no
9 reason really to belabor these here because this
10 is all status quo.

11 It doesn't matter what kind of permit
12 holder you have, what permit you have, the
13 Angling or the Headboat, General, Harpoon. We
14 have mandatory 24-hour catch reporting that went
15 into play for most vessels with the finalization
16 of a Amendment 7.

17 And we're closely working with the
18 office of law enforcement whether it be NOAA or
19 our state partners or our Coast Guard partners to
20 help either do outreach to educate the fishery
21 but more importantly, these days, it's to write
22 citations for fish that are not being reported.

23 This is something that's vital for not
24 only the stock assessment aspects of the fishery,
25 the information in the United States applies up
26 to the SCRS and also for our own domestic equity
27 purposes as we hear across the boards from user
28 groups that everyone be held to similar standard,
29 that no one is being leaned on more or less than
30 any other U.S. fishermen regarding the reporting
31 obligations.

32 So, when we start to look at our
33 numbers here for our General and Harpoon category
34 vessels, this table should look familiar.

35 We kind of looked to see what level of
36 compliance are we getting, both at a number of
37 fish level as well as the number of fishermen or
38 vessels reports.

39 And here in 2021 we're seeing
40 different compliance as it relates to the General
41 category. You'll see in the far right hand side
42 as far as the number of permits, it's a rather
43 significant drop.

44 We thought we were making progress
45 from 19 to 20 but here still preliminarily in
46 2021 we've seen the lack of folks adhering to
47 those requirements.

48 So, this is something that already has

1 the Office of Law Enforcement and Randy's staff's
2 attention and that will be pursuing rather
3 vigorously, especially when we have dealer
4 reports to corroborate these landing events.

5 Citations can be very easily written
6 when we actually had documentation of fishermen
7 landed and whether a dealer or a vessel didn't
8 report that fish properly, we can validate that
9 and chase that back.

10 So, it's very unfortunate information
11 to not see those trends continue upward
12 especially given the heightened importance of
13 these reports for stock assessment purposes.

14 But something that will be, again,
15 leaning on individuals very aggressively to make
16 sure a) they're aware, and b) they understand the
17 gravity and the importance of those reports.

18 I know that was rather brief but
19 again, wanted to leave more time for the dialog
20 seeing that we don't get the same opportunities
21 that we once had and so at this point, why don't
22 I conclude this and I will turn things over to
23 Larry?

24 MR. REDD: Just making sure everybody
25 can hear me?

26 MR. BROOKS: We can hear you, Larry.

27 MR. REDD: Let's do this thing. So,
28 I will be giving a presentation on the General
29 category restricted-fishing days final rule. Let
30 me go ahead and just introduce myself for those
31 that may not know who I am.

32 I'm Larry Redd and I am situated here
33 out of Silver Spring so here at Headquarters.
34 So, just a little bit of background, the proposed
35 rule published on May 12th, we accepted comment
36 through July 11th for the proposed rule.

37 We held a public hearing on May 19th.
38 I also presented the proposed rule presentation
39 for the advisory panel on May 25th and at the end
40 of the public comment period, we received
41 approximately 67 written comments.

42 The final rule published on August 9,
43 2021 and just moving forward to the summary of
44 comments, when it came to the comments on the
45 resumed use of General category RFDs, we received
46 comments that supported the use of RFDs.

47 These comments noted that RFDs should
48 prevent market gluts and lengthen the General

1 category season within the subquota time periods.
2 We also received comments which expressed general
3 concern.

4 Those comments ranged between the
5 proposed rule would inappropriately manipulate
6 the market, the action was premature due to the
7 unique impacts of COVID 19 in 2020, as well as
8 this action would not result in extending the
9 fishery but would instead lead to a derby-like
10 fishery.

11 We also receive suggestions that
12 tournaments be exempted from RFDs given their
13 economic importance to communities as well as the
14 important source of viable scientific data and
15 the information they provide for bluefin tuna.

16 We also received questions and
17 suggestions regarding how RFDs would be set in
18 the future, for instance, for 2022.
19 Additionally, we received comments on the
20 proposed 2021 RFD schedule.

21 Those comments ranged from
22 implementing RFDs starting in June to
23 implementing RFDs starting in September.

24 We also heard folks express that we
25 should avoid weekend RFDs and just building off
26 of that, we heard that we should avoid Fridays
27 and Saturdays as the demand to buy and sell
28 bluefin tuna is the greatest on those days.

29 So, after considering all of the
30 public comments we received, we've decided to
31 move forward with a final rule and here is the
32 2021 RFD schedule.

33 So, the first RFD was September 3rd
34 and the last RFD is going to be for November
35 30th.

36 As I mentioned in the proposed rule as
37 well as the final rule, we may waive RFDs but we
38 would not modify RFDs in any other ways such as
39 switching days or adding RFDs.

40 So, here we have provided the
41 schedule, the calendar days of our RFDs which are
42 shaded in yellow. And I would just like to note
43 that landing and selling of bluefin tuna can only
44 happen on those days that are not shaded.

45 So, if you have any other questions,
46 please feel free to contact us. You can contact
47 myself, Sarah McLaughlin, as well as Karyl
48 Brewster-Geisz and we've also added the

1 compliance guide for this action to this
2 PowerPoint.

3 So, if there are any questions please
4 feel free to reach out to us. With that, that is
5 the shortest presentation that you will see over
6 the next three days.

7 MR. BROOKS: Thanks, Larry, thanks,
8 Brad. We've got a little bit more than a half
9 hour for questions or comments we've had so let's
10 open it up. David, your hand has been up for a
11 little bit so let's start off with you there.

12 MR. SCHALIT: Larry, thanks very much
13 for that very brief presentation. I just want to
14 let you know that a hurricane has been named in
15 your honor that's off the East Coast right now.

16 Brad, thanks very much for your usual,
17 very efficient, and clear presentation, which we
18 always looked forward to. I'd like to reference
19 Page 5 of your PowerPoint presentation.

20 On Page 5 we are looking at the
21 landings of juvenile fish which took place over
22 the last three years, if I have the page number
23 correctly.

24 MR. MCHALE: You do, David, it was
25 just a challenge to bring that presentation back
26 up.

27 What you're referring to is
28 the Large Pelagics Survey numbers of fish over
29 the last three years and then looking at June and
30 then looking at the end of the year to just have
31 two reference points.

32 MR. SCHALIT: So, I'm looking at the
33 annual landings for 2019 were substantially below
34 what they were for 2020 and 2021.

35 MR. MCHALE: 2021 is yet to be
36 determined.

37 MR. SCHALIT: Sorry, 2020. I'm
38 wondering if Damien is on this call? What
39 happens with these 2019 landings is that it
40 resulted in the result of the 2020 stock
41 assessment.

42 The optimization by the SCRSSCRS was
43 that there was weakness shown in recruitment in
44 these juvenile industries which resulted in low
45 recruitment numbers.

46 That created a huge brouhaha from
47 everyone because the observations the fishermen
48 had were that there were plenty of fish
everywhere, so why has this happened?

1 That is the question I have right now.
2 If Damien's on this call, maybe he can shed some
3 light on this. I'll shut up now and leave it to
4 Damien.

5 MR. MCHALE: Damien, you want to jump
6 in on that at all?

7 MR. COCKRELL: Just to be clear, we're
8 not talking about Damien Chapman, right?

9 PARTICIPANT: He's asking about
10 another fellow that works, working on the Large
11 Pelagics Survey.

12 MR. COCKRELL: I do not see him in the
13 list of attendees.

14 MR. BROOKS: So, no, we don't, David.

15 MR. BLANKINSHIP: To that point, and
16 I don't want to get too far in the weeds here is
17 that the Large Pelagics Survey is of course based
18 upon established and peer reviewed protocols and
19 the data that come into that are the data that we
20 work with.

21 There's been a lot of discussion
22 particularly over the course of the last year
23 about the Large Pelagics Survey and that data and
24 the constraints around the last assessment. And
25 they continue to work this year ongoing even as
26 we speak related to the new assessment.

27 So, I think there's been a lot of
28 consideration about the different data sources
29 including the small fish indices.

30
31 And I don't really want to get into a
32 whole discussion about that given the assessment
33 is underway and it probably would just really not
34 be appropriate for us to get into the weeds about
35 all of that.

36 Suffice it to say I think David, your
37 observation here about the trend is accurate.

38 There were some years in the small
39 fish indices that were contributing to the
40 assessment that we're indicating a lower
41 recruitment and that even last year the data that
42 was available showed the most recent years were
43 showing an uptick in that.

44 So, that seems to be also reflected
45 here.

46 MR. BROOKS: Thanks, Randy. Rick
47 Bellavance, do you want to get into the
48 conversation?

1 MR. BELLAVANCE: Can you hear me okay?

2 MR. BROOKS: Yes, we can.

3 MR. BELLAVANCE: Thanks, Larry and
4 Brad, for your presentation, thanks for
5 recognizing the General category fishery here in
6 little old Rhode Island. I've been absent a while
7 and it's good to see it came back this year.

8 I also wanted to touch base on our
9 recreational school tuna fishery that also took
10 place in our area this year and again, that was
11 welcome to us. It's been absent for we caught a
12 lot of little guys.

13 I haven't seen them for a while. So,
14 one of my observations was there was certainly at
15 least partly responsible for the large amount of
16 sand lance that were in our area this year. And
17 in particular, the wind energy area is off the
18 Coxes Ledge (. That was one of the areas we were
19 catching a lot of these fish.

20 So, I was wondering if it was maybe
21 some sort of a research idea to look into the
22 relationship between sand lance and the little
23 fish and the type of bottom that's in these wind
24 energy areas to inform those decisions as they
25 start to fit these projects and this, that, and
26 the other thing.

27 Because for whatever reason,
28 everything just landed in our lap this year and
29 it was a boom to our local economy and local
30 charter boat fleet, recreational fleet. And
31 still going on right now in the General category
32 fishery as well.

33 The small fish went away when
34 Hurricane Henry came in and then followed up by
35 that later storm that just came to our area
36 seemed to have moved away a little bit, the small
37 ones.

38 The big ones are still here. My
39 thought and my comment is just the relationship
40 between that forage fish out on Coxes Ledge to
41 the bluefin tuna fishery related to the wind
42 energy areas.

43 MR. BROOKS: Thanks, Rick. Anyone
44 else have any questions or comments for Brad or
45 Larry? I am not seeing anybody else, this would
46 be a first ever.

47 I now see Mike and Shana Miller.
48 Mike?

1 MR. PIERDINOCK: Can you hear me?
2 Thank you, Bennett, thank you, Brad, thank you,
3 Larry for your presentation.

4 A lot of what you heard from David as
5 well as from Rick is what we're seeing in
6 Massachusetts. I would just say the (audio
7 interference) tuna bite has been epic, especially
8 the South Coast and islands south of the Cape of
9 Massachusetts, that's been going on for months
10 and weeks and continues.

11 As Rick said, those little ones are
12 disappearing but they've come up closer to us,
13 we're finding them around Chatham and farther
14 north in tremendous numbers, the recreational
15 size bluefin in those areas, as well as the
16 ongoing giants that are out there, the
17 commercial-grade fish.

18 So, it's been epic. I know the
19 recreational community, we had tremendous
20 outreach to them to report their landings and
21 there was a little bit of a blip upfront or early
22 on with the program itself.

23 I know there was a lot of frustration
24 but I think that finally was addressed with the
25 app that squared that away.

26 One thing I'd just like to point out
27 is that the one slide which Brad did a great job
28 indicating that the one fish, commercial-size,
29 commercial-grade fish, in the General category
30 between June and August is the higher percentage
31 of numbers are in that one fish category.

32 And there's fewer fish being landed,
33 two or three fish at a time. I'd just like to
34 point out this may be something else that isn't a
35 evident with that, it's especially for the
36 for-hire fleet if they have an opportunity, say,
37 for example, to have six fish instead of one, in
38 this case three fish instead of one. That puts
39 more paying customers in the sea, that
40 opportunity to get more fish.

41 I just throw out there I think some of
42 this could be attributed to that. You have the
43 potential for three, there's going to be more out
44 there to get three when in reality (audio
45 interference) evident and comes into play when
46 you're looking at those numbers. That's it, all
47 I have to say is it's been an epic year. The
48 fish continue to be here and the commercial fleet

1 couldn't be happier other than if the price was
2 higher. So, that's it and I thank you.

3 MR. BROOKS: Am I the only person
4 having trouble hearing Mike or is it everybody?

5 MR. MCHALE: He broke up there. He
6 was breaking up, but I think the gist of it.
7 We're awesome, thank you, Mike.

8 MR. BROOKS: Let's bring it to Shana
9 Miller and then Tim.

10 MS. MILLER: Thanks, Bennett, and
11 thanks, Brad. This presentation, like David said,
12 is always so informative and just getting to your
13 last slide about enforcement with reporting in
14 the General category, obviously, that's
15 concerning and, of course, there's been poor
16 compliance reporting requirements in the Angling
17 category.

18 And that's great to hear, Mike, you
19 have been working on outreach on that. I think
20 those Angling category numbers that you put up
21 kind of hit home how poor compliance is because I
22 think there were ten giants landed in one week in
23 June in Long Island alone that I'm aware of.

24 So, there's obviously under-reporting
25 there as well. And I'm just curious why you
26 think things might be headed in the wrong
27 direction.

28 I don't think it's that people don't
29 know they're supposed to report.

30 You guys have done a great job with
31 outreach, it's great to hear some of the AP
32 industry members are promoting this because it
33 should help the fishermen to report, as we've
34 learned from the stock assessment conversation.

35 So, I'm just wondering, Brad, if you
36 have any ideas what is causing this decline in
37 reporting in the General category? And then also
38 to just really hit home this needs to be elevated in
39 the enforcement.

40 Typically when we go through the
41 enforcement update there's a handful
42 infringements that are reported for reporting
43 when we know it's for-hire. So, I just hope they
44 start to really increase enforcement.

45 But I'm rambling. I've been on ICCAT
46 meetings for two weeks, I don't even remember my
47 name so sorry about that. Back to the original
48 question, what do you attribute this decline in

1 reporting to?

2 Thanks.

3 MR. MCHALE: The decline in the
4 reporting, I'm really going to keep our focus
5 there on our commercial fishery participants, the
6 general category.

7 Actually, I'll just keep it isolated
8 to the General category. I think there's a couple
9 different things that are in play here.

10 I think one is with the abundance of
11 fish that have been anywhere from Ocean City all
12 the way up through New England, tuna fever has
13 set in where folks are potentially losing sight
14 of their roles and responsibilities when
15 participating in a commercially managed main
16 commercial fishery.

17 Even though the outreach efforts have
18 been there, I think that's a variable.

19 I think a second variable is that
20 there are a lot of efforts that the agency is
21 currently taking place to mitigate the reporting
22 burden, so, therefore, more options are coming
23 online for fishermen to report their catch,
24 whether it's a Mid-Atlantic species, a South
25 Atlantic, HMS or a GARFO species.

26 And so while I think there might be
27 some learning curve, they are both on the
28 fisherman side as well as on the agency side to
29 make sure the data pathways are getting to the
30 respective sets that managers like myself and
31 Randy and Larry and others are looking at.

32 Make sure that if somebody reports,
33 say, a fish through the HMS phone application is
34 getting to where we need to see it, just as
35 likely if somebody is using say an e-trips
36 application, which is the ACCSP methodology
37 currently in play.

38 So, I think that is also a variable.
39 As far as coming to enforcement, I think our
40 officer/agent that was online was having some
41 challenges dialing in, they are writing
42 citations.

43 I am communicating with him multiple
44 times a week, whether it's following up on a
45 Facebook post, whether it's information that's
46 been supplied to us.

47 By the way, Shana, if you know of ten
48 fish landed in Long Island, I'd like to know

1 about them, just saying, just so we can validate
2 our data streams.

3 So, everybody's got an obligation to
4 share data they have available to them. In that
5 vein, we don't have a lot of leeway at this point
6 for folks that we know have been active in the
7 fisheries to not report.

8 I'd have to go back to prior
9 enforcement presentations to determine whether or
10 not the metrics they reported on were of the
11 normal nature, which went through full
12 prosecution and what have you, versus just the
13 citations that agents and officers can write just
14 as if it was a speeding ticket on the spot.

15 But I do know that the Office of Law
16 Enforcement has been extremely active and I think
17 they have a little bit of carpal tunnel syndrome
18 this year from the citations they've been writing
19 regarding lacked reporting or any other potential
20 violations they've come across, with either HMS'
21 assistance or I think they've discovered through
22 their own partnerships with the State or the
23 Coast Guard.

24 MR. BROOKS: Thanks, Tim Pickett and
25 then we'll go to George Purmont? Tim?

26 MR. PICKETT: I'll save the bulk of my
27 comment for the A13 discussion but I think it is
28 important and I'm glad you guys are following up
29 stringently with OLE with this reporting issue.

30 Because I think if that's not
31 corrected, it puts a lot of the issues with the
32 Purse Seine reallocation as A13 is written
33 ending up in the hands of a fishery that has a
34 lot of under-reporting going on.

35 So, I'd applaud you in trying to get
36 that straightened out but I think it'll become
37 part of a bigger discussion when we talk about
38 that but I think that really needs to be a focus
39 in the context that A13 is proposed to go in
40 reference to the Purse Seine quota.

41 So, I'll just say that and I'll save
42 the rest of it for tomorrow.

43 MR. BROOKS: George Purmont?

44 MR. PURMONT: Good afternoon, can you
45 hear me?

46 MR. BROOKS: We can.

47
48 MR. PURMONT: Larry, Brad, excellent

1 presentations as always. In regards to
2 restricted-fishing days, it's my understanding
3 that no fish can be landed or be caught in at
4 least in the fishery.

5 What are the responses going to be
6 with an enhanced population as far as mortalities
7 if you try to assess particularly with
8 recreational fishing?

9 MR. MCHALE: George, you are accurate
10 that the way the regulation state those vessels
11 operate underneath a General category a fishery
12 cannot fish for, possess, or retain bluefin tuna
13 on those restricted days.

14 So, it's not just isolated to the
15 possession and then landing and selling of the
16 fish.

17 As far as the post-release mortality
18 of catch and release fishing, that has been an
19 ongoing issue and challenge before us, not just
20 as managers or representatives of the United
21 States but also I think as commercial charter and
22 recreational stewards of the fishery as well.

23 How do we then address the diversity
24 that is in our fleet and fishing techniques and
25 gears used, as well as the skill sets of the
26 fishermen themselves, knowing that not everyone
27 is going to have gears scaled up to fight the
28 fish of the size classes they're intending to
29 target.

30 I think Rick summarized it very well
31 earlier where all of the sudden we were seeing
32 variances in sizes available to a fishery that
33 could be a 30-pound fish down South of Long
34 Island and then within two weeks you're all of
35 the sudden seeing giants showing up.

36 And how rapid can fishery when you're
37 talking recreational fishery that may be just
38 part-timers all the way up to your full-blown
39 commercial unit?

40 How quickly can they scale their gear
41 to mitigate some of those post-release mortality?

42 I know recently the HMS Management
43 Division in combination with the recreational
44 coordinators had released a video highlighting
45 some of the best safe haven practices that
46 fishermen, regardless of what category they're
47 in, should be utilizing to help preserve released
48 fish to enhance their survivability.

1 To date we don't necessarily have a
2 silver bullet to put that issue to rest so I
3 think that dialog will continue with all of our
4 respective inputs.

5 How do you then try to mitigate that
6 while promoting access to the fishery versus,
7 say, a more draconian approach of you can't be on
8 the water, which is really the only way to
9 mitigate any post-release mortality.

10 But that obviously has dire
11 consequences in other directions. Something that
12 is still fully in our process to address but
13 continues to be evasive to us given the ability
14 that we experience in any given year.

15 MR. BROOKS: David Schalit, I see your
16 hand is back up?

17 MR. SCHALIT: I'll follow up on
18 Shana's comment. Shana and I have both to this
19 ending, this marathon ICCAT meetings of the last
20 two weeks and it's going to go into next week as
21 well.

22 As you know, Shana and I never agree
23 on anything but in this particular case, I have
24 to say, she is on the money.

25 We are having huge problems at the
26 SCRS with the data and a lot of these problems
27 would be addressed if we were able to improve our
28 reporting and I'm not pointing any fingers to
29 anyone, I'm referencing the General category and
30 the recreational sector as well.

31 What I think is going to be needed
32 here is some serious buy-in by the recreational
33 organization such as Recreational Fishermen's
34 Alliance, IGSA, Billfish Foundation, and from
35 whomever is involved with the commercial sector
36 as well, the fish dealers, ABTA.

37 We need to do a full court press to
38 make sure the fishermen understand how critically
39 important reporting is. I think 2015 was the
40 first time that the General category was required
41 to report anything.

42 So, this is a brand new concept for
43 them and it's something we are now above 70
44 percent but we need to close that gap and the
45 same is true with recreational guidance.

46 So, any efforts we can make in this
47 regard, any conversation we can get going on this
48 level that would be focused on improving

1 reporting is something we need to have. Thanks
2 very much.

3 MR. BROOKS: I am refreshing right
4 now. I see Mike, do you want to get back into
5 the conversation here?

6 MR. PIERDINOCK: Thank you, Bennett,
7 hopefully I'm not breaking up here and I'm
8 staying connected.

9
10 One thing to note with the
11 recreational landings, the Large Pelagics Survey
12 through the years has done an incredible job with
13 capturing those fish that we land or release or
14 so on recreationally.

15 And what we've pointed out within the
16 past year or two is because of climatic shift how
17 the fish have migrated released earlier in the
18 year from North Carolina on north. So, what we
19 need then is to have the Large Pelagics Survey to
20 be conducted in those areas earlier in the season
21 to capture them.

22 So, I think there is a reliable
23 methodology we presently have and it's called the
24 Large Pelagics Survey. In addition to that, it's
25 validated with the other means and methods that
26 we have for reporting by the recreational sector.

27 Whether it's General category, whether
28 it's for-hire General category or recreational,
29 we promote reporting and whether that is
30 occurring or not, let's just look at the General
31 category for example.

32 It ultimately gets captured by the
33 seafood dealers so the numbers ultimately get
34 captured with what is being landed. So, I just
35 want to point that out because in my opinion the
36 LPSLPS is doing an incredible job.

37 I pointed out I had reached out to
38 Brad and others earlier in the year when school
39 remained encounter out at the canyons in April
40 and they were coming up Rhode Island and the
41 South Coast of Massachusetts very early in the
42 season.

43 I don't know whether the LPS surveys
44 were going on in those areas at that point. So,
45 that's the thing that's going to require some
46 adjustment so it can capture those fish that for
47 years the LPS survey has worked well.

48 So, thank you.

1 MR. MCHALE: Thanks, Mike, for that
2 and you're right, the reporting methodologies
3 have overall worked pretty well but there is
4 always room for improvement.

5 Some of the rationale of why we have
6 the self-reporting systems in addition to the
7 Large Pelagics Survey is to capture fishing
8 interactions, which would mean not just the
9 landing but also the releases which is a big
10 piece of this as well.

11 Just the number of fish being
12 interacted with, where if the Large Pelagics
13 Survey, whether it's economic reasons or
14 whatever, if it's not being conducted and like
15 you pointed out, that anomaly there where
16 fisheries showed up in April, we need to be able
17 to lean on some of those other reporting
18 methodologies to capture those events to help
19 inform the scientists.

20 And that messaging, whether it's the
21 General category of participants or recreational
22 fishermen, is for those younger or smaller size
23 classes, the United States is the data source.

24 So, even if a General category
25 fisherman encounters 10 fish to find 1 that they
26 can land and then it turns south, if those fish
27 ultimately aren't reporting and folks like Craig
28 Brown and Clay Porch and others done in the
29 Science Center, they're representing the United
30 States, those 10 fish don't exist.

31 So, there is a collective messaging
32 that the agency and then the industry, rec,
33 commercial for-hire as well as the media can
34 really get on board to, in David's words, a full
35 court press.

36 We collaboration extensively with On
37 the Water Magazine to get some outreach material
38 through those avenues knowing the popularity of
39 that particular business.

40 And so we'll continue to be eyes and
41 ears wide open to continue to figure out how we
42 get that consistent message out to our respective
43 constituents so they really see the value and the
44 weight of what those reports can mean as far as
45 future fishing opportunities and the health of
46 the resources.

47 MR. MCHALE: Steven Getto, let's get
48 you in and for members of the public who are on

1 we will be turning to public comment in about
2 five minutes.

3 MR. GETTO: I might want to suggest
4 looking at some of the voluntary surveys that we
5 use with Water Fowl. I happen to be a very
6 active Water Fowler and Fisheries and Wildlife,
7 they rely heavily upon committed hunters to give
8 them accurate surveys on the birds they kill.

9 We actually collect pieces of the
10 birds, we do wings and feathers as well. So,
11 there may be fishermen that are willing to give
12 accurate data and accurate reporting that can be
13 used as a supplement to extrapolate further out.

14 So, looking at what we do with the
15 Water Fowl may be a suggestion to get some ideas.
16 Thanks.

17 MR. BROOKS: David, is your hand back
18 up or is that a leftover?

19 MR. SCHALIT: It's back up again. I
20 just wanted to respond to Mike just to clarify.

21 At ICCAT, at the SCRS there were two
22 indexes that are used of many indexes in the
23 fact-checking process, once of which involves the
24 juvenile fish that are classified out and the
25 other one are the giants that are fish over 73
26 inches.

27 These are CPUE indexes, catch per unit
28 efforts index, and basically, the problem we're
29 having is that these indexes are not giving us
30 bullet point numbers for CPUE.

31 The reason why is very simple, we are
32 not capturing data on fishing trips that result
33 in no fish being caught. You have to have that
34 data as well as the data involving those fishing
35 trips in which fish were caught to have a proper
36 CPUE index.

37 The only way you can get that data in
38 my view is by reporting and that's the tricky
39 part of this. I think the Large Pelagics Survey
40 we have been doing for many years but a yeoman's
41 job and it is a sampling survey by the way.

42 It is not a census. The Canadians and
43 the Japanese are running with a census, in other
44 words, every single trip that's taken by a
45 Canadian fisherman is recorded whether they
46 capture fish or not.

47 And obviously the Japanese, that's a
48 longline industry, but you see what I'm saying is

1 that there's data that's missing that has always
2 been missing from the Large Pelagics Survey and
3 that makes it difficult to make certain
4 assumptions, important assumptions, with the
5 data.

6 MR. BROOKS: Pete, unless you're
7 seeing something different, I don't see anyone in
8 the queue at this point. Since we are just about
9 out of time this is probably a good time to turn
10 to public comments.

11 Brad and Larry, thank you very much
12 for the presentation and everyone for the
13 discussion. At this point, non-members and
14 members of the public who have been patiently
15 listening in, this is your moment to weigh in and
16 share your perspectives.

17 If you would like to have an
18 opportunity to comment if you could raise your
19 hand and again, the way you would do that, if you
20 put your cursor at the bottom of your screen and
21 you'll see a little smiley-face icon.

22 If you click on that it'll bring up a
23 box that will say raise hand. That's one way to
24 get in there. If you are on the phone only, if
25 you hit star 3 that will also be another way you
26 can get in there.

27 And lastly, if none of those are
28 working for you you can show something in the Q&A
29 and just let us know that you want to make a
30 comment. What we want to do is ask folks to limit
31 their remarks to a few minutes or so.

32 I'll just remind members of the public
33 who maybe have not been here before it is not
34 intended to be a dialog back and forth but rather
35 it's an opportunity for you to share a comment
36 for the benefit of the AP members, for the
37 benefit of the HMS staff.

38 So, please use it that way. It's
39 again really for making comments as opposed to
40 posing questions and starting a conversation.

41 Lastly, just when I call you in, if
42 you would start with your name, affiliation, and
43 the topic that you're wanting to talk to will be
44 helpful for us.

45 With that I see David Shiffman. Let's
46 start with you, and again, name, affiliation, and
47 the topic you're talking to.

48 MR. SHIFFMAN: It says I'm unmuted.

1 Bennett, can you give me a thumbs-up or
2 something? Thank you, Randy.

3 MR. BROOKS: You're good.

4 MR. SHIFFMAN: Thanks, everybody, my
5 name is Dr. David Shiffman from Arizona State
6 University and I have a comment about shark
7 fishing, specifically two brief related things
8 I'd like to say following some of the discussions
9 we had this morning.

10 Last week, the NOAA Fisheries social
11 media team deleted a post that was promoting
12 sustainable shark fisheries following a deluge of
13 negative, often quite informed comments.

14 While I have experience with things
15 like this and feel sympathy for the comms staff
16 who had to endure such vitriol, and I might
17 quibble with some of the specific species that
18 were recommended as shark recipes, I have a
19 concern about the implications of a decision for
20 a science based management agency like NOAA to
21 delete information just because it upsets some of
22 the loudest voices on the Internet.

23 At some point, I would love to see
24 some sort of formal explanation as to what policy
25 was followed in choosing to delete this post and
26 what this decision might mean in terms of NOAA's
27 social media and coms teams promoting sustainable
28 shark fisheries in the future.

29 Additionally, I have a brief concern
30 I'd like to raise about a suggestion I heard this
31 morning concerning depredation. It seems like
32 some of the commenters were suggesting that shark
33 fisheries should be expanded specifically to
34 reduce shark populations to have a perceived role
35 in reducing the number of sharks that were
36 depredating fish caught by other fish caught by
37 fishers.

38 While I'm a local supporter of
39 sustainable shark fisheries, what's being
40 proposed here is not sustainable shark fisheries,
41 it sounds an awful lot like a call for the
42 purpose of perceived pest control.

43 I object to this on principle and also
44 not that it also probably wouldn't help very
45 much.

46 From what I understand about the
47 depredation issue, the reported rate of increased
48 depredation in the last few years is much, much,

1 much higher than the reported rate of shark
2 population increase, which means it's not just
3 more sharks that's driving increases in
4 depredation, which means that reducing the number
5 of sharks probably would not do much to reduce
6 shark depredation.

7 I am happy to discuss any of these
8 issues with anyone offline, my email is
9 whysharksmatter@gmail. Thank you very much for
10 the opportunity to speak today.

11 MR. BROOKS: Are there any other
12 members of the public that are wanting their
13 opportunity to share a comment? I am refreshing
14 and not seeing anything yet. One last chance for
15 members of the public?

16 If not, Randy, unless there's
17 something you would like double-back to, I
18 propose that we give people a half hour back in
19 their lives and adjourn a little early. Does
20 that sound right?

21 MR. BLANKINSHIP: Yes, I think that
22 sounds like a great idea. People would probably
23 enjoy to have that. I don't have anything to add
24 to our discussions earlier. I think they've been
25 very good and lively.

26 We have heard a lot of really good
27 input and I really appreciate all of that. I
28 look forward to continuing tomorrow.

29 MR. BROOKS: Just a reminder for
30 tomorrow, we will start promptly at 9:00 a.m.

31 Please encourage folks to start
32 calling in around 8:45 a.m. just so we can do as
33 we did today and make sure we're hearing
34 everybody and it's all working so we can start at
35 9:00 a.m. promptly.

36 Thanks to all the AP Members who put
37 an AP at the start of your name. If you didn't
38 do it today you have a chance to do it again
39 tomorrow.

40 I encourage you to do that and I did
41 see a comment that we do know that something
42 isn't quite working with the phone number people
43 are trying to call in on so I guess we'll just
44 take a look at that afterwards and see if there's
45 anything else we need to be doing or Craig, if
46 there's anything that you want to fold in now for
47 phone users to do so.

48 And just a reminder that tomorrow

1 we'll hear about the economic situation report,
2 we will then have leadership updates in the
3 morning and then the rest of the day will be a
4 three-part discussion on Amendment 13.

5 So, I'm looking forward to the
6 conversation and we will see you all tomorrow.
7 Thanks very much.

8 (Whereupon, the above entitled matter
9 went off the record at 3:34 p.m.)

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75 4:22

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8 1:18

8:45 112:32

88 4:24

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9 4:13 96:42

9:00 1:23 10:20 112:30

112:35

9:05 5:2

91 94:9

C E R T I F I C A T E

This is to certify that the foregoing transcript

In the matter of: Atlantic Highly Migratory
Species Advisory Panel

Before: U.S. NOAA

Date: 09-08-21

Place: teleconference

was duly recorded and accurately transcribed under
my direction; further, that said transcript is a
true and accurate record of the proceedings.

Neal R Gross

Court Reporter

NEAL R. GROSS

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