

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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PUBLIC MEETING

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WEDNESDAY
 MAY 18, 2022

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The Panel met at the DoubleTree by Hilton Silver Spring, 8777 Georgia Avenue, Silver Spring, Maryland, at 10:00 a.m. EDT, Bennett Brooks facilitating.

MEMBERS PRESENT

JASON ADRIANCE, Louisiana Department of
 Natural Resources

CHARLIE BERGMANN

PETER CHAIBONGSAI, The Billfish Foundation

DANIEL COFFEY, Harte Research Institute for
 Gulf of Mexico Studies

DUSTIN COLSON, Atlantic States Marine
 Fisheries Commission

JOHN DEPERSENAIRE, Viking Yacht Company

RAIMUNDO ESPINOZA, Conservacion ConCiencia
 Inc.

YAMITZA RODRIGUEZ FERRER, Puerto Rico DNER,
 Recreational and Sport Fisheries Division

SONJA FORDHAM, Shark Advocates International

STEVEN GETTO, American Bluefin Tuna
Association

WILLY GOLDSMITH, American Saltwater Guides
Association

WALT GOLET, University of Maine School
of Marine Sciences, Gulf of Maine Research
Institute

DEWEY HEMILRIGHT, Mid-Atlantic Fishery
Management Council

GREG HINKS, New Jersey Department of
Environmental Protection

EVAN HIPSLEY, JR.

JAMES HULL, Hull Seafood

BOB HUMPHREY, Sport-Ventures Charters and
Casco Bay Bluefin Bonanza

LISA KERR, Gulf of Maine Research Institute

CHRISTINE KITTLE, Florida Fish and Wildlife
Department

JEFF KNEEBONE, New England Aquarium

JEFF ODEN, F/V Sea Bound

TIM PICKETT, Lindgren-Pitman, Inc.

MICHAEL PIERDINOCK, CPF Charters
"Perseverance"; Recreational Fishing
Alliance

STEVE POLAND, North Carolina Division of
Marine Fisheries

GEORGE PURMONT

MARK SAMPSON, Ocean City Charterboat
Captains Association

MARTIN T. SCANLON, F/V Provider II

DAVID SCHALIT, American Bluefin Tuna
Association

GREGORY SKOMAL, Massachusetts Division of Marine
Fisheries

PERRY TRIAL, Texas Parks and Wildlife
Department

RICK WEBER, South Jersey Marina

ALAN WEISS, Blue Water Fishing Tackle Co.

KATIE WESTFALL, Environmental Defense Fund

ANGEL WILLEY, Maryland Department of Natural
Resources

NOAA NMFS STAFF PRESENT

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

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

**CRAIG COCKRELL, Atlantic Highly Migratory
Species Management Division**

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

**DAN CREAR, Atlantic Highly Migratory Species
Management Division**

**TOBEY CURTIS, Atlantic Highly Migratory
Species Management Division**

**GUY DUBECK, Atlantic Highly Migratory
Species Management Division**

**CLIFF HUTT, Atlantic Highly Migratory
Species Management Division**

**BRAD McHALE, Atlantic Highly Migratory
Species Management Division**

**SARAH McLAUGHLIN, Atlantic Highly Migratory
Species Management Division**

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

**TOM WARREN, Atlantic Highly Migratory
Species Management Division**

ALSO PRESENT

KATIE MOORE, United States Coast Guard

**KEVIN SWIECHOWICZ, Office of Law
Enforcement, NOAA NMFS**

**MATT WALIA, Office of Law Enforcement, NOAA
NMFS**

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

10:02 a.m.

MR. BROOKS: All right. Good morning. Nice to see everybody. And for those of you on Zoom, glad you are here as well. Big, bold hybrid meeting. Going to be interesting. Something new and different. And we'll talk about all of that in a little bit here, but I'm going to hand it off to Randy just to give us a more proper welcome.

MR. BLANKINSHIP: All right. Good morning. Welcome to the HMS Advisory Panel Meeting. It is great to see you all in person and online, for those that are attending virtually. This, of course, is our first in-person meeting in about two and a half years, roughly.

I'm excited to be here and to be at this point, to be able to have the conversations that we're going to have around the table and, for those of you in person, also the conversations we'll be able to have in sidebars and that kind of thing.

I recognize that you all have traveled in many cases quite a distance, and some of you

1 shorter distances, but taken time out of your
2 schedule in order to come and join us for this
3 meeting, either in person or virtually. And we
4 really appreciate that.

5 This part of our management process is
6 very important to us. You as the Advisory Panel
7 provide valuable input to us from the perspective
8 of the many different stakeholders that you
9 represent. And that input we take seriously. We
10 listen, and it helps our fishery management
11 measures to be better because of that input.

12 So thank you very much for the time that
13 you have taken and are going to take over the next
14 three days to do this. We have been spending a lot
15 of time preparing this meeting, and this is the
16 first time we've done a hybrid meeting like this.
17 And I really appreciate the work of our HMS staff
18 and Office of Sustainable Fisheries staff to put
19 this together.

20 You see there's a lot more tech in the
21 room than there used to be, and we're trying out
22 some new things. We're hoping that it works very

1 smoothly, but don't be surprised if there's a
2 glitch here or there, and please bear with us if
3 we have to deal with that from time to time.

4 But I really can't say enough about our
5 staff, Pete Cooper and many others, that have
6 really done a great job of planning and testing for
7 this approach. I don't want to continue to talk
8 too much because we want to get into the meat of
9 this.

10 The agenda that we have over the next
11 three days will cover a lot of different topics.
12 Those of you that are familiar with our agendas over
13 the last several years may see that this is maybe
14 a little bit of a light agenda, and that is probably
15 intentional.

16 We have found, as many others have, that
17 during the virtual settings through COVID and
18 meetings that were held virtually, that more time
19 is needed to allow for the participants to be able
20 to weigh in, provide their input, and that a
21 somewhat lighter agenda facilitates that allowance
22 of more time for that to take place.

1 And because this is a hybrid meeting,
2 we still have that component at play in addition
3 to the in-person aspects. So we designed the agenda
4 to accommodate that and provide that space for
5 participation, and we hope that it will work well.

6 With that, I'll turn it back over to
7 Bennett, and I'll have a chance to talk a little
8 bit later during my overview presentation.

9 MR. BROOKS: Great. Thanks, Randy.

10 And again, good morning to everybody.
11 It is really nice to see you. I don't know about
12 you all; this is my first in-person meeting in I
13 think 29 months or something like that.

14 It's a little bizarre that it's been so
15 long, but it's really nice to be together and see
16 all of you. And to those of you that are online,
17 you probably have the heavier lift because you've
18 got to stare at a computer for two and a half days.
19 So thank you for it.

20 As Randy said, we're going to figure our
21 way through this hybrid meeting together. I'm sure
22 there will be bumps, and I'm sure we'll learn and

1 look for a lot of feedback from you all in the room
2 and online to tell us what's working and what's not
3 so we can just keep improving it as we go forward.

4 We actually have a very good mix of
5 folks both in the room and online. So, as always,
6 that's what this group is about. It's talking about
7 a lot of issues and hearing the perspectives from
8 those of you who come at these issues from any
9 number of angles. And as always, the point is for
10 the Agency to be able to share a lot of information
11 with all of you and for the Agency to hear your
12 perspectives. So thank you all for being here.

13 We do have a number of new members, so
14 I want to make sure we just introduce them. I don't
15 know if everyone's in the mix yet, but I think we
16 have a bunch of folks already online or in the room.

17 So, for the commercial sector, we've
18 got Charlie Bergmann. We've got Jimmy Hull. Rec,
19 we've got Willy Goldsmith. I know, Willy, you were
20 -- there you are. Academic, we've got Jeff Kneebone
21 and Danny Coffey over to my right, Lisa Kerr, who
22 I think is on virtually. And then Demian Chapman

1 I don't believe is going to be able to participate
2 but is a new member as well.

3 So, to all of you, thank you. Welcome.
4 It's good to have you here. If you have questions
5 as we're rolling on, just let us know.

6 A quick scan of our three days right
7 now. Today is going to be overviews of HMS
8 activities and rulemaking. We'll hear from ICCAT.
9 We'll talk a little bit of bluefin tuna and also
10 hear from the enforcement team. So we'll hear from
11 Coast Guard and OLE.

12 We will go to lunch at 12:30. So for
13 those of you that are needing to set up phone calls
14 or make other plans, 12:30 is the time to do that.
15 We'll also be taking morning and afternoon breaks
16 as well. So, again, want to keep you all fresh as
17 much as we can, and we'll end up by 5:00 today.

18 Tomorrow, we'll be talking Amendment 13
19 and look at the final EIS for bluefin tuna. We'll
20 talk about recreational data survey. We'll have
21 a presentation on offshore wind. I know that's been
22 an issue that's had a lot of interest around this

1 table in the past.

2 We'll hear about the Pelagic Longline
3 Take Reduction Plan rule update and also the
4 Electronic Monitoring Cost Allocation Policy, and
5 that'll be a full day as well. Again, lunch at
6 12:30, and finishing, I think, just a drop before
7 5:00 tomorrow.

8 And then Friday will be a short day.
9 We'll hear from leadership. We'll have a
10 presentation on equity and environmental justice
11 and how that relates to highly migratory species,
12 and then a presentation on shark depredation. And
13 we'll be finishing on Friday at 12:00. So, again,
14 just so we all have a same map in our mind.

15 A little bit more specifically on
16 today, earlier this morning, there was a new-member
17 orientation which Randy gave for the new folks
18 around the table. In a moment, we'll jump into the
19 HMS overview. This morning, we have that. We'll
20 talk ICCAT, and then we'll hear about HMS actions,
21 rules, and notices. And then, after lunch, we'll
22 come back and talk about the bluefin tuna year in

1 review and any 2022 management issues and then
2 enforcement.

3 For members of the public who are on,
4 we will be taking public comment every day. Today
5 that will happen at 4:30, so stay tuned for that.

6 Ground rules. How do we all work in this
7 around the table and with Zoom? It's sort of
8 typical and usual and also a little different. So
9 the usual stuff is looking for the same mix of
10 conversation. We want to hear from everybody
11 because we need to hear your perspectives. We need
12 you to be really focused in your comments so we can
13 hear from everybody. It's a big group, and there's
14 always a lot of perspectives to hear.

15 Listen hard to each other. Ask
16 questions of each other. A reminder to all that
17 this is not a consensus-seeking body. It's always
18 helpful in these conversations to understand where
19 views converge because that's very helpful to Randy
20 and team. But the intent here is more to have a
21 sharing of perspectives than a drive for consensus,
22 unlike some other bodies.

1 AP members are the primary
2 participants, so the folks who are around the table
3 and the folks who are panelists in the Zoom. And
4 so that's who will engage in the conversation
5 except for when we have public participation.

6 And then, Randy, I'll look to you and
7 your team if there are others around the room who
8 have expertise -- look to you for when that's
9 appropriate to fold them in.

10 Hybrid world. What does that mean for
11 us? I think everybody -- whether you're in person
12 or whether you're online, there are some different
13 opportunities and some challenges. And I think we
14 just all have to kind of make it work in this world
15 and just be respectful of however people want to
16 engage.

17 I am personally going to have to wear
18 a mask the whole meeting. I apologize for it if
19 that's uncomfortable for anybody, but I need to do
20 it both because of a home situation and I have to
21 be able to get on a plane on Friday and not be stuck
22 in D.C. for a week. And so I have to be able to

1 test negative to do that.

2 So I'm adapting to my situation. I
3 think we're all adapting to each of our situations.
4 And again, I'm going to be working really hard to
5 speak loudly. If you can't hear me, let me know,
6 and I will have to adjust.

7 If you're here in the room, the things
8 I would just ask is -- we all have these little
9 badges that have either a green, a yellow, or a red.
10 Take a look and see what people are wearing, and
11 just engage. The green, I think, is kind of -- it's
12 just regular old time. Red is pretty cautious, and
13 yellow is somewhere in between. Just ask, and then
14 we'll all know how we all want to engage, I think
15 is the best way to deal.

16 We who are in the room -- the biggest
17 challenge in a hybrid meeting is that the folks in
18 the room -- we all tend to dominate because we see
19 each other, and the folks who are online are a
20 little bit distant from us. I've got them in front
21 of me, which we'll hope to keep present.

22 But I think for those of us in the room,

1 we just need to make space for the virtual
2 participants and be really mindful that we're doing
3 that. That's mostly on me, but I think we can all
4 help do that. Really important is avoid side
5 conversations because that will make it really hard
6 for the participants to hear. So just double down
7 on doing that.

8 For those of you who are online, my
9 biggest plea to those of you who are online is
10 please keep your cameras on. You will be much more
11 present. You cannot see it, but in the room, we
12 have a screen. You are all on there. And so, right
13 now, we've got camera angles so you can see all of
14 us. But when you're speaking, you'll be on there.
15 The more you have your cameras on, the more we will
16 be as if we're one panel.

17 Please stay muted unless you're
18 talking. If you want to get into the queue for those
19 of you online, again, raise a virtual hand. If for
20 some reason that's not working, you can throw a chat
21 into the mix, and we'll capture it that way.

22 Oh. Other thing is, for everybody,

1 before you talk, once I recognize you, wait for a
2 second or two before you start talking. There is
3 a switching that needs to happen, and if you start
4 talking right away, we're not going to get the first
5 start of your comment. So just do like a two-beat,
6 and then start talking. And we'll try to remind
7 you of that.

8 Panelists, you have a chat function.
9 You can chat each other or us. As always, I ask
10 you to minimize the use of the chat so we're really
11 focused in on what we're all saying and listening
12 hard to each other.

13 The way I'm going to run the queue is
14 I'll probably take a few people in the room, and
15 then I'll look to online and take a few people
16 online and just kind of bounce back and forth that
17 way. That seems -- I think works best for the
18 technology and keeping everyone in the mix. And
19 I usually like to play around a little bit with the
20 queue, make sure we're bringing in voices we
21 haven't heard or allow a dialogue back and forth.

22 So I'm just going to figure this all

1 out, and bear with me. And again, if it's working,
2 great. If it's not, let me know.

3 Tech issues, chat or email Craig or Pete
4 if you have questions. We are recording; is that
5 correct?

6 Okay. So, everyone, we're -- yeah.
7 Okay. So we are recording. I think that's all I
8 have to say other than be comfortable. Use the
9 breaks to step away from the computers, for those
10 of you that are online. You in the room, you all
11 know what to do at breaks. That's it. What
12 questions does anyone have about the agenda, about
13 the ground rules, about hybrid? Anything in the
14 room or online?

15 No? Have I stunned you into silence?
16 I hope not. All right. I think we are good then,
17 and I'm going to hand it off to you, Randy.

18 MR. BLANKINSHIP: There it goes. All
19 right. So we will shift into the overview
20 presentation that we usually start off our Advisory
21 Panel meetings with to give you an idea of some
22 things that are happening within HMS Management

1 Division.

2 Usually, we do this in one kind of
3 longer presentation. We decided this time to split
4 this into two parts. Rather than me covering recent
5 rulemaking, that is now going to be in the later
6 presentation a little bit later this morning. But
7 I will cover some of the other things that we
8 usually give you all updates on.

9 So, in this presentation, the updates
10 will be related to the things that you see here on
11 the left: new staff members, term limits,
12 operational aspects of HMS management, an update
13 on best scientific information available, or BSIA,
14 update on gear-restricted area monitoring areas,
15 and update on litigation and then online workshops.

16 In this presentation, I won't be going
17 over things that we have agenda items for later in
18 the meeting. And so discussions on those points
19 will be deferred to those later agenda topics.

20 So, related to HMS Management Division
21 and staff changes, you may notice that some folks
22 that you used to see are not around because we've

1 had some changes. Most notably, one of our
2 long-time employees, Rick Pearson, retired at the
3 end of 2021. And Rick was integral in a lot of HMS
4 work over the years. He had long conversations,
5 I know, with some of you. And he is enjoying retired
6 life at this point.

7 Lauren Latchford, one of our other
8 staffers, took a different job and moved on a few
9 months ago. And our own Neva Howard that you all
10 know from the front desk up front and helps with
11 a lot of our administrative stuff will be retiring
12 soon. So you can tell her congratulations when you
13 see her.

14 We have some new hires that we're
15 excited about. And Ann Williamson is one of those.

16 Ann, you want to wave over there?

17 And Erianna Hammond, who is not here --
18 she had a death in the family, and she was not able
19 to make the meeting. And they are new hires in the
20 Rulemaking Branch, which is -- Karyl
21 Brewster-Geisz is the Branch Chief for that branch.

22 And then our other new hire is Ben

1 Duffin.

2 Ben?

3 There he is, right back here. And he
4 is in the Fisheries Monitoring Branch, and that is
5 under Brad McHale. Brad is the Branch Chief for
6 that.

7 So I also included here our
8 organizational chart, at least through Branch
9 Chief level, to help clarify kind of our
10 organization at this point. A couple of AP meetings
11 ago, I had mentioned that we went through a
12 realignment and presented this same org chart back
13 at that time. At that time, we had not filled the
14 position that Sarah McLaughlin now holds, which is
15 that Assistant to the Division Chief. And so that
16 is now populated.

17 We have three branches: Fisheries and
18 Monitoring Branch under Brad McHale, Products and
19 Services Branch under Pete Cooper, and Rulemaking
20 Branch under Karyl Brewster-Geisz. That is a
21 change from the old four-branch system that we had
22 that was based on geography, and now we are based

1 as an organization on functional groups.

2 This has allowed us to be much more
3 streamlined and efficient in how we go about our
4 work and a little bit less confused in an
5 organization standpoint about who does what. And
6 we have seen some benefits from this, and we'll
7 continue to be doing it. So this is just really
8 a reminder. This is not new information but a
9 reminder about what we've done within HMS recently.

10 So one update that I wanted to give you
11 on that we have spoken with the AP about over the
12 last year and a half or so has been the topic of
13 term limits. And we got input from the AP and have
14 now finalized that plan. So what I'm presenting
15 to you now is what is in place right now, and that
16 is that we are implementing term limits for AP
17 members.

18 Terms are three-year terms. AP members
19 who have served on three consecutive terms and
20 whose term is expiring will not be eligible for
21 re-nomination after three consecutive terms. But
22 all that has to happen to be eligible again is to

1 sit out one year, and then nominations could be
2 entertained again for those members.

3 This will begin with terms that are
4 expiring at the end of this year. And so, for those
5 of you that fall into that category, you can expect
6 to get an email notifying you of that shortly in
7 the next, probably, few weeks or so just to make
8 sure that you'll be aware of that. And that
9 reminder will take place before the fall AP
10 meeting, and this will certainly give those folks
11 a chance to think about any comments that they'd
12 like to make if they're stepping off the AP for at
13 least one year.

14 And that is it in a nutshell for how we
15 will make this approach. Once again, the purpose
16 of this was to facilitate a couple things. One is
17 getting new ideas here at the AP but also providing
18 for an opportunity to maintain institutional
19 knowledge and that we would lose that over the long
20 term because of the ability for members to be able
21 to be eligible for re-nomination again. It is also
22 consistent with the way that the Fishery Management

1 Councils handle term limits themselves.

2 So, on the operational side of things,
3 so far in 2022 -- you see here is a table with some
4 statistics of various activities that we do: number
5 of EFPs -- exempted fishing permits -- scientific
6 research permits, and letters of acknowledgment
7 that have been issued; Shark Research Fishery
8 permits; tournaments that are registered -- and
9 this is 158 now; that number grows through the year
10 -- actually, all of these numbers generally grow
11 through the year -- the number of workshops that
12 have been conducted that are in person, and of
13 course we have the online workshops as well; and
14 then number of HMS News subscribers, which has
15 grown over time; and then the number of
16 recreational shark endorsements and
17 charter/headboat commercial sale endorsements and
18 the percentage of those.

19 And so, remember with those particular
20 endorsements, this is not where we're trying to
21 achieve 100 percent. This represents the
22 percentages, for instance, on recreational shark

1 endorsements, on the Angling permits and
2 Charter/Headboat permits. Those permit holders
3 that are wishing to fish for sharks need to have
4 that shark endorsement. And so that's what that
5 represents.

6 Charter/Headboat commercial sale
7 endorsements, this represents the portion of the
8 Charter/Headboat permit holders that wish to sell
9 fish, to keep that in mind related to those
10 statistics.

11 Another update is to let you know that
12 we finalized the Best Scientific Information
13 Available document, or BSIA. We've had
14 presentations about this at our last AP meeting and
15 were able to finish that and post it online and make
16 it publicly available on May 6th, which met our
17 deadline internally for guidance of when that was
18 supposed to be developed.

19 And in addition to HMS, each of the
20 regions around the country also have developed
21 their BSIA framework documents as well. And
22 there's a link here for you to be able to go and

1 take a look at that.

2 It basically describes the process that
3 exists for what is considered best scientific
4 information available, particularly related to
5 stock assessments that are conducted through ICCAT
6 processes, through SEDAR processes, and through
7 external assessments that may be conducted outside
8 of those processes that might be considered for use
9 for management for domestic sharks.

10 Please take a look at that if you wish.
11 It is a very good document that describes in detail
12 what is involved in those processes.

13 Also an update on the gear-restricted
14 area and weak hook management measures that were
15 implemented in the final rule on April 2nd of 2020.
16 The purpose of that rule and these measures is to
17 evaluate whether some current pelagic longline
18 area-based and gear-management measures remain
19 necessary to reduce and maintain low numbers of
20 bluefin discards and interactions.

21 That action converted two
22 gear-restricted areas into monitoring areas and

1 allowed fishing to take place within those under
2 a specified threshold of bluefin interactions. And
3 if that threshold was achieved or surpassed, then
4 that area would revert to a gear-restricted area.

5 So we have been monitoring that over a
6 three-year period. This is year three in 2022, and
7 so the monitoring continues. You can go to this
8 web page that's linked here in order to see updates
9 about that action and the status of interactions.
10 We update that as often as we can. Usually, it's
11 about every week, given the QA and QC that needs
12 to take place for that data.

13 Also, confidentiality requirements
14 certainly apply in instances where the amount of
15 fishing that's taking place in there may need us
16 to not report that information if it came from three
17 vessels or fewer than three vessels.

18 This action, right after it was
19 finalized, was litigated. A lawsuit was filed by
20 Earthjustice on behalf of the Healthy Gulf and
21 Turtle Island Restoration Network. And recently,
22 in the last couple of months, the District Court

1 of Maryland upheld this rule.

2 One other thing I'll say about this is
3 that after the conclusion of the three-year
4 monitoring period, we will be embarking on an
5 analysis and developing a report about the
6 interactions and the performance of the changes in
7 the monitoring areas after the fact, as specified
8 in the final rule.

9 So I mentioned workshops earlier and
10 the ones that are held in person, and this is a
11 reminder that we have developed online workshops
12 and implemented that for recertification of those
13 that need to have the workshop certification.

14 This was implemented back in the fall
15 of 2021 and is available for persons that have
16 already taken an in-person workshop. This is
17 available for both of the Safe Handling, Release,
18 and Identification workshop and the Shark
19 Identification workshop.

20 The in-person workshops continue to be
21 scheduled, and they occur in different parts of our
22 management area throughout the year. The schedule

1 is posted online on the Workshops page, and more
2 information is available on that page for how to
3 participate in the online workshops.

4 If you have any questions about this,
5 we'd be glad to talk you through them. There are
6 requirements for the Safe Handling, Release, and
7 Identification workshop specified in our
8 biological opinion for the pelagic longline
9 fishery. And so this helps us to implement these
10 effectively.

11 So we recently sent out an HMS News
12 email that some of you may have seen with the
13 information on this same slide related to catch
14 reporting options for HMS. And this is in an effort
15 to make sure that everybody knows what options are
16 available for complying with the requirements to
17 report.

18 So those reports are necessary for
19 reporting of landings of billfishes and swordfish
20 and landings or dead discards of bluefin tuna. The
21 reporting is for HMS Angling permits,
22 Charter/Headboat permits, and Tunas General

1 category and Harpoon category permits.

2 The reports may be submitted through
3 the linked options here: the HMS permit shop
4 website, which is online reporting; the HMS catch
5 reporting smartphone app, which can be downloaded
6 to smartphones and reported via that mechanism; and
7 also the SAFIS eTrips mobile and online options.

8 So this has been available for a little
9 while and is now -- certainly, we're getting the
10 word out that it's available. That system is used
11 by many permit holders for other reporting under
12 regional requirements. And so this streamlines
13 that reporting system through that option.

14 It is the case in North Carolina and
15 Maryland that the state catch cards must be filled
16 out and submitted under those requirements of the
17 states. That still is in play and is required for
18 those states regardless of any other reporting that
19 takes place.

20 And then also for clarification is the
21 third bullet down here. The GARFO FishOnline that
22 is used for eVTR and Bluefin Data LLC VESL reporting

1 platforms do not collect all the data needed to
2 satisfy the HMS catch reporting requirements.

3 So, while those reporting mechanisms
4 are sufficient for meeting some of the regional
5 requirements that they're designed for, they don't
6 yet meet the HMS reporting requirements. And so
7 this is making sure that folks know that if they're
8 using that, they will still need to use the other
9 reporting mechanisms for reporting HMS to meet the
10 Atlantic HMS regulations and requirements for
11 reporting.

12 And then, of course, for commercial
13 logbook participants, that is still a paper logbook
14 system at this time, although there is work to try
15 to move that towards an electronic reporting in the
16 future.

17 So this slide provides several links,
18 if you're able to get to it, where you can see
19 landings updates for different species groups and
20 also an update on tournament registrations, which
21 tournaments are registered, which is a good source
22 of information for vessels that are participating

1 in those tournaments and knowing what regulations
2 apply to them, for reporting in particular and
3 retention limits in some situations, and also
4 information about minimum sizes and bag limits.

5 So the next couple of slides reflect
6 that there is a lot happening outside of Atlantic
7 HMS Management. And while Atlantic HMS is not the
8 group that controls some of these, we wanted to make
9 you aware of some of these things that are going
10 on and provide links to information where you can
11 get more information.

12 One of them is the Atlantic Large Whale
13 Take Reduction Plan, which is an ongoing process.
14 Mentioned here is Phase II. It deals with
15 modifications, including for gillnet fisheries and
16 some scoping work that occurred in fall of 2021,
17 recent meetings that have taken place, and that
18 it's anticipated that rulemaking will take place
19 related to this as well. More information is
20 available at the link in the presentation.

21 Also related to aquaculture, on the
22 horizon is a notice of intent to prepare

1 programmatic environmental impact statement for
2 the aquaculture opportunity areas in the Gulf of
3 Mexico. This will be a topic that will have an
4 update happening at the June Gulf Council meeting.
5 That will be a good source of information for that.
6 And a link is provided here as well.

7 Also, for those that are tracking
8 what's happening with Northeast Canyons and
9 Seamounts area, back in October 2021, the status
10 of this changed. President Biden revised the
11 prohibited activities to prohibit commercial
12 fishing in this area.

13 This is an area that was created as a
14 monument under the Antiquities Act and has changed
15 status a couple of times. It was originally
16 restricted to commercial fishing under the Obama
17 administration, and then that reverted to allowing
18 some fishing to take place in that area under the
19 Trump administration, and then shifted back to its
20 current status under the Biden administration.

21 Also, for Atlantic mackerel and
22 herring fisheries, the Mid-Atlantic Fishery

1 Management Council is doing quite a bit of work for
2 Atlantic mackerel. And this is a species that is
3 considered to be overfished and overfishing
4 occurring, and rebuilding of the species was
5 determined to not be occurring quick enough. So
6 new management measures are being considered by the
7 Council. Links are available here to more
8 information.

9 This is relevant and a sensitive issue
10 for some of you and participants in Atlantic HMS
11 fisheries because Atlantic mackerel is used for
12 bait in many of the HMS fisheries. It certainly
13 is a forage species --

14 (Simultaneous speaking.)

15 MR. BROOKS: Hey, Randy, I'm going to
16 jump in for one second. A little feedback from
17 online. If you can get the mic a little bit closer.
18 I think when you're making eye contact, the voice
19 is trailing from the mic a little bit.

20 MR. BLANKINSHIP: Okay. Thank you.

21 So more information is available here
22 about the Atlantic mackerel and herring fisheries,

1 including a recent court judgment related to
2 mid-water trawl restricted area.

3 The United States and Bahamas boundary
4 has been an ongoing topic at this meeting and
5 certainly in discussions with many constituents
6 over the years. It is popular particularly for
7 recreational vessels to go into the Bahamas and
8 visit the Bahamas and participate in fisheries
9 there, but there are several regulations that apply
10 to fishing in the Bahamas and then also to
11 transiting back and how and the condition of fish
12 when it's brought back from the Bahamas.

13 And as a result of some of those
14 questions in previous AP meetings and those
15 discussions, the Office of Law Enforcement
16 provided a slide deck at a recent meeting, and that
17 is referenced here in the second bullet.

18 So, if you are interested in what
19 applies for the U.S./Bahamas boundary and
20 transiting back and forth with fish and what
21 regulations apply, please take a look at the online
22 agenda for September 8th, 2021, Advisory Panel

1 meeting. And you will see there that the slide deck
2 is posted online, and you can take a look at that.
3 We will have the enforcement update a little bit
4 later, and certainly any questions that you may
5 have related to that can be asked at that time.

6 So, related to our HMS Advisory Panel
7 meetings, it is the case that our goal in our
8 discussions here ultimately is that we reduce the
9 chance that there be any surprises, and this means
10 that we have good communication both directions.

11 As most of you know, we not only depend
12 upon you all giving us your expertise and your input
13 but also that input from the constituent
14 stakeholder groups that you represent. Similarly,
15 when we provide information to you all, we hope that
16 you will serve as a conduit to communicate some of
17 that information back to your constituent groups.

18 Through all of these discussions, as
19 Bennett has referenced earlier, it is important
20 that we respect each other's points of view and that
21 we know that we're all here to learn from each
22 other, and sometimes those points of view and

1 opinions can be a little bit heated. And that's
2 fine. But through all of that process, please try
3 to remain respectful of each other's points of
4 view.

5 We hope that you all will play your
6 roles well, to listen and engage in discussion. We
7 encourage you to engage, and we will certainly do
8 our work to share with you the information that's
9 going to facilitate you doing what we need you to
10 do, too, which is provide us information.

11 We're available here at the meeting and
12 also outside of the meeting to answer any questions
13 that you have on an ongoing basis.

14 So, within HMS Management Division, we
15 have over the last two and a half years certainly
16 been in full-time telework mode and not in offices.
17 But that is changing, and we are moving back into
18 the offices. And we are really glad, generally
19 speaking, that that is happening.

20 Many of us have been looking forward to
21 getting back into the office for quite some time,
22 and those transitions are taking place. But just

1 know that as we are transitioning, we are still
2 monitoring email and voicemail messages, and they
3 come in to our phone numbers and that kind of thing.

4 You may find us when we talk to you in
5 the office, or you may find is still teleworking.
6 But we will certainly be paying attention, and
7 please reach out to us as you have been.

8 We've already done some intro comments,
9 but just seeing we're covering a lot of ground in
10 this hybrid meeting, looking forward to those
11 discussions. A thing that I want to highlight on
12 this slide is that second bullet about operational
13 activities requiring substantial Agency
14 resources. And that is truly the case.

15 There are many ideas, and good ones,
16 about actions that the federal government should
17 take on for managing Atlantic HMS. And resources
18 are limited, and we will need to think about
19 priorities, about how we balance those priorities
20 against requirements that we may have for us to take
21 certain actions.

22 But one of the things that in addition

1 to your expertise and suggestions for how we go
2 about managing HMS will be your thoughts about
3 priorities. Those are valuable to us as well. So
4 not only do we ask you to recognize that we have
5 a lot of things on our plate and we have to
6 prioritize those is that we value your input about
7 priorities as well.

8 So, with that, I thank you very much,
9 and we can open it up to questions.

10 MR. BROOKS: Great. Thanks, Randy, and
11 thanks for the feedback from online on sound
12 quality. So we'll continue to push at this and try
13 to make sure we're hearing you all and you are
14 hearing us.

15 When we go to questions, just a
16 reminder, in the room, particularly for those of
17 you who are new, if you want to get into the
18 conversation, if you could just take your name card
19 and put it on edge, and then I'll be able to
20 recognize who wants to get into the conversation.
21 That would be helpful.

22 Also, just since we do have a number of

1 new folks, maybe the first time you talk, if you
2 would just start with your name and affiliation
3 just so everyone knows who's around the table would
4 be nice. And then, for when you're speaking, just
5 keep your face nice and close to that mic so that
6 the online folks can hear you.

7 So we've got about 15 minutes or so for
8 questions or comments on anything Randy just walked
9 through. So let me just invite the online folks
10 to raise a virtual hand, and again, in the room,
11 raise your card. And my goal, I think, would be
12 to take a couple in each place and then move.

13 So I've got two cards up in the room and
14 one online. So let's start in the room this time,
15 and then maybe we'll see if we get another hand
16 raised online. So let's start with Mike and then
17 go over to Willy. And again, start with name and
18 affiliation. Thanks.

19 Mike.

20 MR. PIERDINOCK: Thank you.

21 Mike Pierdinock. I'm here today on
22 behalf of the New England Fishery Management

1 Council.

2 Is that good?

3 MR. BROOKS: Try a different mic, Mike.

4 MR. PIERDINOCK: How's that? How about
5 that?

6 Okay. Just a quick question. You noted
7 earlier the tournaments and the percent
8 tournaments to date as well as the shark
9 endorsements. I'm just curious with the mako
10 measures, have you seen a reduction? Were they
11 comparable to previous years, or is it too early
12 to tell? Thank you.

13 MR. BLANKINSHIP: So we're aware so far
14 that some tournaments that may have registered by
15 now in the past have not registered, but others
16 have. And so it may be a little bit early to tell
17 exactly what's happening.

18 Nevertheless, I would anticipate that
19 we would see a reduction in tournaments given the
20 ICCAT recommendation, which is to go to no
21 retention for shortfin mako. And the entry into
22 force date for that measure is in June.

1 And we have the proposed rule that has
2 been out, and we're working as quickly as we can
3 to transition to the final rule on that. So it would
4 not surprise me at all if there's fewer tournaments
5 with that on the horizon.

6 MR. BROOKS: Let's go over to you,
7 Willy.

8 MR. GOLDSMITH: Thanks, Bennett.

9 Willy Goldsmith, American Saltwater
10 Guides Association. And, Randy, I just had a
11 question on slide 5, if we can go back to that one.
12 The -- yeah, that slide exactly.

13 So, looking at the number of Atlantic
14 HMS News subscribers at about 6,000, my
15 understanding is that that's a pretty small --
16 obviously, that's a combination of permit holders
17 and then just folks who sign up for HMS News, and
18 a pretty small percentage of the overall permit
19 holders, especially on the Angling side.

20 And my understanding, if I recall
21 correctly, is that that's currently like an opt-in
22 program. So, when you sign up for a permit, you're

1 able to kind of opt in to cases signing up for News
2 as opposed to having to opt out. And my
3 understanding is that there is also potentially a
4 move to move to that opt-out, which I think would
5 be a great way to get information out to folks.

6 And just was wondering if you had an
7 update on the progress there, I think, especially
8 thinking about recreational reporting and getting
9 outreach out to folks about changing regulations
10 and things like that whenever there's an
11 opportunity to get that out. That would be great.
12 Thanks.

13 MR. BLANKINSHIP: Thank you, Willy. And
14 yeah, we've heard this comment before, and it is
15 a good comment. We have had discussions about doing
16 this and can still consider it. We have not
17 executed it to implement yet, but it is still
18 something that's on the table.

19 MR. BROOKS: Okay. Let's go to online.
20 David Schalit, I see your hand up.

21 And again, if there's anyone else, any
22 other AP members online who wants to jump in, this

1 will be a great time to raise your hand.

2 David, over to you.

3 MT. SCHALIT: Can you hear me?

4 MR. BROOKS: Yes, we can. Thanks.

5 MT. SCHALIT: Okay. Great.

6 Randy, thanks very much for that
7 presentation. Quick question. Do you have any idea
8 or any feeling toward the timeline for HMS
9 employees to resume work in office? Thanks.

10 MR. BLANKINSHIP: Yes. So we are
11 transitioning actively now into working in the
12 office, and we'll be doing so through June. There
13 will nevertheless be on an ongoing basis some
14 employees that will continue to telework according
15 to the telework plans.

16 And so there may be days where even
17 though we're back in the office that some employees
18 still have some office days and some telework days,
19 but the transition is happening over the course of
20 the next -- basically next month or so, to being
21 back into the office.

22 MR. BROOKS: Thanks.

1 Anybody else online have any questions
2 or comments, or in the room? I'm not seeing any
3 hands or cards.

4 Yeah? Jeff Kneebone, welcome, and jump
5 in.

6 DR. KNEEBONE: Thanks, Bennett.

7 Jeff Kneebone, New England Aquarium. I
8 know this is going to be a theme, but it's something
9 that's very important to me as well as others in
10 the room. And we've already had conversations
11 about it so far.

12 So, on the slides, there's a lot of
13 things happening about outside HMS Management
14 Division, and one of the things I see omitted is
15 Offshore Wind. I know that we'll have
16 presentations on it throughout the meeting, but I
17 just wanted to make the general comment that it's
18 something that's big, that's growing, that's
19 happening fast, and it most likely will have
20 impacts on HMS fisheries.

21 So just another encouragement to maybe
22 highlight its importance a little bit more. Thank

1 you.

2 MR. BROOKS: Thanks, Jeff. And again,
3 as you noted, that's on the agenda, I think for
4 tomorrow. But duly noted. Thank you.

5 Anybody else want to jump in on this
6 first set of presentations? Okay. If not, we are
7 a little bit ahead of schedule.

8 Randy or Pete, you tell me. Do we go
9 for a 15-minute break and come back early, or do
10 we give folks a 25-minute break?

11 Okay. All right. So you're going to
12 get a slightly longer break. We will reconvene at
13 11:15. We'll hear from Walt Golet on the 2021 ICCAT
14 annual meeting.

15 For folks online, if you want to drop
16 in the chat a comment on how this is going so far,
17 whether you're able to hear, et cetera, that would
18 be helpful.

19 Okay. We'll see you at a quarter after.
20 Thanks, everybody.

21 (Whereupon, the above-entitled matter
22 went off the record at 10:51 a.m. and resumed at

1 11:15 a.m.)

2 MR. BROOKS: Okay. Let's jump back in.
3 Folks online, we're getting going again as well.
4 We've got people at the table.

5 So let's hand it off to Walt Golet,
6 who's going to give us an update on the 2021 ICCAT
7 annual meeting.

8 Walt, we've got your slides up, and we
9 are seeing you. So you are good to go.

10 And if we could have folks in the room
11 stop side conversations, that would be really
12 helpful for folks online.

13 And, Jeff Kneebone, I'll let you put
14 your card back down. Thanks.

15 All right. Walt, over to you.

16 (Pause.)

17 MR. BROOKS: We are not hearing you if
18 you're talking. Okay. Hang on a second.

19 Okay. Talk now, Walt.

20 DR. GOLET: Can everybody hear me okay?

21 MR. BROOKS: We got you. Thanks.

22 DR. GOLET: Okay. Super. Wonderful.

1 All right.

2 So first of all, again Walt Golet from
3 the University of Maine School of Marine Sciences,
4 currently serving as the chair of the U.S. ICCAT
5 Advisory Committee.

6 Before I get into the presentation I
7 just wanted to acknowledge a couple things: First
8 and foremost thank you very much to Peter Cooper
9 for allowing me to do this virtually. We just
10 concluded our spring U.S. ICCAT Advisory Committee
11 last week in Miami and just as that was getting
12 going unfortunately I got word that my
13 father-in-law passed away. So I'm still stuck in
14 Florida just assisting my wife with completing
15 getting his affairs in order and helping her with
16 things that need to be helped with. So Peter's
17 short notice was very accommodating and allowed me
18 to do this.

19 So, Peter, thank you very much.

20 And to anybody else on the staff there
21 that helped to facilitate this.

22 Number two, I do want to acknowledge Dr.

1 John Graves who served as the U.S. ICCAT Advisory
2 Committee chairman for 26 years and this year
3 stepped down as of December 31st, 2021. I just
4 wanted to acknowledge John and all of his efforts
5 and participation over the past two-and-a-half
6 decades, all the Commission meetings that he
7 attended and all of the things that he organized
8 and all of the input that he had. He will be
9 certainly greatly missed in his role as chair and
10 hopefully I will be able to fill his shoes. Big
11 shoes to fill, both literally and metaphorically.
12 So thank you to John Graves.

13 And finally, with respect to the ICCAT
14 Commission meeting and all of the other meetings
15 that go into this, the SCRS meetings and the
16 Intersessional meetings and so forth, I do want to
17 acknowledge the efforts of all of the NOAA staff.
18 So I don't know everybody on the panel necessarily
19 and how much knowledge you have of the ICCAT
20 process, but these can be pretty intense meetings
21 and they certainly stretch resources very thin
22 especially in an environment where you're no longer

1 able to do these meetings in person.

2 And I just want to say that we have an
3 incredible group of folks from NOAA who put forth
4 an outstanding effort, especially the last couple
5 of years where this has had to have been conducted
6 virtually. So our commissioners are getting up at
7 midnight or 1:00 in the morning. The staff is
8 trying to keep track of multiple proposals being
9 provided by various different countries and trying
10 to track those and what status they're in and what
11 they're proposing and so forth.

12 And it's just a really complicated
13 process and rest assured that the folks that are
14 on this are working exceptionally hard and
15 certainly have the U.S.' interests front and center
16 with respect to HMS and the commercial and
17 recreational interests. So I just wanted to
18 acknowledge those NOAA staff who work so hard for
19 everybody.

20 So with that, what I'd like to do is
21 provide an annual ICCAT Commission meeting update
22 for 2021. And this is just going to be kind of a

1 high-level summary and hopefully provide you some
2 of the information that will be most interested to
3 the folks in the room.

4 So let me see if I can advance my slides.
5 First hiccup of the day.

6 MR. BROOKS: It was bound to happen.
7 Don't worry.

8 DR. GOLET: Let's see. Ah, okay. There
9 we go. All right. So hopefully this will work
10 itself out.

11 So just again, not knowing the
12 background that everybody has in how highly
13 migratory species are managed, I thought it might
14 be good just as a primer to kind of bring up these
15 next couple of slides.

16 So most of the people in the room are
17 familiar with highly migratories. They don't get
18 the name highly migratory for being an animal
19 that's stationary or sessile, right? These are
20 organisms that travel throughout the ocean basins,
21 often times from coast to coast. They have
22 incredible vertical range; they have incredible

1 horizontal range.

2 And so it stands to reason that in order
3 to manage them effectively you can't just do this
4 as a one-country-do-it-alone-type of thing, right?

5 So the United States can't unilaterally manage
6 these organisms. Neither can any other country.

7 As these animals are swimming across the ocean
8 basins they're coming into contact with various
9 fishing fleets and so they're susceptible to
10 fishing mortality on a variety of different levels.

11 And so globally these regional fishery
12 management organizations have been set up to
13 basically assess and manage these HMS species. And
14 we have five of them. The one that of course I'm
15 giving the update on and the one that's most
16 pertinent to the discussion today for Atlantic
17 species is going to be ICCAT, which is the
18 International Commission for the Conservation of
19 Atlantic Tunas, but we also have the Indian Ocean
20 Tuna Commission, the Western and Central Pacific
21 Fisheries Commission, and the Inter-American
22 Tropical Tuna Commission, and of course CCSB, which

1 does southern bluefin tuna. So that kind of just
2 gives you a flavor of how these organisms are
3 managed globally. And of course ICCAT is what we're
4 going to concentrate on now.

5 A little bit dated slide, but I wanted
6 to put this in here to give you some perspective.
7 So ICCAT is composed of 52 signatory countries.
8 These are countries that have signed on and
9 purportedly agreed to the terms and conditions of
10 the organization. And so you'll see here we have
11 a lot of countries that of course are in the
12 Atlantic Convention area, including the
13 Mediterranean Sea and the Caribbean, Gulf of
14 Mexico, but we also have countries that don't
15 necessarily have Atlantic beach-front property.
16 But those nations themselves also have fishing
17 history in the Atlantic and they are part of the
18 ICCAT RFMO.

19 So just a couple of things with respect
20 to ICCAT: In 2019 we had our last in-person
21 commission meeting held in Mallorca. Over the last
22 couple of years, three years I guess now -- excuse

1 me, two years, '20 and '21, all of that -- all of
2 the Commission meeting business had to be done
3 virtually which made things exceptionally
4 challenging. It made it even more challenging
5 because in 2020, if I recall, it was really just
6 a meeting of essential business, and so a lot of
7 the things that should have been addressed in the
8 2020 meeting, or would normally have been addressed
9 in the 2020 meeting were actually pushed forward
10 to the 2021 meeting. So that made this year
11 exceptionally busy.

12 But just in general ICCAT management
13 recommendations are for the tunas, billfish; so the
14 marlin, swordfish and certain species of pelagic
15 sharks that are caught in ICCAT fisheries. So
16 things we're familiar with like porbeagles,
17 shortfin makos, and so forth. And ICCAT also deals
18 with bycatch issues. So these are going to be
19 directed bycatch, so we might be dealing with
20 something that's undersized and it's not able to
21 be retained or it's bycatch with a more traditional
22 sense where it's an unintended catch of an animal.

1 So seabirds, sea turtles, other species of fish,
2 marine mammals and things of that sort.

3 And it's a little bit -- I guess maybe
4 the wording might be a little bit confusing, but
5 in ICCAT language recommendations are actually
6 binding. In other words, they're measures that are
7 going to be implemented whereas resolutions are
8 non-binding. So as I go through the talk today
9 you're going to see the three letters R-E-C. That's
10 going to stand for recommendations. And if there's
11 a recommendation, that's actually something that's
12 going to be implemented.

13 So all of the stock assessments and the
14 quota allocations are done at ICCAT and then NOAA's
15 Division, or Highly Migratory Species Management
16 Division, will implement the ICCAT recommendations
17 under ATCA, or the Atlantic Tunas Convention Act.
18 So for example of -- and this is not quote. I'm
19 just giving this to you as a reference. Let's say
20 that our quota is 1,000 metric tons for western
21 bluefin that's allocated to the U.S. That would
22 come here and then NOAA can divide that up against

1 the -- not against, but through the different user
2 groups according to history and so forth.

3 And again, there's 52 contracting
4 parties currently in ICCAT. We lost one and I think
5 we gained one over the year or year-and-a-half.

6 Okay. So again, the meeting was held
7 virtually in November of this past year, in 2021.
8 Lots of challenges as I've already highlighted.
9 Again, recognizing those challenges that were
10 present because of the absence of in-person
11 negotiations, there were a lot of very complicated
12 issues to address. The United States' goal was and
13 has been to adopt critical conservation measures
14 for priority stocks while maintaining access to
15 ICCAT-managed fisheries for our U.S. recreational
16 and commercial fisheries. That's sort of been the
17 objective. And some of the
18 recommendations and resolutions that were adopted
19 in 2021 will require changes to U.S. regulations.
20 So I'll go into some of those.

21 Okay. With respect to western Atlantic
22 bluefin tuna; this is recommendation 21-07, I

1 believe this is a one-year rollover measure. And
2 what this will do is it increases the TAC, the total
3 allowable catch, for the western Atlantic
4 allocation from 2,350 metric tons to 2,726 metric
5 tons. And if you've followed the assessment for
6 western bluefin over the past probably 12 to 18
7 months, you'll notice some ups and downs with that,
8 but during the latest or most recent stock
9 assessment the scientific advice suggested that it
10 could allow for a modest or a moderate increase in
11 catch, and that moderate increase in catch would
12 still have a high probability of avoiding
13 overfishing and it would provide sustainability
14 for the fisheries. So in the west we will be looking
15 at an increase.

16 The increase for the U.S. is going to
17 go up by about 5 percent, so we will go from 1,273
18 metric tons to 1,341 metric tons. So the U.S. will
19 get an increase. And if you're familiar with how
20 the allocations go, you'll know that the United
21 States generally receives the largest proportion
22 of an increase if an increase is given by ICCAT,

1 but because of some different structural
2 allocation arrangements to the quota once it
3 reached a certain threshold, those increases are
4 going to go more to Japan's quota increase than it
5 will to the United States or to Canada. So if you're
6 wondering why there's some discrepancy there,
7 that's why that discrepancy is there.

8 Also very important to bluefin assessment and
9 management is the fact that bluefin is undergoing
10 a very big change with respect to how the stocks,
11 both eastern and western, are going to be managed
12 in the future. So as opposed to a traditional stock
13 assessment we have entered into I guess over the
14 last -- oh, my gosh, I don't even know how many years
15 it's been -- many, many years now, working towards
16 management strategy evaluation for bluefin tuna.
17 So this is a completely different way of actually
18 managing the bluefin resource. It's hoped that the
19 Commission will adopt a management procedure in
20 2022, this fall. And then that will serve to set
21 the TACs for 2023 and in future years.

22 There will still be continuing stock

1 assessments that will be used more or less a check
2 for the management strategy evaluation, but just
3 keep in mind this is a pretty substantial change
4 from the way that the assessment has been conducted
5 in the past. So it's a much more in-depth process.
6 And that hopefully will be adopted this fall, but
7 it's very possible that the timelines won't
8 actually allow for that and it may be pushed a
9 little bit further forward. It has already been
10 pushed forward several times, so there's a
11 possibility.

12 With respect to eastern Atlantic
13 bluefin tuna we have Recommendation 21-08. Lots
14 of things were discussed here including new
15 monitoring and control elements related to their
16 catches, transferring, caging operations, and
17 fattening of bluefin tuna. And farming operations,
18 and how to accurately measure how big the fish are
19 and how many metric tons of fish are being farmed
20 and transferred were all part of this measure.

21 I believe the status quo TAC of 36,000
22 metric tons is or will be in place for 2022 for the

1 east. And it was agreed that we would conduct, or
2 ICCAT would conduct, the SCRS rather would conduct
3 a stock assessment for the eastern bluefin tuna
4 stock in 2022. So that actually got bumped up and
5 a stock assessment for eastern bluefin should be
6 on the table for this coming year.

7 Shortfin mako. Of course this is front
8 and center. Lots of intense negotiations for
9 shortfin makos on a variety of different parts of
10 these proposals. We had lots of revisions, lots
11 of bracketed text, which is indicative of
12 non-consensus or non-agreement between the
13 parties, but eventually Recommendation 21-09 was
14 adopted. And it was adopted by consensus. That's
15 another thing to keep in mind with ICCAT. It's a
16 consensus-based organization, which means we need
17 agreement between all of the contracting parties
18 in order for a measure to move forward.

19 A couple of highlights. It includes a
20 rebuilding program that has currently a two-year
21 retention ban on shortfin mako sharks for 2022 and
22 continuing into 2023. It does establish a

1 rebuilding program to end overfishing immediately
2 and to rebuild the stock by 2070 with a probability
3 of at least 60 to 70 percent.

4 Some of you may be wondering why such
5 a long period of time until that stock can be
6 rebuilt. A lot of that revolves around the life
7 history of shortfin mako, their fecundity, and
8 reproductive life history.

9 Again just continuing on with shortfin
10 mako. We have strong provisions to improve the data
11 reporting, so particularly reporting of live
12 releases and fish discarded dead by all ICCAT
13 parties. The U.S. pushed for mandatory use of
14 circle hooks and monofilament to get away from the
15 J hooks and wire leaders. This was not accepted
16 by other parties, so that measure didn't make it
17 through.

18 It established a total fishing
19 mortality levels of no more than 250 tons subject
20 to adjustment based on new SCRS advice. And again
21 the SCRS is the scientific branch of ICCAT. And
22 there is a process for determining any permissible

1 fishing -- if any permissible fishing will be
2 considered intersessionally. And that will begin
3 this year, in 2022.

4 There was another proposal for fins
5 attached, so PA4-807 was introduced by the United
6 States along with various cosponsors. Lots of
7 support for this proposal. It was quite
8 widespread, but consensus was blocked. And again
9 remember I said it's a consensus-based
10 organization, so you have to have agreement between
11 all of the different contracting parties. And if
12 that can't be reached, it basically kills the
13 measure. So fins attached and circle hooks did not
14 make it through this year again.

15 Okay. Panel 1. So this is BAYS, bigeye,
16 albacore, skipjack, and yellowfin. So
17 Recommendation 21-01 provides a one-year extension
18 of the conservation and management plan for
19 tropical tunas. Panel 1, like pretty much
20 everything during the commission meeting, was also
21 very intense, very contentious, and down the wire.
22 If I'm remembering this correctly, I think we were

1 about 30 seconds from not having a management
2 measure for the year. We had consensus and then
3 that I believe seemed to be blocked at the last
4 minute.

5 So there were some challenges with this
6 panel as well, but some of the key outcomes were
7 that the bigeye tuna TAC will increase from 61,500
8 metric tons to 62,000 metric tons. The stock
9 assessment for bigeye tuna was slightly more
10 favorable, but certainly has a considerable amount
11 of variability in it. Nonetheless, the quota, or
12 the TAC rather, was increased by 500 metric tons.
13 Our yellowfin TAC is maintained at 110,000 metric
14 tons. And when I say our, that doesn't mean the
15 U.S. That's implying the Atlantic-wide TAC as
16 110,000 metric tons.

17 And we had a shortening of the
18 Atlantic-wide FAD closure. So FADs are fish
19 aggregating devices. If you're not familiar with
20 these, these are both natural and manmade -- mostly
21 manmade devices that are deployed in open ocean
22 environments which serve to attract fish. And

1 these are what the primary gear, the purse seiners
2 are fishing on. They had been a three-month closure
3 on the FADs Atlantic-wide I believe and that has
4 been reduced to 2.5 months for 2022.

5 The TAC and the catch limits in the FAD
6 closure period are going to be revisited, or at
7 least the expectation is that they will be revisited
8 in 2022, and that's going to include an
9 intersessional meeting of Panel 1, which is
10 actually coming up rather soon.

11 Northern albacore, so Recommendation
12 21-04. It basically integrates two prior
13 recommendations into one conservation and
14 management measure and incorporates all of the
15 needed components of a long-term management
16 procedure. The TAC is going to be maintained at
17 37,801 metric tons, which is the TAC from Rec.
18 20-04.

19 MR. BROOKS: Hey, Walt, just a --

20 DR. GOLET: Yes, Bennett?

21 MR. BROOKS: -- quick time check. We
22 have about 10 minutes left for this whole section.

1 Okay?

2 DR. GOLET: Yes, I'm almost done.

3 MR. BROOKS: Perfect.

4 DR. GOLET: Almost done. Yes, almost
5 done.

6 North Atlantic swordfish. Maintains
7 the current TAC of 13,200 and extends the current
8 management measures of 1702 through 2022. And the
9 U.S. quota is going to stay the same at 3,907 metric
10 tons.

11 Very ambitious agenda for trying to
12 combat things like IUU fishing. So ICCAT adopted
13 several U.S. proposals to improve fishery
14 monitoring, control, and surveillance. ICCAT
15 adopted several U.S. proposals that ensure better
16 control of import and at-sea transshipment
17 activities. There's a requirement now for eligible
18 vessels to have an International Maritime
19 Organization number to be included on an authorized
20 vessel list at ICCAT and addressing stateless
21 fishing vessels in the ICCAT Convention Area.

22 And then just some other things that

1 I'll end on: Continued development of reporting
2 systems to improve monitoring and compliance,
3 improvements to compliance review process,
4 in-depth evaluation of the implementation of
5 minimum standards for scientific observer coverage
6 in 2022.

7 And then we have updates for the MSE
8 road map, which is going to be implemented for
9 swordfish, has already been implemented for
10 albacore, is in the current process of
11 implementation for bluefin, and at some point
12 hopefully for tropical tunas in the future.

13 Sea turtle bycatch, a new memorandum
14 between ICCAT and the Inter-American Convention
15 for the Conservation of Sea Turtles. And this is
16 basically addressed -- to address the threats
17 related to bycatch of sea turtles in ICCAT
18 fisheries.

19 There's a new working group on
20 electronic monitoring systems and that was created
21 and will meet intersessionally in 2022.

22 And finally, as always the United

1 States is going to continue to push ICCAT and its
2 parties to be forward-leaning to prioritize the
3 implementation of measures to conserve and manage
4 ICCAT species.

5 Some key meetings that are either
6 coming up or some of which have already happened.
7 As I said, Panel 1 to look at the issues related
8 to tropicals. Panel 2 for bluefin MSE. Panel 4,
9 sharks. Focus is probably going to be shortfin
10 mako, electronic monitoring, and labor standards.

11 So with that, I'll conclude and I will
12 do my best to answer any questions if you have them.

13 MR. BROOKS: Thanks, Walt. That was a
14 great presentation. Really comprehensive and
15 succinct. Thank you.

16 We've got a little under 10 minutes for
17 some questions for Walt. Let's look in the room
18 and look online. I will pause here for a moment.

19 (Pause.)

20 MR. BROOKS: Okay. Let's start -- John,
21 why don't we throw it to you first?

22 MR. DEPERSENAIRE: Good morning. Thank

1 you. John DePersenaire representing the Viking
2 Yacht Company. I just had a question regarding the
3 percent change of allocation that was afforded to
4 Japan for the western bluefin quota. Is that a
5 one-time change or is that something permanent
6 moving forward? I just wanted to understand that
7 a little bit more. Thanks.

8 MR. BROOKS: Walt, you're on mute or
9 just -- you have to wait. Just to remind you, you
10 have to wait a couple of seconds until we can reopen
11 the mic for everybody.

12 DR. GOLET: Can you hear me okay?

13 MR. BROOKS: We got you. Hang on one
14 second.

15 DR. GOLET: Okay. Yes.

16 MR. BROOKS: You're good now.

17 DR. GOLET: Okay. So sorry. All right.
18 So that's a great question. That arrangement
19 predates my participation in this. And I will be
20 honest, I can't tell you that I am familiar enough
21 with that agreement to give you a definitive
22 answer. I can propose two things: Number one, I

1 can either ask Randy and/or Sarah if they'd like
2 to comment on that. Or what I can do is I can get
3 in touch with some of the folks in International
4 Affairs and get them to answer that question
5 specifically and I can get back to you.

6 But I guess as a first maybe I'll defer
7 to either Randy or Sarah. And if they wish to not
8 comment, then I will address that --

9 (Simultaneous speaking.)

10 MR. BROOKS: We're good. We have about
11 four people waiting to give an answer to that
12 question.

13 (Laughter.)

14 MR. BROOKS: So you're good.

15 MS. McLAUGHLIN: Okay. That
16 arrangement was part of the 2010 recommendation.
17 So there's been recommendations every few years
18 since the '90s. And in 2010 there needed to be a
19 TAC decrease, and it was pretty jarring, and Japan
20 agreed to shoulder the bulk of the decrease in that
21 year if going forward we would agree to a new quota
22 key or table.

1 So if you look at the recommendation,
2 there are columns. So if the TAC is between this
3 level and this level, the shares are as they have
4 been. U.S. gets 57 percent, Canada gets this, Japan
5 gets this. But if the quota were to increase above
6 a certain level, then Japan would get the bulk of
7 that increase. It was kind of an agreement to take
8 the hit in 2010 for a bigger piece of a future
9 increase.

10 So that allocation key is part of the
11 recommendation until the recommendation changes.
12 So we've had these one-year recommendations where
13 only certain provisions have changed, but the
14 allocation key, the sharing arrangement has
15 remained the same since 2010.

16 Is it up for negotiation? Everything
17 is always -- it's possible to negotiate changes to
18 any provision, but especially in these past few
19 years when it's been virtual there was no way that
20 the allocation key was going to be modified. And
21 there really hasn't been a push for it since 2010,
22 but now we're seeing as increases happen, there

1 will be interest in that.

2 MR. DEPERSENAIRE: I appreciate that.
3 Thank you. So just to clarify, as increases
4 continue on the western bluefin, that allocation
5 key will remain in effect. So moving forward as
6 long as the status of the bluefin continues to
7 increase, that's what will hold in place? Is that
8 what you're saying?

9 MS. McLAUGHLIN: Right.

10 MR. DEPERSENAIRE: Okay.

11 MS. McLAUGHLIN: Actually regardless of
12 what's happening with the TAC going up or down it
13 will take somebody to say we want to reopen the --

14 MR. DEPERSENAIRE: Okay.

15 MS. McLAUGHLIN: -- negotiations on the
16 allocation key to make a change to it. And I'm happy
17 to show it to you --

18 MR. DEPERSENAIRE: Okay. Thanks.

19 MS. McLAUGHLIN: -- on the side here.

20 MR. BROOKS: Thanks, Sarah.

21 Other questions for Walt, either from
22 folks in the room or online?

1 (Pause.)

2 MR. BROOKS: Walt, you stuck your
3 landing and answered every question that people
4 possibly had I think. Yes, I think we're good.

5 Oh, wait. Hang on a second.

6 Mike Pierdinock, go ahead.

7 MR. PIERDINOCK: Thank you. Just a
8 quick question. The 2.5-month closure for the FAD.
9 What time of year is that, or is it spread over the
10 12-month period?

11 MR. BROOKS: Okay. Hang on a second,
12 Walt. We don't have you -- Walt, we don't have you
13 yet. You got to -- Okay. No you're good.

14 DR. GOLET: Okay. Sorry. Hopefully
15 this comes through. Sarah or Randy can clarify me,
16 but I believe it's January to March. I thought it
17 was January to March.

18 MR. REDD: Yes, that's right.

19 (Laughter.)

20 MR. PIERDINOCK: Thank you for that
21 prompt response. Don't leave yet. So with that
22 period of time is that really targeted for the Gulf

1 of Guinea, Western Africa, not really here in the
2 United States? Really has no impact on us?

3 MR. BROOKS: Hang on a second, Walt.
4 Okay. We got you now. Go ahead.

5 DR. GOLET: It's the Gulf of Guinea,
6 Mike, yes.

7 MR. PIERDINOCK: Thank you.

8 DR. GOLET: The Gulf of Guinea. Not sure
9 if you can hear me. Hopefully you can.

10 MR. BLANKINSHIP: Yes, so this is Randy
11 again. Yes, that's correct. Walt responded
12 correctly. And you asked though is it no effect
13 on the United States. The FAD closure is for FAD
14 sets with purse seine in the tropical tuna fishery
15 targeting skipjack. It does not apply to the United
16 States in any let's say like FAD deployments in
17 handgear fisheries, if that -- I'm kind of reading
18 into where you were asking that question.

19 MR. PIERDINOCK: Thank you.

20 MR. BLANKINSHIP: Okay.

21 MR. BROOKS: Okay. I am not seeing any
22 other hands. Walt, anything else you want to add

1 before we shift here?

2 DR. GOLET: No, I'm all set. Hopefully
3 I kept you on time. I just wanted to thank
4 everybody. And again sorry that I had to do this
5 online, but thank you very much. And if anybody
6 has any questions after the fact, you can feel free
7 to reach out to me. I'm happy to get back to you.
8 Thank you.

9 MR. BROOKS: Thanks, Walt. And no
10 worries about being online. Glad we could
11 accommodate you.

12 Okay. Let's shift to one more
13 presentation before lunch. As Randy had said the
14 sort of traditional upfront presentation was split
15 into two here, so we want to double back, and Karyl
16 Brewster-Geisz is going to come and talk to us about
17 rulemakings since last we were together.

18 Karyl, you might want to use this mic.

19 MS. BREWSTER-GEISZ: All right. We'll
20 try this mic.

21 Hello, everybody. And it is so great
22 to see everybody around the room. And welcome

1 everybody who is online.

2 For those of you who don't know me, I'm
3 Karyl Brewster-Geisz. I've been in HMS for many
4 years now, so I recognize almost everybody around
5 the room, but I'm sure there are always new people
6 on and online.

7 So as Randy and Bennett explained, this
8 is part 2 of Randy's overview. I am going to be
9 talking about what we have going on for the
10 rulemaking side that we are not going to be
11 discussing later on in the meeting. So hopefully
12 this can give you an update of what we did last year
13 and what's coming up throughout the year.

14 MR. BROOKS: Karyl, can you speak louder
15 and closer into the mic?

16 MS. BREWSTER-GEISZ: Louder and closer
17 into the mic, so hopefully this works better.

18 MR. BROOKS: Yes.

19 MS. BREWSTER-GEISZ: All right. So
20 going into last year, 2021, and as of early May in
21 2022. So we just did an action last night. I don't
22 know if those of you who saw it, we closed the Trophy

1 fishery, so that kind of threw all these numbers
2 off a little bit.

3 But up and through early May we
4 completed 57 action items. Seven of those were
5 final rules, seven of those were proposed rules,
6 nineteen notices. And notices are just that, they
7 are notices like the Federal Register notice for
8 this meeting, or the Federal Register notice for
9 the various workshops that we do.

10 We also did 24 inseason actions.
11 Inseason actions are times where we closed the
12 fishery or we changed the retention limit. Most
13 of those 24 inseason actions were bluefin-related.
14 There were a couple of shark issues where we changed
15 the retention limit last year or we closed -- I
16 think it was the western Gulf of Mexico.

17 We have 13 actions currently in
18 progress and those range between final rules,
19 proposed rules, notices, and inseason actions.

20 Oh, I meant to tell you there's one
21 final rule that we finished this year which you may
22 be wondering what on earth was that final rule,

1 because we didn't really announce it. It was a
2 small technical amendment to our regulations where
3 we corrected some issues that we had where we
4 weren't quite correct with some of the Council
5 closures. Or some of the terminology we had wasn't
6 correct, so we correct it.

7 So we normally share with you what we've
8 done since the last AP meeting. All of you should
9 remember we had an Advisory Panel meeting in
10 February but we didn't go through any of these
11 discussions. So we are actually jumping back to
12 what has happened since the last fall AP meeting.
13 And in this case we've done a number of inseason
14 actions. In this case all of these are bluefin
15 inseason actions ranging from retention limit
16 adjustments to closures, reopenings, quota
17 transfers, and reallocations.

18 We also had two final rules. One was
19 the annual adjustment for swordfish, northern
20 albacore, and bluefin quotas. And the other was
21 our annual shark specifications, which is where we
22 set up the opening of the shark fishery, the quotas,

1 and the bag limits.

2 So what have we been doing since then
3 that is not yet final? One of those is Amendment
4 14. This is the rulemaking where we are setting
5 up a whole new framework for how we are going to
6 be establishing quotas and bag limits for the
7 commercial and recreational shark fisheries. If
8 you remember back in February we talked about the
9 supplement to Amendment 14. This was the
10 Acceptable Biological Catch control rule, so the
11 ABC control rule.

12 We released that at the end of January.
13 The comment period ended in mid-March. We had an
14 Advisory Panel meeting about this beginning of
15 February. We did receive a number of comments,
16 mostly in support of our preferred option, which
17 was the tiered control rule. Though a lot of you
18 raised questions wanting more transparency and
19 details, you also had questions and concerns about
20 bringing ICCAT into how we establish quotas for
21 sharks.

22 We are working through all those

1 comments for the entire rulemaking. All of the
2 options we looked at, not just the control rule,
3 and we really hope to have a final action out in
4 the summer. Once we put out final Amendment 14,
5 we are going to be turning around and working on
6 a rule to actually implement the framework that's
7 in Amendment 14.

8 Another rule that all of you should have
9 seen this year was our bluefin tuna General
10 category restricted-fishing day proposed rule.
11 This was released in early March. Comment period
12 ended in early April. We received 19 comments. All
13 of those comments are available for all of these
14 rules on regulations.gov, so you are always welcome
15 to go and read all the comments we've received.

16 Specifically for the
17 restricted-fishing day proposed rule we proposed
18 every Tuesday, Friday, and Saturday being closed
19 to bluefin fishing for the Atlantic tunas General
20 category and the HMS charter/headboat vessels with
21 a commercial sale endorsement. If those
22 charter/headboat vessels are fishing

1 recreationally under the Angling regs, they would
2 still be allowed to fish for bluefin. We are
3 working on that final rule; hope to have it out in
4 June.

5 We also released a proposed rule the
6 same day implementing the ICCAT recommendations
7 for bluefin tuna and northern albacore that Walt
8 just went through. We only received one comment
9 on that. And we are working again on that final
10 rule and hope to publish it in June. You might
11 recognize a theme. A lot happening in June.

12 We also released a proposed rule
13 regarding shortfin mako retention limits. This
14 came out in early April. The comment period ended
15 just last week. We received a number of comments
16 that we are still going through and reviewing. In
17 short, this is the rule that would implement a zero
18 retention for shortfin mako for this year and next
19 year.

20 And then if, and only if, ICCAT decides
21 that there can be some limited amount of retention
22 would we allow retention in any of our commercial

1 or recreational fisheries. We have proposed a
2 default of zero for the retention limit of shortfin
3 mako commercially and recreationally. And then as
4 I said, if ICCAT allows for limited retention, we
5 could increase that retention limit. Once again,
6 we're working on the final rule. Hope to have it
7 out, fingers crossed, knocking on lots of wood, in
8 June.

9 The last document I wanted to talk about
10 was SHARE, our Shark Fishery Review document. We
11 released this last fall. Comment period ended
12 early this year. We received a lot of comments on
13 it. And we are very thankful for all the comments
14 we receive.

15 These comments included the need for us
16 to reinvigorate the shark fishery. There is a lot
17 of concern about the various state fin bans.
18 There's also concern about the pending federal
19 legislation regarding shark fin bans. And I'm sure
20 it will come as a surprise to no one, a lot of
21 concern about shark depredation occurring
22 throughout all of the fisheries.

1 We are working through this final
2 document. Hope to have it out later this year. This
3 document just reviewed all the trends that are
4 happening in the fishery. There was no associated
5 rulemaking. If we do do a rule as a result of some
6 of these changing trends, it would happen after we
7 release the final document.

8 All right. That's where we are at for
9 a number of actions. As you remember, we have 13
10 ongoing actions. One of those actions is Amendment
11 13, which we will be talking about tomorrow.

12 But another action that I thought all
13 of you might be interested in is the proposed rule
14 for data collection to support spatial fisheries
15 management. We are working on that proposed rule
16 and draft environmental impact statement. We hope
17 to have it out pretty late this year. We are trying
18 to be slow and steady and incorporate as much
19 science as possible.

20 We also be using our Predictive Spatial
21 Modeling Tool, or PRiSM. This was a document that
22 we presented to you -- I believe it was in the fall

1 AP meeting. So keep an eye out for this rule.

2 There's a whole list here of rules that
3 we are working on. Most of these I have talked
4 about. Ones that I haven't include the 2022 annual
5 swordfish quota adjustment. Usually we do northern
6 albacore, bluefin, and swordfish all in one rule,
7 but because we had proposed increases for the
8 northern albacore and bluefin, swordfish is going
9 to have its own rule.

10 We're also starting to work on the 2023
11 annual shark specifications. And if you remember
12 in our May 2020 biological opinions for both the
13 pelagic longline and all of our rest of the
14 fisheries, they requested that we consider
15 prohibiting the retention of sharks that are listed
16 as retained under the Endangered Species Act. So
17 we will be doing that. We should have that proposed
18 rule out later this summer.

19 The other documents on this list I've
20 already talked about.

21 For all the documents that we have
22 already released something, you can find those

1 online on our web page. If you have questions about
2 any of our Federal Register notices or actions, you
3 can always reach out to anyone on my team. Most
4 of these names should be familiar to you. As Randy
5 pointed out, Ann and Erianna are new hires. We also
6 have Becky Curtis. She is our annual Sea Grant
7 fellow. Derek Kraft's fellowship ended in February
8 and Becky has come on board. And that's it.

9 MR. BROOKS: Great. Thank you, Karyl.

10 Let's see if there are any questions for
11 Karyl or any comments.

12 All right. We've got a few in the room
13 here and online. I'll start in the room here
14 because I've got a collection. I've got you, Sonja.
15 Thank you. And then we'll shift.

16 So let's see. Let's go with Jeff and
17 then over to Jason. Then Dewey. And then we might
18 switch over.

19 Jeff, you're up.

20 MR. ODEN: Karyl, in respect to the
21 issue of restricted-fishing days I saw where
22 charter/head -- charter boats, blah, blah, blah,

1 can -- on those days they can fish recreationally,
2 and that flexibility is noted. But I guess probably
3 the last AP meeting that we met, or maybe the one
4 before that under the previous administration, I
5 asked about flexibility in the pelagic longline
6 fishery and about a rule change possibly where we
7 could troll with a hand line or a rod and reel going
8 out. I mean we're allowed one thing while we're
9 fishing, pelagic longlining. Anything else is
10 taboo: bandit reels, whatever, even though we may
11 have permits. I see you're more than
12 supportive with the recreational industry. What
13 about the commercial industry in that respect?

14 MS. BREWSTER-GEISZ: Thanks, Jeff. So
15 we actually do have a rule that we are working on
16 behind the scenes regarding changes for a number
17 of gears, and that is one of the things we are
18 considering. We have a pretty full deck right now
19 with the things that we have to do, so it is in the
20 list, but I would not expect it this year.

21 MR. BROOKS: Thanks. Jason?

22 MR. ADRIANCE: Thanks.

1 Thanks, Karyl. How long do you
2 anticipate the framework taking after Amendment 14
3 is finalized?

4 MS. BREWSTER-GEISZ: That is a good
5 question. That rulemaking will be pretty extensive
6 because it is not just setting up the commercial
7 quotas; it's setting up the recreational quotas and
8 it is setting up a way for HMS to monitor all of
9 those and potentially change those quotas every
10 single year for all of our shark species.

11 It is something we have already started
12 working on in terms of working with the Science
13 Center internally on how are getting the data and
14 how are we making those estimates, particularly for
15 dead discards. I would guess probably a year, maybe
16 more. It depends upon how much we end up working
17 on this. Because once we start changing the quotas,
18 of course all the current quotas relate to
19 retention limits. And there's also the various
20 groupings that we have where hammerhead sharks are
21 throughout, but then we have an Atlantic and a Gulf
22 hammerhead shark. And how do you mix and match

1 everything? It's basically a whole new approach
2 to shark fishing and it can -- or shark fishery
3 management and it might take us longer than
4 expected.

5 MR. BROOKS: Thanks.

6 Dewey?

7 MR. HEMILRIGHT: Yes, thank you.

8 And my question is for the shortfin
9 mako. In the rule that's coming out in final rule
10 in June, does that -- for no retention limit, would
11 that be implemented or effective date of June 30th
12 or something like that, or July 1st, or is it 30
13 days after the rule comes out? And I have one more
14 other question.

15 MS. BREWSTER-GEISZ: The decision
16 hasn't quite been made, but I think we are pushing
17 for it being effective right away, not a 30-day
18 delay. And that is because the ICCAT entry into
19 the force date happens in mid-June and we want to
20 be as close to that as possible.

21 MR. HEMILRIGHT: And my next question,
22 if in the future ICCAT -- a recommendation comes

1 out of ICCAT to allow for retention of dead fish,
2 particularly mako, given that the U.S. -- if it is
3 in the recommendation, how quickly can that be
4 done, or will it take the seven to eight months as
5 taking to close it? Can that be done quicker by
6 some methodology to allow retention of dead
7 discards or mako sharks for the U.S.?

8 MS. BREWSTER-GEISZ: Thanks, Dewey. We
9 did -- in the proposed rule we worked in
10 flexibility. So we should hopefully be able to
11 implement any increase almost immediately.

12 MR. BROOKS: Great. And I think Rick
13 Weber wanted to jump in on that point.

14 No? Okay. Covered.

15 Okay. I've got two more folks in the
16 room here. And again, online AP members, if you
17 want to jump in the queue, please just raise your
18 hand.

19 All right. Let me go to Marty. Then
20 we'll go over to Sonja. And then we'll go online.

21 Marty?

22 MR. SCANLON: Yes. Well first of all,

1 I'd like -- I got two comments here. Number one,
2 I'm disappointed, extremely disappointed to see
3 that the spatial management proposed rule here is
4 probably not going to be out until this winter.
5 We're going to hopefully have that done in the fall.
6 I mean, the winter's becoming -- every year becomes
7 more and more difficult to -- for the fleet to
8 survive the winter months.

9 And we keep talking about
10 revitalization. We've been hearing that since I've
11 been on this panel; I'm about to be termed out, and
12 we're still talking about it. And that is essential
13 to have the -- to get access to closed bottom for
14 us to revitalize this fishery. And just continued
15 delay, delay, delay. And that spatial management
16 proposal, that's been on the table for quite some
17 time. So I mean, it's being delayed here until this
18 winter. And I would certainly hope that it's not
19 going to be any later than that. It's already going
20 to cost us another winter of not having access to
21 any of that bottom. I mean, it's having a
22 devastating effect on the fleet, as we all know and

1 understand.

2 The other thing I want to comment on is
3 I don't see any update on the PLL TRP final rule.
4 And that process has been well over a year now that
5 that has been supposedly concluded and we're still
6 sitting on that. And what's the possible update
7 on that?

8 MR. BROOKS: Marty, that's on the agenda
9 for tomorrow.

10 MR. SCANLON: Oh, is it?

11 MR. BROOKS: Yes.

12 MR. SCANLON: Okay.

13 MR. BROOKS: Erin Fougères is going to
14 come and talk about that.

15 MR. SCANLON: Very good. Thank you.

16 MR. BROOKS: Yes.

17 Okay. Let's go to Sonja. And then I'm
18 going to bring in Lisa Kerr from the online.

19 And then we'll go to you, Rick.

20 MS. FORDHAM: I'll sneak my little face
21 out. Sonja Fordham, Shark Advocates
22 International. Thank you. Nice to see you all.

1 I commented pretty extensively on most
2 of the shark issues that you went over, so I won't
3 rehash them. I do want to just suggest that I think
4 the government committing to long-term mako
5 protection is in line with the comments that -- or
6 the direction that Randy was suggesting this
7 morning about being efficient with management.

8 I just had two questions: I'm really
9 interested and glad that you mentioned this change
10 about the ESA-listed species and their potential
11 protection because I know in particular for oceanic
12 whitetip this is something we talked about in the
13 before times. And so I'm just wondering for that
14 is that one rule or would it be like a rule for each
15 species? That's one question.

16 And then the related question is is
17 there any update on the decision for the ESA listing
18 for mako sharks? Thanks very much.

19 MS. BREWSTER-GEISZ: Thanks, Sonja. So
20 it would be one rule, both for scalloped
21 hammerhead, which affects the U.S. in the U.S.
22 Caribbean. That is the northern extent of that

1 distinct population segment that's threatened.
2 And then oceanic whitetip across the U.S. Both of
3 those species would be in the same rule.
4 Regarding shortfin mako, the agency is still
5 working on that.

6 MS. FORDHAM: No timeline? Okay.

7 MR. BROOKS: Okay. Let's go to a couple
8 of folks online. We've got Lisa Kerr and then Alan
9 Weiss. And then we'll jump back into the room over
10 to you, Rick.

11 So, Lisa? And just wait a sec before
12 you start talking until we make sure we can hear
13 you.

14 We got --

15 DR. KERR: Yes, thank you. Lisa Kerr
16 from the Gulf of Maine Research Institute.

17 MR. BROOKS: Go ahead, Lisa. You're
18 good.

19 DR. KERR: Yes, I was curious about the
20 progress on Amendment 14 and the development of the
21 tiered ABC control rule. And it seems like the
22 tiers are designed to account for uncertainty in

1 the assessment and data for a particular stock. So
2 I was wondering what group in the management
3 process assigns stocks to these tiers and then how
4 often that is revisited.

5 MS. BREWSTER-GEISZ: Thanks. So if I
6 understand the question, it was how are the stocks
7 assigned to the tiers and how often we would revisit
8 it. We are working with the Science Center now to
9 figure out exactly which stocks would go into the
10 tiers based on the data that was used in the stock
11 assessments. And then each time we would assess
12 a stock it could change what tier it goes in
13 depending upon what data is available for that
14 stock.

15 MR. BROOKS: Lisa, anything else?

16 DR. KERR: No, thanks for that
17 clarification.

18 MR. BROOKS: Okay. Great.

19 Alan Weiss, let's go over to you.

20 Alan, you there?

21 MR. WEISS: Can you --

22 MR. BROOKS: All right. Let's see

1 what's going on there. In the meantime let's --
2 Do we have him?

3 Okay. Go ahead, Alan.

4 MR. WEISS: Okay. Can you hear me now?

5 MR. BROOKS: Yes.

6 MR. WEISS: Okay. Thanks.

7 I just want to also express concern
8 about the timing on the spatial management
9 initiative. This has been a very important issue
10 to the pelagic longline fishery for quite some
11 years now and it continues to be very important and
12 becoming increasingly important. There are more
13 and more areas that are being lost as time goes by,
14 not necessarily by action of HMS regulation.

15 But the re-imposition of fishing
16 restrictions in the Canyons and Sea Mounts National
17 Monument area is another substantial chunk of ocean
18 real estate that is now off limits to fishing. And
19 as we'll hear tomorrow when we get Brian Hooker's
20 presentation on -- there's the contemplation of
21 leasing offshore wind areas that are out in prime
22 pelagic longline fishing area. And of course

1 putting out miles of longline gear cannot -- that
2 type of fishing just is not compatible with a field
3 of wind turbines.

4 So if that actually goes forward, that will be
5 another large area, or more areas; there could be
6 multiple areas, that will be off limits to
7 longlining.

8 So it just makes it more and more
9 important to be able to take a look at whether some
10 of the area that had been closed years ago can be
11 reopened to fishing. It would be a tremendous help
12 to a fishery that's really struggling, especially
13 during the earlier part of the year, about the first
14 third of the year. There seems to be some potential
15 to -- for successful fishing in some of these closed
16 areas, but not much elsewhere. Thank you.

17 MR. BROOKS: Thanks very much, Alan.

18 And again just a reminder that we will
19 be hearing about offshore wind tomorrow.

20 Did you want to jump in, Karyl?

21 MS. BREWSTER-GEISZ: Thanks, Alan. I
22 would like to just clarify that while we are looking

1 at ways on how to figure out data collection within
2 the closed areas it does not automatically mean
3 that these closed areas will be open. We may be
4 opening parts of them for monitoring purposes. We
5 also may be determining that some of those areas
6 need to remain closed or that the areas need to be
7 modified.

8 So while we are working on this rule,
9 it is complex. There's a lot involved in it. I
10 hear the desire for us to move on this really
11 quickly, but I don't think that is the right way
12 to go for this rule, which we already know is
13 complex and is controversial with a lot of people.
14 I also want to make sure that you do not have your
15 hopes up that when we come out with this proposed
16 rule it means all the areas are going to be proposed
17 to be just opened.

18 MR. BROOKS: Okay. All right. Rick
19 Weber, over to you.

20 MR. WEBER: Mine was really just more
21 of a comment, Karyl, and it went to dashing hopes.
22 You sort of included the recreational and

1 commercial in your ICCAT summary of if things were
2 released with mako, we would re-look at
3 recreational and commercial. Those
4 recommendations treat those two very differently
5 and I don't want my recreational peers -- there's
6 a lot that it will take to get the recreational back
7 into mako. It's much more than a prohibition there.
8 So I just -- you know, I know Randy knows it, but
9 as it went around the room it was sort of like we'll
10 let the recs and commercial back in. It's not going
11 to be that simple.

12 MS. BREWSTER-GEISZ: Thanks, Rick. You
13 are correct. Right now the recommendation is dead
14 fish only if retention is allowed. There is a part
15 of the recommendation that requires SCRS to look
16 at minimum sizes to determine if they are
17 appropriate and whether they also could work. If
18 SCRS finds that minimum sizes like what we
19 currently have in place could work, then yes,
20 recreational would be allowed.

21 MR. BROOKS: Thanks, Karyl.

22 Let's go back online. Jimmy Hull, I see

1 your hand is up, so let's bring you in.

2 And then, Alan Weiss, I'm not sure if
3 you have another comment or question or whether
4 that's just left over.

5 But let's go to Jimmy.

6 MR. HULL: Yes, thank you. Can you hear
7 me?

8 MR. BROOKS: We can, Jimmy.

9 MR. HULL: Yes, thank you. Appreciate
10 it. As a new member of this Advisory Panel I just
11 wanted to chime in with a comment and say I'm a
12 participating shark fisherman, and that's pretty
13 much my expertise here. And I can tell you that
14 one of your -- the agency's desires and concerns
15 is about the shark fishery and trying to basically
16 bring it back to where we can start harvesting these
17 available quotas. And that's where I understand
18 Amendment 14 will address a lot of this.

19 But in the meantime we continue to,
20 pretty much from my efforts, waste a lot of the
21 resource here with some limits on -- trip limits
22 that really aren't the best trip limits we should

1 have. And if you want to bring back the fishery,
2 you need to address these trip limits and allow for
3 more harvest for bigger participants.

4 So I just wanted to try to get started
5 here and get a feel, so thank you for letting me
6 speak. Appreciate it.

7 MR. BROOKS: Great. Thanks. Thanks,
8 Jimmy.

9 MS. BREWSTER-GEISZ: Thanks, Jimmy.
10 And yes, Amendment 14, because we'll be changing
11 those quotas, will also need to address changing
12 retention limits. So you can expect those to come
13 through. And welcome to the AP.

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

16 MR. PICKETT: Can you hear me?

17 MR. BROOKS: We got you now, Tim.

18 MR. PICKETT: Okay. I just kind of
19 wanted to echo and add to what Marty and Alan had
20 to say by just briefly saying time is not being kind
21 to the pelagic longline industry. We're
22 experiencing a lot of attrition in the fishery.

1 Very difficult time finding crew members for a lot
2 of the boats. And time is really the last thing
3 that the industry has, or excuse me, doesn't have.

4 We're running out of time with the way
5 attrition is right now and the increased cost of
6 doing business, increased cost of equipment,
7 increased cost of fuel, bait, all the things that
8 you typically would hear. But crew's getting
9 difficult. Guys are having to make longer trips
10 because they can't fish where they could fish and
11 retain crew members because crew members don't want
12 to longer trips. And time is not being kind to the
13 industry.

14 So I just wanted to kind of emphasize
15 that, that if this spatial management tool could
16 be used to benefit the industry at all, I think it
17 needs to be put at the front of the discussion.
18 Whether it can or can't or whatever, I just wanted
19 to emphasize that time is not being kind to the
20 industry right now. And if we want to continue to
21 have an industry, we need to explore things like
22 this in an expedient manner because we're aging

1 out, we're -- everyone's aging out and it's not an
2 encouraging direction that we're going. So that's
3 all I just wanted to add to what Marty and Alan had
4 to say there with that.

5 MR. BROOKS: You want to weigh in?

6 MR. BLANKINSHIP: Thanks, Tim. And
7 thanks to the other commenters: Marty, Alan, who
8 have already spoken on this point.

9 And just to build off of what Karyl was
10 saying earlier, I want to reiterate that spatial
11 management is a very important initiative of the
12 agency. It's something we have dedicated a lot of
13 time and resources to and it is something we intend
14 to continue to work on.

15 It is a complex issue. The approach,
16 as most of you are aware, is that we are attempting
17 to try to do this from a programmatic standpoint
18 and build in processes in order to in an ongoing
19 basis evaluate time area closures and approaches
20 to continued adaptive management that include data
21 collection. And in trying to do that we're
22 developing novel approaches, including the PRiSM

1 document that we presented before that work, that
2 we are on an ongoing basis looking to get
3 independent reviewers to take a look at that. And
4 it is a, granted, lengthier process than all of us
5 would like for it to be, but it is one that is a
6 very high priority for the agency.

7 MR. BROOKS: Thanks, Randy.

8 Alan, your hand seems to still be up.
9 Did you want to come back into the conversation?

10 Alan --

11 MR. WEISS: Sorry. I just forgot to put
12 it down.

13 MR. BROOKS: No worries at all.

14 All right. We have a little more time
15 here. Yes, Mike Pierdinock, come on in.

16 MR. PIERDINOCK: Thank you.

17 Thank you, Karyl. I'd just like to have
18 a few questions to expand upon what Rick Weber had
19 mentioned about mako and recreational fishing. Is
20 there any potential accommodation for tournaments,
21 many of the high-end mako tournaments or mixed
22 tournaments that include mako. That data is going

1 to be lost, catch and release data, which was
2 significant, which -- that's one of the concerns
3 I have with a complete prohibition, that there will
4 no longer be any of that information available,
5 whether it's recreational or for-hire or for
6 tournaments. So is there the potential to
7 accommodate a tournament that will have mandatory
8 catch and release reporting and details and
9 possibly researchers at those tournaments to help
10 support mako research? Is that in the cards? It
11 is being considered or that there's been no
12 discussion of that to date? Thank you.

13 MS. BREWSTER-GEISZ: You are correct
14 that there is a need for the data that comes from
15 a lot of these tournaments. There's a need for the
16 data that comes from all the fishing. The retention
17 limit going to zero means that that data collection
18 will not happen. The recommendation does provide
19 for some research and outlines priority areas for
20 that research including mating, essential habitat,
21 all of the basics that you need for good management
22 of shortfin mako.

1 But no, there is no allowance for
2 tournaments to land shortfin mako. In fact the
3 recommendation as Rick put out requires if fish are
4 going to be landed at all, they must be dead, which
5 would definitely restrict tournaments.

6 We, being the agency, have talked about
7 whether or not some of the scientists could
8 potentially go out on tournament vessels to collect
9 live nonlethal samples such as blood or tagging the
10 shark, or maybe ultrasounds, but that is something
11 that I don't know how far those thought processes
12 have happened at the Science Center. It would
13 require us to issue exempted fishing permits for
14 those scientists to go out on those vessels to
15 collect that information. We do have some
16 scientists who are collecting shortfin mako data
17 as they go out and we are requiring when they do
18 submit those permits that they only collect
19 nonlethal samples of shortfin mako.

20 So I don't know if that answers all of
21 your question, but I think in short there's no
22 exemption for tournaments.

1 MR. BROOKS: Are you wanting back in,
2 Mike, or --

3 MR. PIERDINOCK: No, I'm just thinking,
4 but --

5 MR. BROOKS: Contemplating?

6 MR. PIERDINOCK: -- we'll have a
7 sidebar.

8 MR. BROOKS: Okay. All right. We have
9 a couple of minutes left if anyone else wants to
10 jump in. And if there are any AP members we haven't
11 heard from yet, again either in the room or online.

12 Marty, I see your card. Jump in.

13 MR. SCANLON: Well, one of the most
14 disappointing things that's come by that's
15 happened to the pelagic longline industry in this
16 past year is the shortfin mako situation here. One
17 of the reasons why the cameras were put on the boat
18 and one of the reasons why Blue Water supported
19 using our cameras to monitor the release and the
20 retention of the dead makos was to help the data.

21 And now here we've taken I believe a
22 major step backwards because there's no more

1 incentive for the industry to participate in future
2 EMS proposals in which we've been basically lied
3 to and where it's not going to be to our benefit.
4 There was a benefit to the fleet, there was a
5 benefit to the science, and it's been ignored for
6 political gain. And it's very disappointing to sit
7 at this table and to work in a direction that we're
8 all supposed to be working in. And for just the
9 people's political aspirations to go backwards on
10 that at this time and day, I mean, it's just
11 shameful for us not be able to retain the dead
12 discards that are easily verifiable with our EMS
13 cameras on it. I mean, it's just -- it's very
14 disappointing.

15 MR. BROOKS: Thanks, Marty.

16 Anyone else want to jump in on any of
17 these topics? Again, online folks, raise your
18 hands if you want to jump in.

19 Okay. I think we can probably move on.
20 Thanks, everyone, for the thoughts there. A lot
21 of as always tough issues to be working through here
22 and a lot of comments that sort of landed for me

1 around expectation setting both for changes to come
2 or areas that need to be addressed and balancing
3 that need for evaluation and urgency.

4 I think we should probably go to lunch
5 at this point.

6 Randy, anything you want to accomplish
7 before we go to lunch?

8 MR. BLANKINSHIP: No, I'm ready.

9 MR. BROOKS: Okay.

10 All right. Then let's go to lunch. We
11 will be reconvening at 2:00. We have an
12 hour-and-a-half for lunch so folks can take some
13 time away from the table and also away from the
14 computers. And when we come back at 2:00, we will
15 jump into the bluefin tuna fishery year in review
16 and then we'll have an enforcement update. And
17 again, public comment at 4:30.

18 Okay. Thanks, everybody. See you in
19 an hour-and-a-half.

20 (Whereupon, the above-entitled matter
21 went off the record at 12:26 p.m. and resumed at
22 2:00 p.m.)

1 MR. BROOKS: All right, let's get going.
2 Just again, to remind us all this
3 afternoon, we will be going until five o'clock.

4 We're going to spend the next chunk of
5 time on taking a look at the bluefin tuna fishery
6 year in review. Then, we'll have a break, and then,
7 we'll have some enforcement updates, both from U.S.
8 Coast Guard and OLE. And then, we will take public
9 comment at 4:30.

10 And with that, I think I will hand it
11 over to Brad, who will do his usual walkthrough.
12 He's going to want to walk through all the slides,
13 and then, we'll just open it up for
14 questions/comments at that point.

15 So, Brad, all yours.

16 MR. MCHALE: All right. Thank you very
17 much.

18 Like all other presenters have said
19 this morning, it's phenomenal to see everybody
20 actually in person. Virtual is better than a
21 conference call, but it does not replace actually
22 sharing the same space with you all. And I look

1 forward to seeing those that are attending
2 virtually in person as well in the not-too-distant
3 future.

4 So, for the next hour-plus, what I
5 intend to do is kind of recap what has transpired
6 during 2021 as it relates to bluefin tuna
7 fisheries -- commercial, recreational,
8 for-hire -- as well as kind of touch on some of the
9 information that's before us here for 2022.

10 Hopefully, I'll be able to wrap that up in about
11 25 minutes or so, and then, allow the vast majority
12 of this time slot for more questions, answers, and
13 dialog.

14 So, to get us started, just to recap,
15 looking at what transpired last year, really
16 nothing stands out that has been outside the norm
17 of the last number of years. So, you'll kind of
18 see how the table is set up. We have our various
19 quota categories, and then, harvest, and how those
20 quotas have been adjusted, as you move through the
21 table. Again, really kind of nothing to speak of
22 here necessarily, but there are a few items that

1 I'll want to touch on, as we start to look towards
2 2022 data as well.

3 And throughout the presentation, I'll
4 actually be displaying some of this information
5 sliced further, and further refined, and
6 graphically, as well as in table format, based upon
7 what resonates best with you all and folks that are
8 kind of giving it a read.

9 So, actually, one thing maybe to point
10 out, if you look towards the middle of the table
11 here, when we're looking at the Longline category,
12 in particular, that Atlantic non-NED line there,
13 to compare where we used about 67 percent of that
14 kind of quota in 2021, one item that has really
15 jumped off the pages for us here in 2022 is what
16 that information looks like now through mid-May,
17 where the numbers I just shared with you were
18 through the year.

19 So, we've had a significant increase
20 here in interactions in the Atlantic that not only
21 Randy, myself, and our respective staff, are really
22 digging into with a fine-toothed comb to figure out

1 what's happening; why is it happening, and then,
2 ultimately, what are the ripple effects across the
3 pond of these sort of catch rates. And so, I'll
4 circle back on that particular item a little later
5 on in the presentation.

6 Kind of echoing back to the
7 presentation Karyl did regarding the regulatory
8 summary, lots of activity takes place when it comes
9 to managing the bluefin tuna fishery. For those
10 panel members that are well-seasoned here, you're
11 well-accustomed to this. For those that have just
12 joined us, welcome.

13 Bluefin tuna, and it's sometimes known
14 as a four-letter word, in the sense that it warrants
15 a lot of administrative action. So, we adjusted
16 daily retention limits three times last year.
17 That's both from the recreational and in that
18 General category, commercial handgear component.
19 There's a lot of quota shifting around from either
20 one category to the next or from the reserve to
21 these categories, based upon utilization rates.

22 As Karyl had also mentioned, there are

1 these kind of overarching quota adjustments. One
2 is a result of Amendment 7 to reallocate unutilized
3 Purse Seine quota, and then, any sort of ICCAT
4 carryforwards that we have. And then, obviously,
5 a third one this year will be kind of that quota
6 bump that Walt and Karyl had both mentioned.

7 And then, along with any other kind of
8 quota managed fisheries, there's a number of
9 closures, once these quotas are hit, and that
10 pertaining to the Angling category, trophy
11 subquotas, as well as how we manage that General
12 category in various time periods, when those
13 respective adjusted quotas have been reached.

14 Just here --

15 MR. BROOKS: Brad, sorry, just one
16 second. I'm getting a note that your voice is
17 cutting out maybe a little bit. So, maybe you can
18 move that just a tad closer.

19 MR. MCHALE: Wow, it has been rare that
20 I've been told I'm been too light or cutting out.

21 MR. BROOKS: I agree, that's a first.

22 MR. MCHALE: So, you are going to get

1 full-on I do not have an indoor voice. Saturday
2 Night Live, for those that remember it: "I cannot
3 modulate my voice."

4 (Laughter.)

5 So, this is the metric tonnage that has
6 accompanied those transfers that I just mentioned,
7 as well as those adjustments. A key note to take
8 away here is there was really significant transfer
9 of tonnage to those commercial handgear fisheries.
10 And there's a litany of reasons why that we can get
11 into in the discussions, based upon how they're
12 monitored and the reporting and the directed nature
13 of those fisheries.

14 So far, we've done a few inseason
15 actions for 2022, predominantly, with the winter
16 fishery, and then, that transfer that I mentioned
17 earlier from Purse Seine. So, stay tuned. There
18 will be more to come.

19 When it comes to looking at the 2021
20 inseason actions as it relates to retention limits,
21 essentially, 2021 and 2022 are identical, where we
22 liberalized from the default of one fish per vessel

1 per day to start the calendar year, and then, we
2 increased those retention limits to include the
3 three fish per limit on the school-sized categories
4 or two, or even up to six, based upon whether it's
5 a private-owned vessel, a for-hire charter vessel,
6 as well as to recognize the headboat component of
7 that for-hire fleet. So, no changes there.

8 And then, down below, you'll just see
9 some of the dates associated with the closures as
10 it relates to those trophy fisheries. One update
11 here is in that third bullet. Recently, the Gulf
12 of Mexico incidental trophy fishery had just been
13 reached. And so, that just closed just the other
14 day.

15 When it comes to looking at how the
16 recreational catch is broken down, so here we have
17 a few years' worth of information. And one thing
18 to note here in those latter two years is just that
19 overall increase in the availability, and then,
20 therefore, the catch of that school-sized class,
21 27 to 47 inches; a little bit of a dip in those
22 larger classes.

1 But, as you kind of move from left to
2 right across the table, you'll, then, kind of see
3 the total Angling category landing volume amount.
4 And so, you can really see how the changes in
5 numbers of individuals across the size classes
6 really impacts the overall weight that is, then,
7 brought to bear against our quotas.

8 And if you look back at some of the prior
9 years, 2019, as a prime example, where we didn't
10 have that many school fish, but those large school
11 fish -- obviously, they weigh a little bit
12 more -- that when the year classes are being
13 interactive with the fleets, it really takes fewer
14 individuals to start to fill those quotas.

15 So, sometimes we'll field questions or
16 requests to have a more liberal limit on the
17 larger-sized classes, based upon what might be
18 available to a particular fishery. And this is kind
19 of one of the dynamics we look at to help temper
20 that, is that it doesn't take that many of those
21 fish to really start to add up. And ultimately,
22 our goal is to keep that recreational fishery open

1 throughout the year, if feasible.

2 When it comes to some of the quota
3 management within the Angling category quota, if
4 you all recall, with that school-sized category
5 underneath "ICCAT language," it's, essentially, a
6 tolerance limit on those fish that equates to about
7 10 percent of the U.S. allocation. And with the
8 numbers I just displayed in the previous table,
9 that was a rather robust fishery last year, you
10 know, the largest on date in the recent record.

11 But here's kind of some of that quota
12 utilization, where we almost filled that entire
13 school quota. There's still room, obviously, for
14 that large school, small-medium. But, then,
15 ultimately, when you get to those trophy fish where
16 we're dancing on the head of a pin in trying to
17 manage those quotas, you end up with those, from
18 a percentage perspective, gross exceedances. But
19 when you look at the overall tonnage, it kind of
20 puts that metric back into perspective.

21 When we're kind of looking at the
22 geographic area -- and I'm not sure if something

1 got blown out here. Are folks seeing Series 1, 2,
2 and 3 in their presentations? All right. So,
3 something must have happened here in the
4 formatting.

5 So, the different bands
6 here -- actually, it looks like the years got blown
7 out. The PDF is correct. Somehow, this is -- but,
8 anyway, I'll be able to decipher.

9 So, essentially, the colored bands
10 here -- Series 1, Series 2, Series 3 -- are tied
11 to the different geographic areas that the Large
12 Pelagics Survey is covering.

13 And one thing I just really wanted to
14 note here -- and we will get this corrected -- is
15 you'll see, for bars 19, 20, and 21, those blue
16 areas are -- let me see if I'm getting this right
17 here.

18 (Pause.)

19 We can move on, because we'll catch up
20 with this because we'll display the information
21 elsewhere.

22 But there is just that blue bar is

1 actually the school size class. And what got lost
2 in the formatting is the 19, 20, and 21 columns
3 where the geographic areas. And so, when you look
4 at 19, 20, and 21, that is reflective of how
5 available school bluefin tuna were up and down the
6 Eastern Seaboard. So, folks out of New Jersey, New
7 York, Rhode Island, Gulf of Maine, Massachusetts,
8 New Hampshire, what have you -- those school size
9 class fish were available, not just in one
10 geographic area. For example, in the column there,
11 17, that was the New York-New Jersey area, where
12 those school fish were pretty concentrated in area.

13 And maybe this kind of gets at it in a
14 little bit of a different fashion. So, again, the
15 colored columns here are representative of a
16 geographic area. The vertical lines that segment
17 the table are the size classes. So, that broader
18 band that runs down the middle of the lefthand side
19 of the chart there, where most of the bars are
20 located, is the school size class. The one to the
21 right to it is large school, and then, the one is
22 large school, small medium.

1 So, again, the fishery has really been
2 concentrated on those smaller-sized classes, and
3 then, the rainbow effect we see there in the bottom
4 row is indicative of the various states where those
5 fish are being caught. So, a large body of fish
6 not concentrated to one geographic location.

7 (Pause.)

8 I'll follow everyone else's lead. All
9 right. Apparently, we're good.

10 Moving on -- always got to roll with the
11 punches -- all right, shifting away from those
12 problematic recreational fish that don't really
13 want to have their information displayed very well,
14 let's move on to something that is a little bit more
15 controllable, the commercial handgear fishery,
16 given some of the reporting dynamics.

17 So, as folks are I think aware around
18 the room, we manage our commercial handgear quotas,
19 the General category, in particular, through
20 various time period subquotas. There's a winter
21 fishery component that runs from January through
22 essentially March, and then, June through August,

1 the month of September, October through November,
2 and then, December.

3 And so, there's been a lot of discussion
4 not only around this table, but also kind of in
5 sidebars of how different retention limits impact
6 quota utilization. And so, we've displayed this
7 chart for a number of years now to show what the
8 retentions were for a particular time span; what
9 the number of open days were -- so, these are days
10 where actually catch-it occurred -- and then, the
11 equivalent of landings.

12 And if folks recall, there's always
13 been this discussion of, why does the agency,
14 essentially, liberalized retention limits in the
15 early summer months, and the misnomer that that
16 compromises fish opportunities later in the fall?

17 I would just want to draw your attention
18 to that June 1st through July 10th, where myself
19 and staff are being diligent in looking at all of
20 our various catch reports, as well as the gear types
21 that those fish are being landed on. And given that
22 rod and reel is the dominating gear type in these

1 fisheries that, once we start to see an uptick in
2 those landings, that we, then, reduce the retention
3 limit.

4 And so, you'll see that three-fish
5 limit, open for 40 days, essentially, getting 57
6 metric tons, that's about a 1.4 metric ton average
7 catch per day, where, for the last number of years,
8 we've seen that bite pick up in early July, and when
9 we reduced the retention limit on July 11th of last
10 year, we had 25 days to catch 265 metric tons,
11 rounding it up. And that's almost like 11.3 metric
12 tons a day. So, just some of the dynamics that we're
13 looking at.

14 One other thing to make note, as we kind
15 of progress through 2022, is that restricted
16 fishing days were first implemented for the
17 September time period there. And so, you see that
18 we made it a good portion of the way through that
19 month.

20 As Karyl had mentioned earlier, there
21 is that proposal in place that we're looking to
22 finalize that would, essentially, start that

1 restricted fishing day schedule some point in July,
2 based upon when that rule goes final.

3 Just another way to kind of look at that
4 information, as far as quota legalization, and
5 then, catch rates across time. So, here we have
6 those binned time periods that I just mentioned on
7 the lefthand column. We're looking at the base
8 quotas; how they were adjusted, and then,
9 ultimately, how much was caught in comparison to
10 both those base and adjusted levels. So, just
11 another way to display the overall harvested
12 utilization of those General category quotas.

13 MR. BROOKS: Brad, if you can just pause
14 for one more second? At least one person says your
15 voice is cutting in and out.

16 Folks online, if others are having a
17 hard time hearing, can you just throw that in the
18 chat, so we get a sense of whether that's widespread
19 or just one person?

20 Keep going.

21 MR. McHALE: Sure. And sometimes it
22 feels like it's cutting out on myself here, too,

1 but we'll see.

2 So, essentially, just to stay in tune,
3 we shared what 2022 catch is looking like, and
4 that's available here right now. Again, we've only
5 had the winter fishery. So, more to come, you know,
6 as we start to see how this fishery plays out, with
7 the summer fishery commencing on June 1st.

8 So, this graphic is completely wrong.
9 I'm not sure what is happening with the format here,
10 but we're not that good to manage that level of
11 catch that consistently through the year. I'd like
12 to say that we are after 20 years, but, dammit, we
13 are not.

14 All right. So, I'll refer to folks to
15 the PDF.

16 Essentially, this is a graphic we've
17 shared for years now, where you kind of just see
18 how the catch rate kind of builds over time. You
19 really see where the bite takes off, and then, all
20 the different quota and retention limit actions to,
21 then, adjust and accommodate.

22 I have it memorized, but others may not.

1 But, again, if you go to the PDF in the agenda
2 there -- and I'll make myself available to kind of
3 talk through this. It's just another way to display
4 some of the information in the tables that,
5 hopefully, aren't also mangled. I'm just going to
6 chalk this up to -- I don't know -- COVID. We'll
7 just say that; COVID hit the presentation.

8 (Laughter.)

9 So, segueing off of the General
10 category, and speaking to the Harpoon category, one
11 key component that we look at for this particular
12 fishery is where their effort is really being
13 expended on the size classes. If you recall, this
14 fishery is intended to direct on giant bluefin
15 tuna, and then, they have a tolerance limit for fish
16 that fall between 73 and 81 inches. As they're kind
17 of throwing that harpoon, it might be striking fish
18 less than the 81 mark, and that seems to be playing
19 out.

20 So, you'll not only see the harpoon
21 quota usage, but, then, there are the metrics
22 underneath the table itself of how many trips are

1 landing, just say those smaller fish versus the
2 giants versus mixed. And so far, this is kind of
3 dialed into exactly where we like to see this
4 fishery play out.

5 When we continue to focus on harpoon as
6 a gear type and looking across, not only just the
7 Harpoon category, but recognizing that that is an
8 authorized gear type within the General category,
9 just comparing catch as well as vessels that are
10 deploying those gears, to help refine the agency's
11 understanding and how we manage the fishery, which
12 speaks back to that three-fish limit that I
13 mentioned when rod-and-reel catch rates are low,
14 as well as kind of the shifting of vessels getting
15 permits in one category or moving to another, it
16 just kind of demonstrates that we're starting to
17 see a slight uptick here overall from '20 to '21.
18 Granted, 2020, was kind of an anomaly in itself.

19 But just we're trying to track that flow
20 of vessels in one category versus another, and
21 then, ultimately, what are their contributions to
22 their respective landings?

1 I know -- am I still good?

2 MR. BROOKS: Yes. I don't know what we
3 can do about it, but we're getting a bunch of
4 comments that you're cutting in and out. We swapped
5 out the microphone. I don't know why it's acting
6 up now when it didn't this morning. I don't know
7 if there's anything to be done, but just stay close
8 to it, if you can. Just get it closer.

9 MR. MCHALE: Can you hear me now? How's
10 the audio actually in the room? Okay. All right.

11 Well, for those that are remote, that
12 is an indicator; come join us for the fall meeting.

13 (Laughter.)

14 Joking. Haha.

15 Well, hopefully, this will work a
16 little bit better, and I'll see if I can modulate
17 my voice to be a little bit more consistent.

18 So, the table here is a fan favorite
19 where we are looking at reporting compliance for
20 not only our General category, permitted vessels,
21 but also our harpoon and our for-hire vessels. And
22 as we kind of look through the table across years,

1 just trying to gauge, when we compare our vessel
2 reports to our dealer reports, what level of
3 reporting compliance we're having. And we seem to
4 be holding pretty steady at about that 67 percent,
5 give or take -- definitely room for improvement.

6 I know both in our commercial as well
7 as recreational efforts, we're trying to highlight
8 the importance that these reports have not only
9 from a monitoring perspective, but also as they
10 relate up through the stock assessments, because
11 they do carry a lot of weight when we're informing
12 the scientists of what catch is happening and when.
13 So, that is this particular slide.

14 Looking at a little bit more of the
15 economic data as it relates to the General
16 category, again, taking into account what we all
17 were experiencing during Series -- which isn't even
18 displayed here.

19 So, that lower line is representative
20 of 2020, and the line at the top of the presentation
21 is 2021. So, see quite a different rebound based
22 upon what we were experiencing when COVID was first

1 having its global impact on markets for these fish.

2 One thing also to note is how some of
3 the averages in prices have gone -- yes, all of
4 these are blown out. The averages in prices across
5 time, where there's a lot of debate of where quotas
6 should be harvested to maximize the economic
7 aspects of those landings. And so, hence, we've
8 included this chart here, which, again, the PDF
9 will --

10 MR. BROOKS: The PDF is actually
11 displayed on the webinar. So, what they're
12 seeing --

13 MR. McHALE: Okay. Is different from
14 what I'm seeing. Great.

15 MR. BROOKS: It's on the screen.

16 MR. McHALE: Got it. All right. Good
17 to know.

18 So, I'll just make this up as I go.

19 (Laughter.)

20 And then, you guys will actually be able
21 to correct me.

22 So, it's actually just looking across

1 time and looking at the average catch across three
2 years, again, trying to figure out what market
3 forces are at play, although it should be noted that
4 the market component doesn't drive the management
5 actions. It's more spreading out fishing
6 opportunities versus just maximizing the dollar
7 for those sales.

8 One key item that we've been tracking
9 as well is how many of these bluefin tuna that are
10 landed and sold are remaining domestic versus those
11 that are being exported. And you'll see, now
12 granted, the X-axis, hopefully, is showing years.
13 And as we progress through 2021, more and more fish
14 are remaining here domestic. It will be
15 interesting to see what 2022 has in store for us,
16 given some of the fuel prices that are in play that,
17 obviously, would impact any sort of exporting of
18 product.

19 So, just another way to display kind of
20 how the U.S. bluefin quota is being utilized. So,
21 you'll see there that we have our base quota, our
22 adjusted quota, and then, our landings, and then,

1 the green bar there is the catch across the
2 different years. And if you look to the left side
3 of the chart, it's always just trying to remain
4 within those quotas and trying to minimize the
5 delta between the black line and the green
6 line -- trying to minimize discards and trying to
7 utilize, whether it's for personal use or for sale,
8 each fish that's coming to the dock or coming to
9 the line, for that matter.

10 MR. BROOKS: Brad, I'm going to jump in
11 one last time. I'm told that maybe part of the
12 problem may be that we're taxing the internet here.
13 So, I think some folks may be using their computers
14 to be on the Webex in the room. If you are, please,
15 please, please sign out of the Webex, if anyone in
16 this room is on it. If you can sign out and just
17 be tracking the screens? Thanks.

18 MR. McHALE: And for those that are
19 signing out of the Webex, in the agenda is the
20 presentation in that PDF format as well, as an
21 alternative way to get to accurate information.

22 So, just in the home stretch here -- so

1 we can actually start talking about this
2 information a little bit more than me giving a
3 half-ass presentation -- is the dead discards.
4 This number continues to remain low post-Amendment
5 7, which we're grateful to see, given the
6 methodologies to estimate these discard levels is
7 consistent both pre- and post-.

8 Folks will remember that these numbers
9 were egregiously high back in the day, but, right
10 now, we're steady at about 7 metric tons, is our
11 best available number that reflects back. And
12 we'll get that updated once we have the 2021
13 estimate dialed-in. That 7.1 is a proxy coming off
14 of 2020. But we don't expect a big jump or decrease
15 in that number at this point.

16 And one other thing that we're
17 continuing to look at, obviously, is the sources
18 of any sort of post-release mortality. And so, as
19 it relates to some of our handgear fisheries,
20 whether they be commercial or recreational, we're
21 starting to look at some of our reporting
22 methodologies to not only get at fish that are

1 released dead, which is in alignment with ICCAT's
2 recommendation, accounting for all sources of
3 mortality against our quota, but also those live
4 releases as well. Because, again, those have
5 impacts when we're talking from a stock assessment
6 perspective, and fish that are available in overall
7 abundance versus those just associated with
8 mortality events.

9 Another quick way just to kind of
10 demonstrate the landings by category, as each
11 category is contributing to landings. So, as I have
12 already mentioned, those commercial handgears is
13 a significant component, but just another way to
14 kind of view that same information.

15 And then, as I kind of get towards the
16 end of the presentation here, the one thing that
17 I kind of wanted to mention that we're tracking here
18 aggressively is: you'll look across this table,
19 and all the prior years -- 2021 going back in
20 time -- are all annual numbers of metric tons of
21 landings from the Longline category. But, yet,
22 when we look at 2022, as of May 5th, when the chart

1 was designed, it is that we're well up over kind
2 of 80 percent use.

3 And so, that has us concerned. I think
4 it has folks around the table concerned. And where
5 we haven't necessarily had to encounter this since
6 the implementation of Amendment 7, it has caused
7 the agency to, then, kind of do a "What if?" type
8 of an exercise. If these sort of interaction rates
9 and landing rates were to continue, what are the
10 tools that the agency has at its disposal, and what
11 flexibilities exist within those tools?

12 And so, some of you may have noticed a
13 reminder notice that came out maybe last Friday
14 during the ISE meeting. It was just kind of
15 reiterating what some of those options the agency
16 has before us. And this is, obviously, boiled-down
17 and paraphrased, but what we're looking at is, you
18 know, when certain quotas are met, and whether it's
19 longline or any of the other bluefin fisheries, it
20 is that the entire fisheries can be shut down. Look
21 at that as kind of a sledgehammer approach.

22 We reiterate that bluefin tuna is an

1 incidental catch in the longline fishery, and
2 hence, why that IBQ program has stood up to have
3 that individual accountable in place to mitigate
4 some of the ripple effects of one individual's
5 actions, then, therefore, impacting others within
6 the same fleet.

7 We're examining the regulations to
8 figure out what sort of flexibilities do exist as
9 far as whether there's temporal or spatial closure
10 options that are available. I know that one thing
11 that is noted for years now is that bluefin tuna
12 in the Gulf of Mexico -- the Gulf of Mexico being
13 designated as a spawning area -- those fish tend
14 to migrate out of that area in the early summer
15 months. So, what flexibilities might the agency
16 have to kind of look at those dynamics, as we
17 address the catch rates in our data streams to this
18 stage?

19 It should be, again, kind of a reminder
20 notice that, for vessels that actually happen to
21 be in quota debt, that they're, essentially, once
22 the fishery's been closed, that vessels are

1 prohibited from leaving the dock with longline gear
2 onboard. And based upon the timing of, or
3 if -- shall I say? -- if a closure is warranted,
4 that they need to return to port.

5 And then, regardless of the information
6 or data that would be in an individual's IBQ
7 account, that if the fishery overall is closed,
8 it's closed across the entire fleet. So, that the
9 gravity of those are not lost on the agency, and
10 we know that they're not lost amongst those that
11 own and operate vessels within that fleet.

12 And then, the last two items is, as far
13 as quota debt is concerned, that does carry over
14 for the individual vessel from one year to the next,
15 as well as it can carry over from one quarter to
16 the next. And so, vessels need to balance their
17 books at this point at a quarterly level to be able
18 to commence fishing in that subsequent quarter.

19 And if you all kind of recall that when
20 Amendment 7 was initially finalized, we had a
21 trip-level accountability in place that created
22 its own problems. And so, that's something we'll

1 continue to try to find the right balance of how
2 to make vessels individually accountable, and
3 then, mitigate impacts across the fleet.

4 So, thank you for bearing with me for
5 what I would have to say is probably one of the least
6 smooth presentations in 18-plus years for bluefin.
7 But, hopefully, the dialog that commences from here
8 is much more enlightening and invigorating. So,
9 thank you.

10 MR. BROOKS: Thanks, Brad.

11 And just so you know, several of us got
12 together beforehand, and since you're usually such
13 a smooth presenter, we thought what we can do to
14 shake things up. And, well, let's give him the
15 wrong slide deck; let's give him a broken mic, and
16 then, have me interrupt you every five minutes. So,
17 you know, I think you did pretty well on it.

18 MR. McHALE: Is there anyone from HR in
19 the room that heard that?

20 (Laughter.)

21 I'd like to file a grievance at the
22 conclusion of this meeting and take early

1 retirement as a result.

2 (Laughter.)

3 Thank you.

4 MR. BROOKS: Excellent plan.

5 All right. Let's have some
6 conversation going here. Again, I'll do a mix of
7 online and around the table.

8 Let's start online this time. Let's go
9 to Alan Weiss. Again, online, Alan Weiss.

10 This is what we're going to do. You're
11 going to hear me say, "online" before the online
12 people. It will help our tech folks.

13 Alan, you're up.

14 MR. WEISS: Thank you. Can you hear me?

15 MR. BROOKS: Yes, we can.

16 MR. WEISS: Okay. Thank you.

17 I actually have three questions.

18 The first one -- if you'd go to slide
19 No. 23, which talks about discards -- you have 7.1
20 tons of discards for the longline fishery. What
21 are the discards from the other sectors?

22 MR. MCHALE: So, Alan, thank you.

1 The discards from the other sectors are
2 still in development of how to, one, assess them,
3 and then, apply them. So, that really speaks to
4 that third bullet there, where you don't
5 necessarily have the same reporting requirements
6 apply to those handgear vessels when it comes to
7 some of the discard events, nor do we have either
8 the electronic monitoring systems or observers
9 deployed to, then, validate what's coming through
10 the various logbooks.

11 But this hasn't been something that the
12 agency has been ignoring. Because I know Dewey has
13 been diligent in inquiring about these numbers
14 since Amendment 7.

15 We've currently figured out a number of
16 different protocols to look at the data that is
17 being reported from those handgear fisheries. We
18 just need to vet the methodologies to make sure that
19 the approaches that we're taking in looking at
20 those numbers to address, essentially, the user
21 inputs, to make sure that, if a 96-inch fish is
22 discarded dead, that it doesn't come through the

1 data streams as 96 fish, as a prime example.

2 We're trying to figure out some of those
3 human errors that have been plaguing that data
4 stream. And I think probably, for the fall meeting,
5 we might be at a point where we can report back on
6 getting those methodologies validated.

7 MR. BROOKS: Thanks.

8 Did you have another question?

9 MR. WEISS: Sure. My next question was
10 on slide 25 in regard to this big bump in landings
11 during the first part of the current year, and the
12 potential that this raises for a fishery closure.

13 My understanding of this big bump in
14 landings -- and there are others on the panel that
15 have more direct information about this than I
16 do -- but my understanding is that this is largely
17 due to the actions of one vessel.

18 All I can say is that the Fisheries
19 Service needs to find a way to get around this
20 situation where all the law-abiding people in the
21 fishery, which is the vast majority, are at risk
22 and in jeopardy because of the actions of some rogue

1 individual who has no regard for either the intent
2 of the regulations or his colleagues in the
3 fishery.

4 And I can say that, if there were to be
5 a closure of the longline fishery between now and
6 the beginning of December, it would be an
7 unmitigated economic disaster, both for the
8 fishery itself, all those law-abiding people who
9 would be affected, and also, the shoreside
10 businesses that service this industry, such as
11 mine, supplying fishing gear; and also, the people
12 in the business of buying and marketing the fish
13 from these folks.

14 Basically, a shutdown that would take
15 a significant chunk out of everyone's year would
16 be probably fatal to most of the vessels and the
17 support businesses because, with the limited
18 number of boats currently fishing, and the limited
19 part of the year that's profitable to fish,
20 everything's pretty marginal, even under the best
21 of circumstances at this point.

22 MR. BROOKS: Thanks.

1 MR. WEISS: With the time I've taken,
2 I'll leave it at that. But thank you for your
3 consideration on that.

4 MR. BROOKS: Thanks. Thanks, Alan.
5 Well said.

6 Let's stick with the online for a
7 minute. Lisa Kerr, let's bring you in from online.

8 DR. KERR: Yes, I just have a clarifying
9 question on the information you showed on the
10 recreational landings. And it looks like the 2020
11 and 2021 show both this -- well, this greater
12 representation of school-sized fish, but also a
13 great magnitude of landings. I just wanted to
14 clarify, is that both an effort and an availability
15 of school -- this is sort of reflecting the combined
16 effect of effort and availability of school fish.

17 The slide with the area-based, yes, or
18 this one, yes.

19 MR. MCHALE: All right. So, I think
20 we're looking at slide 9 -- or excuse me -- slide
21 8. That shows the overall volume of fish.

22 And, Lisa, that's a good question. The

1 best way, I think, to approach the answer is, with
2 the availability of fish when it comes to bluefin
3 tuna, and its place out in the commercial fisheries
4 as well as the recreational, it's, as fish become
5 more available, we tend to see effort increase
6 dramatically.

7 And this was pretty apparent even as we
8 were seeing the fishery in 2021 unfold, as social
9 media posts were really kind of blowing up and
10 showing bluefin tuna being caught with the Statue
11 of Liberty in the background or multiple hookups,
12 what have you.

13 And so, the dynamics as it relates to
14 the bluefin fishery is, one, as I mentioned, the
15 availability of fish. Are those fish inshore? Are
16 they available to just the small boat fleet?

17 I'd be a liar to say that I didn't see
18 a Facebook post of a 15-foot aluminum Lund with an
19 80-wide somehow attached to the back of it, or a
20 pontoon boat, for that matter. The Coast Guard
21 might have some safety-related issues regarding
22 those activities.

1 But when those fish are that inshore
2 that you start to see effort really skyrocket,
3 where you don't necessarily need the kind of
4 typical, whether it be a center console or a
5 Downey-style vessel, to access that resource. And
6 so, one kind of feeds off of the other.

7 MR. BROOKS: Thanks.

8 DR. KERR: Yes, thanks.

9 And I was just sort of wondering if you
10 had examined like how COVID has impacted the effort
11 in the last few years.

12 MR. MCHALE: We have looked at some of
13 that information. And we actually have seen
14 increases. I mean, depending on if you look at 2020
15 versus 2021, because there were limitations on the
16 for-hire fleet in 2020 that had come into play as
17 far as travel limitations and access, what have
18 you.

19 But what we have seen over the last two
20 years is an overall kind of increase in
21 interest -- then, in turn, effort -- in these HMS
22 fisheries, in particular, bluefin.

1 MR. BROOKS: Great.

2 Let's take one more AP member online,
3 and then, we'll bring it back to the room.

4 If we can open up David Schalit, please?

5 MR. SCHALIT: Can you hear me?

6 MR. BROOKS: We've got you, David.

7 MR. SCHALIT: Okay. Brad, can you hear
8 me?

9 MR. MCHALE: Go ahead.

10 MR. SCHALIT: Okay, great.

11 I guess to Lisa Kerr's point, I think
12 the generally-held theory -- emphasize on
13 "theory" -- at the SCRS is that these juvenile
14 landings are being influenced by the Superman
15 effect in the Eastern Mediterranean fishery. But
16 that's theory because we don't have any data on the
17 natal origin of the juvenile fish. And that's not
18 going to get resolve until -- that question won't
19 be resolvable until we're able to sample those
20 fish.

21 In connection with what Alan was
22 saying, it's a really interesting question. I

1 believe -- you can correct me if I'm wrong on this,
2 Brad -- but I think it was when Margo was here, the
3 idea was that we had no information, no data, from
4 the General category on bycatch.

5 And so, the new reporting system that
6 was put in place in 2016, the essential thrust there
7 was to obtain bycatch data. Because, from the
8 dealer point of view, this is a census, but they
9 don't capture bycatch data, obviously. So, I think
10 that was the original impetus, if I'm not mistaken.

11 Looking at the slide that you
12 showed -- and I don't remember the number of the
13 slide -- on bluefin tuna reporting requirements,
14 the fact that we are at -- what? -- just under 70
15 percent at this point -- what, 68, 70
16 percent? -- suggests to me that, if the HMS
17 Management Division should see the value in it, it
18 is a distinct possibility that we could move to a
19 census using the direct fishermen reporting, which
20 would not replace the dealer census, but it would
21 give us the opportunity to capture the data that
22 Alan's asking about, and to capture other important

1 information that would enable us to have a proper
2 CPUE index.

3 So, that's just something I wanted to
4 mention, but I think it's a question that has to
5 be addressed: do we want to increase that
6 compliance, the reporting compliance, to 100
7 percent or not? Or are we okay with leaving it the
8 way it is?

9 Thanks very much.

10 MR. BROOKS: Thank you. Thanks, David.

11 All right. Let's come into the room.

12 I've got about seven folks in the queue.

13 Jason, we'll start off with you, and
14 then, go to Charlie and Jeff.

15 MR. ADRIANCE: Thanks.

16 The advantage of being later in the
17 queue is I did have questions/comments about slide
18 8 and 25, but those were pretty much covered. So,
19 I'll go to slide 21, if you can. That's the
20 imports-exports.

21 I'm curious -- and just because I don't
22 have maybe members around the table -- what has

1 driven that shift from exports to domestic market?
2 Is that a combination of regulatory and price or
3 just good marketing to keep those domestic? Just
4 curious.

5 Thanks.

6 MR. MCHALE: Well, if there was a dealer
7 at the table, I would defer them, but I don't think
8 we have one currently.

9 So, my understanding of that, Jason, is
10 it's really the value of the fish, and will it cover
11 the costs that are incurred to, then, export that
12 to Japan?

13 And so, at least for 2020, obviously,
14 that was kind of a data outlier. So, we could almost
15 throw that away.

16 But my understanding is that, with the
17 global supply kind of going to Japan, the Japanese
18 market and economy, in general, is the margin to
19 cover those shipping costs has become tighter and
20 tighter and tighter.

21 And the marketplace here domestically
22 for bluefin tuna, which has always been somewhat

1 isolated to New York, Miami, Los Angeles, has grown
2 more and more. And I think some of that's just due
3 to some of the information that's available to the
4 consumer and the more prevalence of seeing sushi
5 in more and more places versus the main
6 metropolitan areas, like it used to be a
7 decade-plus ago.

8 And so, I know, at least since COVID had
9 come into play, I know a lot of vessel owners and
10 operators have also looked at other business models
11 in trying to leverage kind of the
12 boat-to-plate-type model, or, you know, kind of the
13 farmers' market model. So, how do you then try to
14 monetize your individual fish with a narrative
15 behind it versus it just kind of going into more
16 of a wholesale type of situation?

17 MR. ADRIANCE: Great. Thanks, Brad.

18 And I will reiterate, on slide 25, those
19 interactions. I think if the agency can look at
20 a way to deal with particular bad actors -- I know
21 this has come up in the past when we've discussed
22 Amendment 7 -- instead of potentially penalizing

1 the entire fleet when those interactions may be
2 linked to particular parties.

3 Thanks.

4 MR. MCHALE: And actually, just that
5 point. This is a balance that the agency continues
6 to strive to achieve of, how do you, then, provide
7 the fleet with the flexibilities for those
8 individuals that -- Alan's kind of language
9 there -- that understand the intent of the
10 regulations, that understand why they're there?
11 How do you manage to the masses there, but, yet,
12 prohibit individuals from, then, say, leveraging
13 them for personal gain, but, then, compromises?
14 And that's a tight balance to walk.

15 I think the fleet members recall what
16 it was like when we had the trip-level
17 accountability in place. That would probably have
18 kept us in check, but it was very Draconian. And
19 it meant lost potential fishing time; needing to
20 establish business relationships on the fly
21 straight out of necessity. So, it wasn't always
22 the best of negotiating positions to be in for an

1 individual that needed to lease additional IBQ.
2 Hence, kind of the migration to a quarter.

3 So, this is something that we're
4 continue to go back at because our intent is to hold
5 individuals accountable and insulate the fleet
6 from their specific behaviors. And obviously, as
7 a federal agency, we need to have those
8 sledgehammer backstops, but those are kind of tools
9 of the last resort.

10 MR. BROOKS: Thanks, Brad.

11 Charlie? And then, over to Jeff.

12 MR. BERGMANN: Well, I need to thank
13 you, Alan and Jason, for --

14 MR. BROOKS: Sorry, Charlie. Can you
15 get a little bit closer to that mic?

16 MR. BERGMANN: Yes.

17 MR. BROOKS: Thanks.

18 MR. BERGMANN: I need to thank both Alan
19 and Jason for covering two of the issues that I
20 wanted to talk about. But I'd like to talk a little
21 bit about that export landings thing again with the
22 amount of domestic fish that's coming.

1 Have you compared that to what's going
2 on with the commercial fishery? I'm sorry. The
3 pelagic longline fishery? If their fish follow
4 that same curve going --

5 MR. MCHALE: That's an excellent
6 question, Charlie. Recently, I have not teased
7 apart the contribution to the commercial catch and
8 where it's ultimately going. But we will, now that
9 you mentioned it.

10 Historically, it's been our
11 understanding that the vast majority of those
12 Longline-category-caught bluefin stayed domestic
13 because of the freshness dynamic. That was a huge
14 driver in price, based upon the trip duration.

15 And so, a lot of them wouldn't
16 necessarily be able to cover the costs that are
17 incurred to ship them to Japan. So, those would
18 remain in the domestic market.

19 But that is absolutely something we
20 could look to see how handgear exports or domestic
21 are in alignment or differ from the longline
22 contributions.

1 MR. BERGMANN: And one last question.
2 And that's on the Purse Seine transfers. Is there
3 a better way of tracking that as to the tonnage that
4 comes from the Purse Seine category into the
5 Longline category, and maybe even further down than
6 that, and to the individual? So that we may not
7 see what's happened happen again.

8 MR. McHALE: So, we do have that level
9 of resolution to track that information. Where is
10 it coming from? Where is it going to? And how's
11 it being passed along? And to our Amendment 13
12 discussion, some of that dialog will become moot.

13 The challenge with them is what you,
14 then, do with that information. Knowing how some
15 parts of the fishery are organized, you may have
16 individuals that may own multiple vessels, and they
17 may consolidate allocation on one particular
18 account, and then, distribute it out as those
19 vessels need.

20 And so, as you're kind of looking at
21 that information, it's, then, when you start to
22 impose a narrative on it of, what's egregious;

1 what's not? What looks like too much consolidation
2 versus not? It becomes very tricky ground of
3 applying those judgments.

4 Obviously, there's still risks that are
5 incurred by having it kind of all go to, say, one
6 place, for example, but that's something that we're
7 able to track, and we do. But it's also, as part
8 of Amendment 13 and some of the activities
9 associated with that action, I think the landscape
10 is going to change as well here.

11 MR. BROOKS: Thanks.

12 We've got about eight people in the
13 queue and about 20 minutes left. So, let me try
14 to work through it and ask folks to be focused.

15 Jeff?

16 MR. ODEN: Quick questions.

17 Slide 16, it says percent of trips
18 landing at least one bluefin, Harpoon category.
19 I'm just curious to know how you get that
20 information. Do they have logbooks? How do they
21 report this information? How do you access it?

22 MR. MCHALE: So, we have two different

1 data streams for this fishery. One is the dealer
2 reports themselves. They're required to report
3 trip date, vessel, as well as the length of each
4 individual fish the dealer is receiving.

5 As well as, then, there's the vessel
6 reporting component that -- I forget who this went
7 to around the table now. It might have been David.
8 That when we finalized Amendment 7, the vessel
9 reporting requirements were expanded from the
10 recreational, to include all the Commercial,
11 Harpoon, and General category vessels as well.

12 MR. ODEN: So, no logbooks?

13 MR. McHALE: I mean, you might want to
14 refer to it as a logbook, but it wouldn't -- it's
15 almost more of like the phone application or
16 website report versus --

17 MR. ODEN: In other words, no fishing
18 forms to send in at the end of the month that prevent
19 you from getting a permit? That's my point, anyway.
20 But I'll move on from there.

21 Secondly, why are we required to report
22 these bluefin interactions daily when the agency

1 allowed what just recently happened to get us in
2 or near a catastrophic situation for our industry?
3 Why do we have to report within 8 or 10 hours every
4 day bluefin interactions, and how did you drop the
5 ball on that and allow this to happen with the one
6 individual vessel? I mean's it's just hard to
7 fathom for most of us.

8 MR. McHALE: So, to tackle your first
9 question first, it is, for the handgear fishery,
10 they have a 24-hour window to report their landings
11 to the agency, just like the dealers do. So, there
12 is a timeframe that they need to report, and that's
13 at the conclusion of each trip.

14 When it comes to the reporting
15 requirements for longline vessels, and the
16 requirement you were speaking of is at the
17 conclusion of each set, there's a 12-hour window
18 to, then, report how many bluefin tuna and the
19 approximate size classes that were interacted on
20 that set.

21 That is something that we're
22 monitoring. And I would beg to differ that the ball

1 was dropped. There was actually nothing illegal
2 with the activities that we were observing. There
3 was bluefin tuna IBQ in the accounts that were
4 covering all those events. They were, ultimately,
5 then, in turn, reported.

6 And as I just mentioned a few moments
7 ago, when there's quarterly accountability, and
8 vessels are allowed to operate in debt until the
9 conclusion of that quarter, then those deficits can
10 grow. And there isn't necessarily a cap that we've
11 put onto either the amount of debt somebody can go
12 into or the amount of quota they can accrue.
13 Because we understand the dynamics of what a
14 lightning strike or a devastating set were through
15 all the dialog we had through the Amendment 7
16 process.

17 And so, that strikes this balance of,
18 when you're managing to the fleet, and understand
19 the intent of those regulations and the dialog
20 we've had around this table, versus, then, somebody
21 driving the truck through them, but, yet, might not
22 have hit any illegal trip wires, then what is the

1 agency, then, to do to respond? And that's
2 currently the state we're at, Jeff.

3 MR. ODEN: Thank you.

4 MR. BROOKS: Thanks. That's helpful,
5 Brad.

6 All right. I'm going to bring in two
7 folks that I don't think we've heard from yet today.
8 Let's go over to George Purmont, and then, over to
9 Shana.

10 MR. PURMONT: Do you guys keep a
11 track --

12 MR. BROOKS: George, you've got to bring
13 that closer.

14 MR. PURMONT: Oh, I'm sorry. I don't
15 want to "over-Brad" the situation.

16 (Laughter.)

17 It's my last chance.

18 Do you ever keep track of imported
19 bluefin volume and value relative to U.S. domestic
20 sales?

21 MR. McHALE: We do. I don't have it
22 available today, but it is something that we also

1 track. And we've displayed that in years past.

2 MR. PURMONT: Is it a demonstrable graph
3 or it is just something that sort of holds hands,
4 and they go off to the side?

5 MR. McHALE: The last time we kind of
6 ran those sorts of analyses that we were seeing
7 significant volumes of imports of bluefin tuna,
8 some of it was influenced by the bigeye market, and
9 whether or not cheap bluefin tuna imports could
10 then help kind of some of the -- I'll qualify it
11 as the "gas station market sushi," you know, the
12 gas type of product.

13 But at one point -- and again, it's been
14 some time, George -- we were looking that the
15 overall bluefin tuna imports could have been
16 addressed by the domestic production. And again,
17 that's a couple of years stale at this point.

18 But we can run that analysis and get
19 that back out to panel members, just to refresh what
20 that looks like.

21 MR. BROOKS: Thanks.

22 Anything else, George?

1 Okay. Shana, over to you.

2 MS. MILLER: Thanks.

3 Shana Miller with the Ocean Foundation.

4 And just listening to what David and
5 Alan were talking about, data reporting, as you
6 said, Brad, this is a slide that continues to kind
7 of raise eyebrows. And the reporting requirements,
8 you know, the fact that the reporting for the
9 commercial handgear still seems to be plateaued
10 around 60-65 percent is a little baffling to me.

11 I don't think increased education is
12 going to help. These permit holders I'm sure know
13 what the rules are.

14 And because you have the dealer reports
15 to corroborate the fishermen's reports, or lack
16 thereof, it just seems like, you know, the "get out
17 of jail free" card window has passed, and maybe it's
18 time to bring enforcement in to try to improve these
19 reporting requirements.

20 And it continues to be an embarrassment
21 for the U.S. and ICCAT. As you know, Canada hits
22 us on this every single cycle, and the same can be

1 said for the recreational reporting with the
2 mandatory call-in.

3 But, you know, it's great to hear that
4 you're looking into improvements in the different
5 handgear fleets for the discard data because, like
6 you said, that is really important for the
7 assessment and the MSE. And hopefully, as part of
8 that, because effort data is also really important,
9 you're looking at a way to record zero catch trips
10 as well. So, look forward to hearing more about
11 that in the fall.

12 And on this discussion about the
13 longline catch this year, you know, the IBQ program
14 was started, in large part, to get some
15 accountability in the fishery. And it does seem
16 that moving from that trip-level accountability,
17 trip-level account into end of year was too big of
18 a jump because it opens things up to this kind of
19 situation. And monthly or quarterly accounting
20 would prevent this type of situation. So,
21 hopefully, that can be revisited.

22 And then, just lastly -- and I don't

1 have any questions; I'm sorry, Brad -- lastly, on
2 the questions of imports versus exports, I think
3 it's also important to look at the other bluefins
4 over the last decade that that decline in exports
5 came from. Over that time period, the eastern
6 bluefin quota in the Atlantic has tripled. The
7 Southern bluefin quota has increased by 90 percent.
8 And even the Pacific bluefin quota has gone up.

9 So, I'm guessing that's part of it as
10 well. You know, the U.S.-Canadian Western bluefin
11 catch just is harder to compete with the volumes
12 in those other areas.

13 So, anyway, this is always a really
14 interesting, informative presentation with or
15 without data labels. So, thank you, Brad.

16 MR. MCHALE: And thank you with regard
17 to global supply because you're right, that's
18 absolutely an influencer in that dynamic as well.

19 MR. BROOKS: Thanks.

20 The queue is not getting too much
21 shorter. I've got six people, 15 minutes.

22 Bob Humphrey?

1 MR. HUMPHREY: Yes, thank you.

2 This is sort of a follow-up to Lisa's
3 question, and I think somebody else touched on it.

4 Is there anything in place now or any
5 way that we might be able to look more closely at
6 catch-per-unit effort in the commercial handgear
7 categories, maybe even just a sample number of
8 boats, number of fish caught per boat? Anything
9 that we could gather some data to take back and
10 demonstrate more fish?

11 MR. McHALE: Ultimately, I think we're
12 slowly progressing in that direction, Bob. I think
13 there's some regulatory changes that need to take
14 place to really get us to that point.

15 For folks that are familiar with other
16 kinds of regional permitting/reporting
17 requirements, like for out of the Northeast, they
18 have a vessel trip report that comes along with a
19 lot of the permits, and then, you must report at
20 a trip level, regardless of your target species,
21 of everything you catch.

22 Granted, HMS currently doesn't have

1 something like that in play, but having that sort
2 of uniform reporting across the entire fishery,
3 that then kind of captures some of that effort
4 information, kind of gets us further to get to that
5 CPE dynamic.

6 Right now -- and I think Shana just kind
7 of mentioned it -- right now, we don't have the zero
8 catch variable as it applies to the trips. And so,
9 that's kind of one of the components that we would
10 kind of need to gather of how much effort is being
11 expended for no gain, for no landing, for no catch
12 events, and right now that's kind of a null value.

13 And so, we can leverage some of those
14 other reporting requirements for those that might
15 be duly permitted, but, right now, that's something
16 that we, as a Division, have been discussing, you
17 know, what would that then look like to have that
18 more comprehensive reporting requirement under HMS
19 regulations that kind of gets at that full suite
20 to capture some of those currently missing null
21 values?

22 MR. HUMPHREY: And just a quick

1 follow-up comment. I think you touched on it.
2 Caught and release of live fish, too.

3 MR. McHALE: We do have, underneath the
4 current requirements or underneath the current
5 reporting, there's opportunities for folks to
6 report not only the fish that went back dead, but
7 those that went back alive as well. But there's
8 still other variables that need to be buttoned up
9 to really get there, yes. Yes.

10 MR. BROOKS: All right. Let's go to
11 Willy, and then, John, and then, we'll bounce to
12 you, Marty, and over to you Dewey.

13 MR. GOLDSMITH: Thanks, Bennett, and
14 thanks, Brad. I will be brief. Just one quick
15 question. I have two quick questions.

16 The first one is on slide 3. I'm just
17 wondering if the landings, the Atlantic estimates
18 for school and large school, small-medium -- there
19 are dashes there. Does that mean those aren't
20 final, and that there might be more estimates
21 coming in from Catch Card or MRIP, or something?

22 MR. McHALE: So, in slide 3, that's

1 2022.

2 MR. GOLDSMITH: Yes.

3 MR. McHALE: Recreational fisheries in
4 those size classes have really yet to commence.

5 MR. GOLDSMITH: Okay.

6 MR. McHALE: So, whether it be the
7 Maryland Catch Card Program information data
8 stream and the Large Pelagics Survey has yet to
9 really get fired off. So, that is why; that
10 information is yet to be seen.

11 MR. GOLDSMITH: Okay. So, those are
12 final numbers for those first, like, two waves, I
13 guess, through April?

14 MR. McHALE: I'm not quite following
15 you. So, the waves would be more in reference to
16 like MRIP, Large Pelagics Survey. Large Pelagics
17 Survey is yet to kind of --

18 MR. GOLDSMITH: Yes.

19 MR. McHALE: -- get underway. And so,
20 they're, essentially, placeholders until those
21 data streams do start to come --

22 MR. GOLDSMITH: Okay.

1 MR. MCHALE: -- come into play.

2 MR. GOLDSMITH: Great.

3 And then, my next question was on slide
4 23. This is the issue Alan brought up about the
5 reporting methodologies for commercial,
6 recreational handgear dead discards. And just
7 wondering, on the recreational dead discard side,
8 is there like a timeline for what that process might
9 look like yet? And when it does happen, is the AP
10 going to be part of that conversation, would you
11 think, next?

12 MR. MCHALE: Yes. No hard, definitive
13 timeline. It's something that we're currently
14 exploring. We're starting off, obviously, with the
15 Commercial information, and then, kind of segueing
16 to the Recreational.

17 And absolutely, it would be disclosed
18 around this table -- methodologies, findings.
19 We'd have to vet that before any sort of -- you
20 know, to make sure that it is ultimately usable,
21 to then either have that be part of our report-outs
22 to ICCAT or, you know, used in any sort of a way.

1 For example, if we need to account for
2 some sort of discard mortality on top of the
3 existing quotas because of the ICCAT wording of the
4 recommendations of all sorts of mortality are
5 accounted for.

6 MR. BROOKS: Thanks.

7 John, why don't you jump in?

8 MR. DEPERSENAIRE: Yes, thanks.

9 Brad, I just had a question. In regards
10 to the school fishery, could you explain or perhaps
11 indicate where we are in terms of utilizing that
12 specific quota relative to the school tolerance?
13 Are we meeting it? Are we under or are we over?
14 Just kind of curious about that.

15 MR. MCHALE: Yes. So, if you go back
16 to slide -- slide 2 is one place where it's shown,
17 where you'll see kind of the category -- it's about
18 three-quarters of the way down the table -- you'll
19 see Angling, and then, there are three
20 subcomponents: school; large school, small
21 medium; trophy. And you'll see the individual
22 accounts, and then, some tonnage.

1 But if you segue over to the righthand
2 side, you'll see the utilization of those
3 different -- so, last year, we were at 98 percent
4 of filling that school tolerance. So, for us,
5 that's excellent news. You know, we fully utilize
6 it. The three-fish limits or the -- you know, we
7 were there.

8 Something that also helped influence
9 what we set the limits at for this year, knowing
10 that there will be the slight bump-up from the ICCAT
11 quota, and then, kind of recognizing, back to
12 Lisa's point that she mentioned earlier, what's
13 driving effort. You're looking at availability
14 where New York, New Jersey, Rhode Island, you know,
15 southern Mass, up in the Gulf of Maine, those fish
16 were available. And then, we'll see how the large
17 school is, but we're right about there with the
18 school tolerance.

19 MR. DEPERSENAIRE: I appreciate that.
20 I just missed that. Thank you.

21 MR. BROOKS: All right. Let's go over
22 to Dewey. Oh, sorry, Marty, and then, Dewey, then

1 over to Jeff. Marty?

2 MR. SCANLON: Well, one thing I'll add
3 to what Brad was trying to explain, one of the
4 reasons why the pelagic longline, we don't export
5 many bluefin anymore is because most of the
6 bluefins that we're landing post-day seven are
7 dead. So, you know, most of the live bluefins that
8 we're seeing that we're releasing. So, that's a
9 big reason why we're not exporting as many as then;
10 plus, there's been a great increase in the domestic
11 sushi market over the past 10 years. So, I mean,
12 it's very risky sending them over there.

13 The other thing that I want to touch
14 base on is that, you know, we look at this; you know,
15 it looks like over 80 metric ton here have landed
16 up until May here. A lot of that quota here has
17 been landed. From what my understanding is, there
18 is no more Purse Seine quota available. It's all
19 been leased out and it's been utilized to land those
20 particular fish. That in itself will be corrected
21 when A13 gets presented. So, that's the situation
22 that's, basically, going to be addressed via A13.

1 The other thing is here, with that
2 situation that went on right there, you know, me,
3 myself, was able to make a few phone calls and I
4 was in touch with the agency at the time, and
5 everything else. And I was able to, basically, put
6 a thumb on that situation from getting any further
7 out of hand than it was.

8 So, I mean, I don't anticipate that
9 going on, even with -- you know, there's quite a
10 bit of bluefin still around here in the month of
11 June coming up here. And I've already sent out a
12 message to our membership to be very diligent in
13 avoiding interactions and to follow with the
14 protocol that's set forth with the PLL/TRT, which
15 is communication protocol first, and you have the
16 ability and the willingness to move to avoid those
17 further interactions. So, we've already notified
18 our membership of that.

19 And, you know, we look forward -- I've
20 already discussed here in the room here with Tom
21 Warren and I've talked to Brad a little bit, and
22 talked to Randy a little bit, about, as A13 comes

1 out, and figuring out what type of checks and
2 balances we may have to include or expand in A13
3 or beyond in protecting not only the pelagic
4 longline industry, but the rest of the categories
5 from this happening again.

6 I do not believe, the way A13, the way
7 I'm looking at it, will be structured, the ability
8 of this happening again will not be there. Without
9 the Purse Seine category being there, without any
10 individual being able to acquire that much quota,
11 you know, individually, it will no longer exist.
12 So, I don't think that that's something, as we move
13 forward, and whatever has to be put in there, Blue
14 Water will, you know, as we have all along, is more
15 than willing to, and the agency has been willing
16 to work with us in finding a solution to this.

17 This doesn't make any of us look good.
18 So, I mean, we're more than willing to work and find
19 a solution to the situation and move forward. And
20 I don't foresee the industry going over its quota.

21 The other thing I have, you know, I have
22 a question for Brad. It is that most of that quota

1 that's landed right now has been landed against the
2 Purse Seine category. There's still significant
3 amount of quota within the PLL category itself that
4 hasn't been utilized.

5 Now what happens if the amount of
6 bluefin tuna gets caught by the PLL category, and
7 yet, there's quota available? But, I mean, we're
8 exceeding the category, but it's really being
9 exceeded because of the utilization of the Purse
10 Seine quota that's available to be leased by the
11 PLL category. Do you follow my question?

12 MR. MCHALE: I do. And we take into
13 account that that Purse Seine allocation is
14 available with the longline fleet. And so, we kind
15 of look at that number in combination with the base
16 levels that are distributed out as part of just the
17 specific Longline category quota. And so, both
18 those values are being taken into consideration of
19 any kind of potential future action that might
20 trigger a closure. So, it's being weighed.

21 MR. SCANLON: So, you have the ability
22 just to say that, if we are over the overall PLL

1 category quota, that you have the ability to apply
2 what was utilized through the availability of the
3 Purse Seine quota, to add that to the category
4 via -- it would be almost the same as a transfer
5 of the reserve to keep the category open? Is that
6 a possibility?

7 MR. McHALE: I might have to think about
8 that a little bit, Marty, on the nuances. But when
9 we're looking at overall quota that's available,
10 and the IBQ program, how it was stood up, that we
11 recognize what is Longline category quota; what was
12 designated for Atlantic; what was designated for
13 the Gulf of Mexico; what quota can be utilized
14 where, as well as, then, that Purse Seine
15 component, which, historically, has been
16 Atlantic-centric and usable in the Atlantic to
17 cover bycatch for the longline activities. We're
18 able to look at those numbers and kind of, then,
19 help that inform whatever action the agency takes.

20 But I guess, to circle back, it's that
21 where that allocation has already been leased out
22 in full, there isn't necessarily a buffer there

1 that is directly coming from the Purse Seine quota,
2 but it's like you mentioned; it's been used to cover
3 that activity, predominantly. So, that's
4 something that we're looking at when we're looking
5 at the big picture of what might trigger a closure.
6 It's not necessarily one of those categories in a
7 vacuum. We're looking at it comprehensively.

8 MR. BROOKS: Marty, I might invite you
9 to just use the break to follow up with Brad on that,
10 just to keep us pushing. Is that okay?

11 MR. SCANLON: Yes.

12 MR. BROOKS: Okay. Great. Thanks.

13 All right. We need to get to a break,
14 but I've got two people in the room, and then, David
15 Schalit, I see your hand is back up. Let's see if
16 we can get the last couple of folks in and then go
17 to a break.

18 Dewey?

19 (Off-microphone comments.)

20 MR. BROOKS: Thank you.

21 Jeff?

22 I owe you.

1 DR. KNEEBONE: I just have two
2 clarifying questions. Pause me if I missed them.

3 So, on slide 18, where we have the
4 reporting by General and Harpoon categories, is
5 there plans to do something similar for the Angling
6 category? I know that reporting for the Angling
7 category has been a question.

8 And then to that point, to follow up on
9 Willy's point, going back to slide 3, can you
10 clarify that the lack of landings reported in 2022
11 so far for school, bluefin, and whatever the larger
12 category, medium -- does that mean that none have
13 been reported? I know it's pre-LPS, but does that
14 also mean that no reported landings have come in?

15 Thanks.

16 MR. MCHALE: Yes. So, the second
17 question there, Jeff, first is, whether through the
18 Large Pelagics Survey or through individual vessel
19 reporting or the Maryland Catch Card Program, the
20 North Carolina Catch Card Program, we don't have
21 any of those size classes reported.

22 Historically, we start to see those

1 fisheries take off right about now, and then,
2 there's, obviously, a little bit of a lag time,
3 depending on when those fish show up off of
4 Maryland. It's usually the first indicator of when
5 those fisheries -- so, what the table on slide 3
6 is indicating is the agency doesn't have any data
7 before it that shows that those catch events have
8 occurred to date. Stay tuned. In a week or two,
9 we'll probably start to hear it pick up.

10 Regarding the table on slide 18 here,
11 we have looked at trying to develop compliance
12 metrics for the Angling category in years past, but
13 it's much more difficult because the data streams
14 to validate against just don't exist.

15 So, in a commercial context, you have
16 the business transaction where a dealer is now
17 reporting that fish. You have the two independent
18 data streams to compare against. In the
19 recreational capacity, the only other real
20 datasets are, do you then look at, say, a
21 self-reported avenue versus the Large Pelagics
22 Survey? So now, you're having to validate who is

1 dockside intercepted and what was captured in that
2 interview versus what was being reported
3 individually? Or historically, what's kind of
4 coming through, say, the Maryland Catch Card
5 Program, where some of these programs start to
6 overlap? And those state programs are exempt from
7 having to do the coastwide reporting program.

8 And so, that challenge of what are you
9 then validating the information up against to
10 determine the compliance rate continues to pose a
11 challenge of, what would you, then, groundtruth it
12 against?

13 And so, we've done it, and it's been
14 quite some time. I think we might have used the
15 Maryland program as an example or we tried to mine
16 the Large Pelagics Survey, but there was so much
17 noise in the information, you weren't really able
18 to get solid results from it.

19 MR. BROOKS: Thanks, Brad.

20 Let's go online to David Schalit.

21 And I'll note in the chat that Lisa Kerr
22 had commented that, agreeing on David's comment

1 earlier about the influence of the eastern Superman
2 effect and suggesting that we need more samples of
3 school fish to confirm that. So, just noting that.

4 David, you are between us and the break,
5 but if you want to just throw in a quick comment
6 here or a question?

7 MR. SCHALIT: I'll be brief.

8 It sounds like a terrific and
9 unbelievable challenge for the pelagic longline.
10 And my recollection is that most of the bluefin that
11 they land in recent past years took place in June
12 and July.

13 Our experience in the General category
14 since 2015 is that we've had increasing density of
15 bluefin tuna that entire time, so that entire time
16 series, and we could certainly imagine that. In
17 some parts of the East Coast, it would be hard to
18 avoid bluefin tuna.

19 So, I'm just wondering, is Jennifer
20 Cudney here? Oh, yes, she's here. Okay.

21 You know, Jeff Oden's comment, there is
22 a document which is actually named after him called

1 the Oden Shot Charts. And I don't know if you keep
2 them up-to-date, and I don't even know if this would
3 be useful, but these shot charts show, more or less
4 fairly clearly, where fish were landed in certain
5 years.

6 So, thinking out loud, it might be
7 useful -- I don't know -- to the longliners to know
8 where these fish were found in June and July, let's
9 say, of last year. They might be in a similar
10 location this year, and that might make it easier
11 for them to avoid some of these interactions.

12 But, as I say, I don't know if these shot
13 charts have been kept up-to-date.

14 Thanks.

15 MR. BROOKS: Thanks, David, and thanks
16 all for the good comments.

17 Brad, any final reflections or comments
18 you want to offer before we shift?

19 MR. MCHALE: No. Just maybe to David's
20 point there, it is that we know that, as part of
21 our EFH efforts, that those charts had been
22 updated, but we'd have to kind of figure out exactly

1 what document they reside in.

2 But, David, I also respect the longline
3 fleet and their knowledge. They already know
4 what's happening. They don't need that chart to
5 tell them what's taking place and where it's taking
6 place.

7 MR. BROOKS: I think you were getting
8 a lot of looks like, "Yes, that's right."

9 (Laughter.)

10 All right. Great.

11 Thanks, Brad, and thanks for putting up
12 with the technical difficulties there.

13 Let's get to a break. We're a couple
14 of minutes late, but let's give you a full break
15 and come back at about 25 of, and then, we'll shift
16 to our enforcement update, and then, public
17 comment, again, wrapping it at five o'clock.

18 Thanks, everybody, for the good
19 conversation.

20 (Whereupon, the above-entitled matter
21 went off the record at 3:22 p.m. and resumed at 3:38
22 p.m.)

1 MR. BROOKS: All right, let's get going
2 again here. We want to switch to our last set of
3 presentations here and we're going to talk
4 enforcement here for about the next hour or so.

5 We want to hear from Katie Moore from
6 the U.S. Coast Guard, who I believe has a
7 presentation for us, and then we'll hear from Kevin
8 Swiechowicz and Matt Walia from the OLE. So, Katie,
9 I think you are up first. Are you there and hearing
10 us? We're not quite ready for you. Hang on a sec.
11 Okay, try again, Katie.

12 MS. MOORE: That was a go?

13 MR. BROOKS: You are good.

14 MS. MOORE: Okay, well, good afternoon.
15 Thank you for giving some time for this topic. It's
16 in the same general format that I typically use,
17 so that way you can receive these sometimes solely
18 in writing when your time is limited for an
19 in-person presentation.

20 I am Katie Moore. I work for the
21 Atlantic Area U.S. Coast Guard Command, so that's
22 everything east of the Rockies, to include the Gulf

1 of Mexico and out to actually eastern Africa, so
2 we have a pretty large AOR.

3 I'm the HMS rep because my office
4 crosses multiple zones to which our districts do
5 not, so that's why I'm your person.

6 So, what I'd like to go over is the
7 effort that we're expending for our domestic
8 fisheries enforcement, then talk about what we're
9 doing for our foreign fishing vessel enforcement,
10 both in our EEZ and on the high seas, and then talk
11 about some of our efforts that are even beyond that
12 into other nations' EEZs.

13 So, where we're standing fiscal year to
14 date is we're about ten percent less than the hours
15 we expended through this point last fiscal year.

16 I want to remind everyone that Coast
17 Guard has 11 statutory missions, so in years where
18 there might be a large influx of illegal migrants
19 coming into the United States, some of our assets
20 are deviated from the fisheries mission set to go
21 and tend to that.

22 We also -- this is a focus solely on our

1 domestic fisheries. We actually have been very
2 active with our international fisheries as well,
3 and for the Coast Guard, both of those are two
4 separate pools of hours, but they're all seen as
5 saving fish, so sometimes domestic fisheries may
6 be taking some hours from to offset for our
7 international focus.

8 We try to do boardings across the full
9 components of the fleet, to include commercial,
10 charter, and pleasure boats. Where we stand this
11 year is 144 boardings through April.

12 In comparison to last fiscal year,
13 that's actually more than where we had been at this
14 point in the year, but it is about 50 less than where
15 we were the prior year. So, understanding that it's
16 not a constant rate of boardings throughout the
17 year, we're generally on par with where we've been
18 in the past.

19 You all have asked for information on
20 cases. This is the level of detail I'm available
21 to share for ongoing cases, but we detected two
22 potential violations, one in the Gulf of Mexico and

1 that was fishing on HMS without having a high seas
2 permit, and that was a commercial vessel.

3 And the second one that we detected was
4 in the mid-Atlantic. It was an issue in terms of
5 directed fishing for HMS, claiming they were
6 fishing for swordfish, but they lacked a permit to
7 do so. That was recreational.

8 So, I do want to note that coast Guard
9 has changed the way that we do some of our
10 reporting, and it relies on clearing out database,
11 and I will say that Coast Guard isn't always the
12 best at the paperwork side of things. We're more
13 jazzed to do the actual boardings, so this may be
14 an under-reflection of what actually occurred.

15 So, we are trying to get our folks, so
16 we're only giving them credit for the cases that
17 actually had complete paperwork. So, I'm not the
18 greatest at completing everything. So, this may
19 be an under-reflection.

20 In terms of the foreign fishing vessel
21 threat, looking at the numbers of detections,
22 that's our proxy for actual threat, it is a lot

1 lower this year compared to the same time last year,
2 so that's a good thing.

3 The even better thing is the
4 interdiction rate, which is when we see a vessel,
5 that's a detection. If we're on scene with a Coast
6 Guard asset, that's an interception. And then if
7 we actually get them to stop, that's an
8 interdiction, and that's where we work with Customs
9 and Border Patrol to seize catch and repatriate the
10 citizens. We're at our highest interdiction rate
11 ever and that's compared to the last 20 years where
12 the average was only around 18 percent.

13 So, we take that as a good sign that the
14 Mexican illegal lanchas are respectful of the U.S.
15 government's enforcement arm, but they are still
16 coming over and trying to take resources that are
17 in the U.S. EEZ.

18 So, what they have taken is some HMS
19 catch. They also take red snapper, and sometimes
20 we interdict where they only have bait onboard and
21 have not yet caught any.

22 We try as much as possible to respect

1 the request for species identification, but it --
2 it's something that we really haven't gotten back
3 to doing well. So, the level of detail I got is
4 just this, and I know people want to know even to
5 the level of female. Is it a female hammerhead?

6 We're are not collecting that right
7 now, but it is known the policy is still directed
8 to, as much as possible without compromising
9 safety, to get species ID as well as being able to
10 provide that back to you. So, I continue to
11 apologize to you and remind the field of the
12 obligation.

13 The other activity is actually on the
14 high seas. Like I said earlier, some of our shifts
15 of focus have been to address the threats that exist
16 even beyond our waters.

17 That has been a directed effort of the
18 United States Coast Guard over the last year is to
19 strengthen our focus on IUU fishing and our
20 commitment to addressing that wherever it occurs,
21 and that's in U.S. waters, high seas, and in other
22 nations' waters, and help with capacity building

1 so ultimately those countries can enforce their own
2 restrictions in their own waters.

3 We had an opportunistic sighting off of
4 the mid-Atlantic of two vessels that it appeared,
5 based on our sighting information, there could have
6 been a potential unauthorized transshipment.

7 So, transshipment, these were vessels
8 that were capable of fishing for HMS species, so
9 therefore it was ICCAT. I've changed this from
10 flags to authority because of the whole Taiwan
11 issue. It's not a flag state that we can respect
12 as a flag state, but I think all of you know what
13 I'm talking about.

14 So, this involved one vessel that was
15 previously of strong concern of transshipping
16 without being authorized under ICCAT, so that was
17 one instance.

18 The second was actually a dedicated
19 patrol that we did in April knowing that there was
20 some fishing pressure on the high seas between the
21 U.S. and Bermuda with a NOAA OLE ship rider as the
22 chosen representative from the Bermudian

1 government.

2 We detected two fishing vessels to
3 which we thought it merited asking Taiwan if we
4 could do a boarding. That is not something that
5 is inherently already authorized under ICCAT, and
6 Taiwan is a cooperating partner, but is not a
7 contracting partner, so we have to ask Taiwan, may
8 we board?

9 Some indications of potential hinky
10 stuff was intermittent AIS. AIS is not required
11 to be operated at all times as a fishing requirement
12 under ICCAT, but sometimes, you know, it's used to
13 indicate there might be something happening and
14 vessels are strategically trying to operate in the
15 dark.

16 We also did a query of the captain and
17 the captain didn't know what ICCAT was and didn't
18 know how much they were limited to catch. So, those
19 are all factors that led us to reach out to try to
20 get a boarding approved.

21 In cooperation with Department of State
22 NOAA international affairs, the boarding was not

1 authorized, and so we just collected information
2 to do a sighting report and to consider next
3 political steps.

4 In the same patrol, we detected another
5 fishing vessel, which was actually -- the master
6 was very communicative to us, providing a great
7 deal of information. Similar to the other vessel,
8 their intermittent AIS led us to the belief that
9 maybe something was occurring that we should look
10 into further.

11 So, given that we were not pursuing a
12 boarding of the first vessel, we chose not to on
13 the second vessel, but instead to discuss
14 diplomatic opportunities ahead.

15 So, I wanted to let you know that when
16 you do a patrol like this for two vessels that don't
17 even result in boardings being authorized, that's
18 several weeks compared to what you can be doing
19 boarding near shore.

20 So, it's one of those balances where
21 people want to have end game. Is that seeing the
22 illegal catch or is it scaring other nations and

1 letting them we're out there, we're watching you,
2 and we're going to keep trying? So, that's the
3 balance Coast Guard is trying to make with these
4 high seas patrols and activities.

5 Now, domestically, HMS still resides as
6 a high precedence fishery and we continue to keep
7 that as the highest tier of what we're trying to
8 board, and that will continue into fiscal year '23.

9 But overall, I will say Coast Guard does
10 not have enough resource hours to hit all our
11 boarding targets, but this one still stays in the
12 highest bin of what we're trying to achieve.

13 As I stated earlier, Coast Guard's
14 focus has been on IUU fishing more so over the last
15 year. There was a strategic outlook which we have
16 then fleshed out better with an implementation
17 plan.

18 That implementation plan is such that
19 it reaches out to NOAA, it reaches out to foreign
20 governments, it reaches out to the Department of
21 Defense to partner to address IUU fishing because
22 it's not going to be solved by Coast Guard's at-sea

1 enforcement alone.

2 My command created a complementary plan
3 that not only looked at the foreign fishing vessel
4 threat, but also to make sure we don't lose focus
5 of domestic fisheries and marine protected
6 resources, but how can we use this desire to hit
7 the fish mission as a focus, but not lose sight of
8 the other requirements that we have?

9 So, people in the past have asked like
10 why do you pick certain countries to work with over
11 in Africa to build their capacity? Historically,
12 that was done because the Department of Defense was
13 the platform.

14 So, we provided people and we worked on
15 their ships, or we provided a ship that also was
16 in the mix with many more Navy ships and airplanes.

17 Well, recently it's changed what
18 authorities can be used, so we have a little more
19 flexibility, and we are keeping in mind the
20 prioritized regions that was developed with many
21 agencies, including Department of State.

22 And it ranked them in tiers and the

1 tiers are based on is illegal fishing happening
2 there? Is it likely to flow into the market there?
3 And is there a lack of capacity or enforcement in
4 that area? So, that's a lot of our African nations
5 that we are partnering with.

6 So, we have an upcoming activity with
7 multiple countries that are party to ICCAT, and
8 that includes Senegal, Sierra Leone, Nigeria,
9 Ghana, Cote d'Ivoire, The Gambia, and then other
10 partners from the EU such as Portugal.

11 So, we're very active, and if you see
12 we're not hitting as many boardings in the U.S.,
13 it's because some of our focus has shifted
14 elsewhere, but ultimately it's to help with some
15 of those HMS species so that it keeps our domestic
16 fishery sustainable.

17 So, NOAA had instituted the port denial
18 for Mexican fishing vessels and that's what we
19 implemented down in the Gulf of Mexico. It's been
20 kind of quiet. I haven't heard many trying to come
21 through, and that was the same years ago when there
22 was a port denial in effect.

1 Coast Guard continues to be active on
2 ICCAT. We're on several working groups right now,
3 but as we continue, we try to still promote the
4 at-sea inspections, ideally through a high seas
5 boarding and inspection regime, so we don't have
6 to ask every single time if we can get on board
7 through the process that we're currently using.

8 We also try to act upon any suspicious
9 IUU fishing vessel sightings, and we do that very
10 closely with NOAA OLE and international affairs.
11 We want to try to continue discussions to make sure
12 that ICCAT is as enforceable as possible and is
13 using the most appropriate technologies, such as
14 electronic monitoring systems.

15 And most recently, issues have come up
16 regarding labor conditions. We were very
17 successful last November. The U.S. had teed that
18 one up. It was initially forced labor as the
19 concern, but through consensus, a labor conditions
20 working group was agreed upon and that was with
21 China also agreeing to discuss it, and we're
22 looking to see where that issue goes further.

1 So, in the meantime, Coast Guard
2 continues to work on that aspect of boardings to
3 collect information and to figure out, with the
4 responses, what is our next steps for making sure
5 that not only are observers safe, but also the crew
6 is as safe as possible too?

7 So, we are active in building law
8 enforcement capacity in partnership with other
9 countries as well as NOAA overseas because it's one
10 of those things where we hope to get people up to
11 speed and then they go on their own in terms of
12 leading their own enforcement.

13 It's been a while with Africa. Some
14 people still like us reimbursing them for their gas
15 all the time, but, you know, we're optimistic, and
16 that's the right way to do business is to share best
17 practices with those who ask for assistance.

18 So, if you have any questions, feel free
19 to reach me at any point in time, and that's my
20 presentation.

21 MR. BROOKS: Thanks very much, Katie.
22 If it works for you, I think we'll hold off on

1 questions and let the OLE folks jump in, and then
2 we'll open it up for questions around.

3 So, Kevin, Matt, if you're there, let's
4 hand it off to you to give us an update on the Office
5 of Law Enforcement.

6 MR. SWIECHOWICZ: Come to me? The audio
7 cut out for a second.

8 MR. BROOKS: Yes, to you, Kevin.
9 Thanks.

10 MR. SWIECHOWICZ: Okay, yeah, I'm Kevin
11 Swiechowicz. I'm stationed in Narragansett, Rhode
12 Island, and representing the Office of Law
13 Enforcement in lieu of Tim Donaldson. I'm just
14 going to go over briefly. I'll cover some of our
15 actions related to highly migratory species.

16 I'm just going to cover the period
17 between the last AP meeting in September of last
18 year to present, then I'll try to address some
19 questions that were previously asked or mentioned
20 in topics so far, and then open it up if anybody
21 has any questions.

22 I do have to start with the caveat that

1 I cannot comment on the specifics of any ongoing
2 investigations or people who have been charged for
3 violations.

4 That being said, we are obviously still
5 very active enforcing HMS regulations. As a whole,
6 since last September, we have a little over 200
7 incidents documented relating to HMS activities,
8 and those are specific to people who were engaged
9 in HMS fishing activities, not just people who
10 happened to have permits in those categories. A
11 handful of those are related to import/export, so
12 same thing, so they're not really related to
13 domestic resources.

14 Those are kind of broken down based on
15 the time of year. It's heavily skewed towards the
16 southeast division. Approximately, you know, 150
17 or so of those were from the southeast, whereas 50
18 were from the northeast.

19 Some of the data is a little delayed
20 because included in that are a significant number
21 of our referrals from our state JEA partners who
22 also enforce our HMS regulations. Those are

1 typically delayed a few months.

2 So, obviously we had a very active
3 summer in 2021, but those reports take time to go
4 through their chain of command inside their state
5 agency, then they get referred to us and they go
6 through a process, so we may not see violations,
7 say, the state detected in August or July.

8 We may not necessarily see those
9 reflected in our system until October or November,
10 but either way, it was quite an active year. As
11 some of you had mentioned and Brad had mentioned,
12 there was a significant increase in availability
13 of particularly bluefin tuna.

14 Some of the most common violations
15 we're still seeing, we had quite a few -- I guess
16 our top four most common violations are HMS fishing
17 without a permit, undersized HMS species, failure
18 to report, and improper landing form.

19 We are working to address those. The
20 HMS division, particularly Brad's shop, has done
21 an exceptional job doing outreach and getting the
22 word out to the state partners. Some of our state

1 partners have also taken it on their own to add
2 addendums to their state abstracts and make it
3 abundantly clear that HMS permits are required.

4 Particularly in the northeast, a lot of
5 state wildlife and fisheries abstracts actually
6 include blurbs of the HMS regulations, but also
7 make it abundantly clear that they are federally
8 regulated, and they provide the websites and links
9 to appropriate regulations.

10 We did see a significant, I would say
11 a significant bump in violations relating to
12 undersized fish or failure to report, which we can
13 largely attribute to the abnormal abundance and
14 accessibility of bluefin tuna, particularly in the
15 northern New Jersey, Long Island area.

16 Those small school category fish showed
17 up and they stayed for a while, and then they were
18 followed by giants that showed up and stayed for
19 a while.

20 It appeared there was just an abundance
21 of feed, pogies in particular, that kept those fish
22 around, which then word spread and got more people

1 engaged in the fishery, some of which, you know,
2 may not previously have been engaged in the fishery
3 or not necessary been around an environment to be
4 informed about that fishery.

5 People saw it as an easy opportunity and
6 that brought us, you know, into a series of
7 violations and an increase in detections between
8 our state partners, as well as our own agency.

9 We are active. We are enforcing HMS
10 regulations. Personally, myself, a vast majority
11 of my work time is spent enforcing HMS violations
12 across all categories.

13 To address some of the issues
14 previously, Lisa Kerr had mentioned an increase in
15 recreational landings, which Brad answered, and I
16 just wanted to mirror that in the field, we have
17 had meetings with state partners as well as my own
18 observations. Again, this is almost exclusively
19 what I work on throughout the entire summer months.

20 There were a variety of factors that
21 have gone into the increase in the small school
22 harvest. Some of those are its availability to

1 fish, its, I guess, the access, ease of access to
2 information and technology to catch those fish, and
3 the affordability of the technology.

4 The time has changed. No longer do you
5 need the 50-foot down east boat and years of
6 expertise to catch them. Now the gear is more
7 affordable. You can catch them from small boats.

8 And also, with the advent of pay to play
9 technology applications and websites, it is easier
10 than ever for people with no experience in this
11 fishery to purchase access to the information as
12 far as where those fish are, what they're biting,
13 and how to catch them, which has made it a lot more
14 accessible.

15 Add on top of that the social media
16 influence. There's the fear of missing out. People
17 see it happening and they jump on board, and some
18 of those are opportunistic and some of those people
19 do get lucky, which leads to more and more people
20 seeing evidence of that and more and more people
21 engaged in the fishery that normally otherwise
22 wouldn't.

1 Add on top of that I've had several
2 meetings with state partners in Mass, Rhode Island,
3 and Connecticut. There is what we have been
4 referring to in the field as the COVID bump. Again,
5 during COVID, a lot of people had more free time.
6 Either they were laid off or they were working from
7 home.

8 A lot of people had a lot more time to
9 go boating, and they had a lot fewer activities and
10 access to other activities that may have been
11 closed due to the quarantines and lockdowns and
12 various local and state regulations, so those
13 people turned to recreating on the water.

14 We saw record increases in vessel
15 purchases, vessel registrations, documentation
16 requests during that time frame. So, a lot of
17 people turned to the water to recreate in the last
18 year, especially 2020, but once they bought their
19 boat in 2020, they wanted to continue using it in
20 2021.

21 And it resulted in a lot more people on
22 the water and we were running into a lot more

1 first-time HMS anglers, and when you have so many
2 more first-time anglers, some of them are still
3 going to get lucky and happen to catch fish, and
4 that may have attributed to the increase in
5 contacts and increase in subsequent violations
6 affiliated with them.

7 Also, I believe it was Shana had
8 mentioned a question about reporting and if it was
9 time for enforcement to get involved. I just wanted
10 to assure you that we spend significant resources
11 and spend a lot of time into investigation
12 affiliate reported cases.

13 As Brad McHale can attest, I work hand
14 in hand with his shop virtually all year round. So,
15 we do aggressively pursue failure to report and
16 reporting compliance across all categories, and we
17 have made headway and we do hold people who fail
18 to report accountable.

19 In addition to that, if you review on
20 the Office of General Counsel's website in the
21 enforcement section, there's enforcement
22 decisions and orders and those are updated on a

1 monthly basis by general counsel, which it
2 publishes what it can make public about violations
3 that were found and charged.

4 And if you review those, I think you'll
5 see a substantial number of those are related to
6 HMS violations of all types, but in particular,
7 significant HMS failure to report violations.

8 So, we are out there. We are actively
9 enforcing the HMS regulations. It's going to
10 continue to be a priority for us, especially
11 upcoming in this year, and additionally, we are
12 working with the Coast Guard as well. Katie Moore,
13 I want to thank her for her efforts documenting what
14 they've done.

15 And going forward, we are going to be
16 working with the Coast Guard to, I guess, enhance
17 our efforts or the Coast Guard's efforts to enforce
18 the commercial fishing gear safety standards that
19 need to be applied to general category vessels and
20 commercial, charter/head boat permit holders who
21 have a commercial sales endorsement.

22 It has been something that was brought

1 up in AP meetings, as well as numerous reports and
2 requests from stakeholders that there was an
3 inequitable kind of gap in that.

4 So, in 2018, we amended the regulations
5 to require a commercial fishing vessel or a
6 commercial sales endorsement in order to better
7 help the U.S. Coast Guard facilitate determining
8 safety gear standards for vessels, especially in
9 the charter/head boat category, because if they had
10 not retained a fish, they were simultaneously
11 floating between categories.

12 So, we are working with the Coast Guard
13 to help them better identify how to enforce that,
14 and I do know the Coast Guard will be working with
15 us really this summer to really start looking into
16 that and addressing the issues that may occur.

17 Unfortunately, it is not a National
18 Marine Fisheries regulation. It's not a violation
19 of the Magnuson Act in regards to the actual fish
20 themselves. If somebody doesn't have the safety
21 gear, we don't have, as the National Marine
22 Fisheries Service, the legal authority to take

1 action on it, so we are working with the Coast Guard
2 to better be able to handle those issues.

3 I think that's all I have noted here,
4 so if anybody has any questions, or I'll refer it
5 back to the panel and see where you guys want to
6 go.

7 MR. BROOKS: Great, thanks, Kevin. Was
8 Matt going to weigh in as well or no? Kevin, did
9 you hear that? Is Matt Walia weighing in as well
10 or no? Okay, let's open -- Matt, are you there?
11 Did you want to open -- have any comments and
12 remarks before we open it up to questions? Matt,
13 you may be on mute on your end, if you can open it
14 up on your side? We're not hearing you.

15 All right, while we're trying to get
16 Matt sorted out there, let's open it up for any
17 questions that folks might have for either Katie
18 or Kevin. Yeah, Willy, why don't you jump in?

19 MR. GOLDSMITH: Thanks, Bennett, and
20 thanks, Kevin, for sharing that information, just
21 a couple of quick questions. You had mentioned that
22 one of the things you were looking for was

1 non-reporting. I just wanted to clarify that was
2 also the Angling category for the recreational
3 sector, is that correct?

4 MR. SWIECHOWICZ: I'm sorry. The audio
5 was very garbled on that. There was a lot of
6 feedback. Can you repeat that?

7 MR. GOLDSMITH: Yeah, sure. Can you
8 hear me okay right now? I'm hearing some echo in
9 the room, I think. Okay, so my first question was
10 just to clarify the non-reporting that you were
11 finding, was that inclusive of the Angling
12 category, the recreational sector?

13 MR. SWIECHOWICZ: I'm still getting an
14 echo, but what I believe you're asking is are we
15 enforcing the reporting requirements on the
16 Angling category as opposed to the recreational
17 category?

18 MR. GOLDSMITH: Yes, that's correct.

19 MR. SWIECHOWICZ: Yes, I would say it's
20 equal, if not more slanted towards the recreational
21 category.

22 MR. GOLDSMITH: Okay, excellent, and

1 then my follow-up to that, the follow-up to that
2 is first off, I'm wondering if you can share a
3 little bit about how you're determining
4 self-reporting, specifically if you guys are
5 looking at social media? And second, if you can
6 provide any information on the types of penalties
7 associated with non-reporting? Thanks.

8 MR. SWIECHOWICZ: I'm sorry. I don't
9 know if anybody else is getting this. There is like
10 a three-way echo feedback. I'm not understanding
11 anything that you're saying.

12 MR. BROOKS: All right.

13 MR. SWIECHOWICZ: Maybe a microphone is
14 on --

15 (Simultaneous speaking.)

16 MR. BROOKS: I think if I heard the
17 question right, it was to what extent you're using
18 social media to track this and what are the
19 penalties?

20 PARTICIPANT: Okay, how about I repeat
21 the question? Can you hear?

22 MR. SWIECHOWICZ: Yes.

1 PARTICIPANT: Okay, they're asking to
2 what extent are you using social media, and then
3 the second part of the question, what are the
4 penalties?

5 MR. SWIECHOWICZ: Okay, so to address
6 the first question, to what extent we're using
7 social media, I'm not at liberty to discuss what
8 we do and don't use as evidence or the rate we do.
9 It's a law enforcement decision whether that's used
10 or not and we don't keep statistics on those sort
11 of things. Every case is handled based on its own
12 evidence, so that can vary from every situation.

13 And your question two as far as what the
14 penalties, the penalties are published on the
15 national summary settlement schedule which is put
16 out by the Office of General Counsel, and it varies
17 depending on the violation, species involved,
18 whether it was a first, second, third offense, or
19 other mitigating factors, so it's really different
20 in every situation.

21 MR. BROOKS: Okay, I'm going to bounce
22 over to a couple of folks in the queue online

1 because we haven't been there for a bit, and then
2 I'll come back to the folks in the room. So, let's
3 go to Tim Pickett, then Yamitza, and then David
4 Schalit. Tim?

5 MR. PICKETT: Okay, thanks. Can you
6 guys hear me?

7 MR. BROOKS: Yes, we can. Thank you.

8 MR. PICKETT: Okay, perfect, just a
9 couple of questions. You kind of gave a summary
10 of all that stuff and I know you can't speak to
11 individual cases. I was just wondering about three
12 different things that I've kind of brought up in
13 previous years, previous meetings when we talk
14 about enforcement.

15 And a hot button topic the last time or
16 at one of the previous meetings in the last year
17 or so was people fishing over the line in the
18 Bahamas for HMS species. That's number one. I'm
19 just wondering if there was any interdictions, or
20 any tickets written, or any pending cases in each
21 of these three situations that I'm going to
22 outline.

1 Number one is fishing over the line,
2 number two would be illegal sale or illegal catch
3 for sale of HMS species, in particular in the
4 swordfish fishery, and number three would be
5 somebody that was utilizing an illegal gear --

6 (Simultaneous speaking.)

7 MR. WALIA: Can you hear me now?

8 MR. BROOKS: I think the question was
9 illegal gear being used. So, over the line in the
10 Caribbean, illegal sale of HMS, particularly in
11 swordfish, and use of illegal gear.

12 MS. MOORE: I can answer first for Coast
13 Guard. In terms of the fishing in Bahamian waters,
14 that hasn't been something that we saw as
15 frequently as we did, which led to the interest by
16 this. So, those haven't been the cases detected
17 by Coast Guard.

18 Your other two questions, we don't deal
19 with sale. That's more on NOAA's end to detect
20 that, and illegal gear types, we haven't seen that.
21 It's been permit issues, lack of.

22 MR. BROOKS: Thanks, Katie. Kevin,

1 anything on illegal sale?

2 MR. SWIECHOWICZ: Okay, so regarding
3 the illegal sale, again, I can't get into
4 particulars of what cases have been charged and
5 haven't. The only information that can be shared
6 about those would be released by General Counsel
7 and that would be on the enforcement charging
8 documents publication that's on their website.

9 But I can tell you that we do enforce
10 illegal sales, summary settlement offers, and in
11 the case of where it goes to General Counsel, those
12 would be published on the website, but illegal HMS
13 sales have been charged, and utilizing illegal gear
14 type has also been documented and vessels have been
15 charged for that as well.

16 MR. BROOKS: Thanks. I'm going to take
17 two more of our online questions and then we'll go
18 back to Matt because I think we have him available
19 to talk. Yamitza, please come in.

20 MS. FERRER: Hello, I understand the
21 Puerto Rico jurisdiction in HMS can be different,
22 and what the Puerto Rican government did was to

1 include the HMS requirements in our fisheries law,
2 but we were recently told that there was no federal
3 jurisdiction in state waters regardless that there
4 was HMS violations.

5 And whenever the rangers intervene with
6 fishermen in violation of HMS rulings and they try
7 to enforce these, apply these requirements, there
8 is nothing done because it is stated that it is in
9 state waters, so nothing can be done even with law
10 enforcement trying to do something with these
11 cases.

12 Sometimes we see large amounts of tuna
13 being brought by fishermen and nothing is done
14 because these were caught in state waters, even
15 though we put in our regulations that all, whatever
16 is put in the HMS regulations federally will apply
17 in state waters. I don't know if you can give us
18 some light on that?

19 MR. SWIECHOWICZ: Yeah, so I think,
20 obviously I wouldn't be the best person to provide
21 your answer, but I understand your general question
22 is regarding Puerto Rico adopting federal HMS

1 regulations in state waters. However, without
2 having a federal authority attached to it --

3 MS. FERRER: Yes.

4 MR. SWIECHOWICZ: -- it's the inability
5 to enforce those regulations within state waters.
6 So, that would come down to a jurisdictional issue
7 which I wouldn't be prepared to answer at this time,
8 but if you want to submit your contact information,
9 I can assure you --

10 MS. FERRER: Sure.

11 MR. SWIECHOWICZ: -- we'll try to find
12 you a point of contact.

13 MS. FERRER: Thank you.

14 MR. BROOKS: Great, thank you. Okay,
15 I'll try that again. Let's go over to David
16 Schalit. David, are you there?

17 MR. SCHALIT: Now I am. Now I can hear
18 you. Thanks very much for this presentation, very
19 comprehensive. Just a question about, you
20 mentioned that one of the four top violations for,
21 I think this was in regard to bluefin tuna, was
22 improper landing form, and I'm not familiar with

1 this landing form.

2 Are we referencing a form which would
3 be used by the fish dealer? I don't know of a form
4 that would be used by the fisherman for landing.

5 MR. SWIECHOWICZ: No, what I was
6 referring to as the legal definition of landing
7 form is the round form of the fish. It wasn't
8 necessarily particular just to bluefin tuna. I was
9 speaking to all HMS species. What I mean by form
10 is the actual shape of the fish, whether they're
11 required to be landed in certain forms, whether it
12 be a whole round form, or eviscerated with head
13 removed, things like that.

14 So, when I say improper landing form,
15 I mean was the fish filleted at sea and brought in
16 in gallon-sized Ziploc bags, or was there something
17 else done to the fish? Were the fins removed from
18 a shark? Something along those lines is what I'm
19 referring to when I say landing form.

20 MR. SCHALIT: Got you. Thanks.

21 MR. BROOKS: Great, thanks. Let's come
22 back into this room and let's go to Mike, then over

1 to Jeff, and then over to John.

2 MR. PIERDINOCK: Thank you. With the
3 continued climatic shift of our stocks and with
4 schoolie bluefin tuna and bluefin overall into the
5 northeast and New England, you know, last year,
6 there was an epic bite from New York, New Jersey,
7 and on north and in the New England states.

8 It continued for a number of weeks where
9 we would encounter schoolies or fish off the beach
10 or within a mile or so offshore, so I'm not
11 surprised with some level of noncompliance with
12 what one would expect for not being used to
13 encountering such.

14 I wouldn't be surprised if the same is
15 going to happen. I understand it's going on right
16 now within New York and New Jersey. The bluefin
17 have arrived.

18 I just got a report this morning that
19 these fellas were fishing in the Elizabeth Islands
20 for striped bass and they hooked into a 400-pound
21 bluefin that did get released because they had
22 fished for bluefin before and knew that that's what

1 they had on the line.

2 So, it's all over social media. I just
3 want to point it out. They're here sooner. They're
4 staying longer. They're leaving later and you're
5 getting more people that are less experienced at
6 such, and hopefully it can be captured with
7 reporting apps or so on or with the Large Pelagics
8 Survey.

9 To note, that there was a number of
10 different organizations that reached out to the
11 recreational community last year to report,
12 including magazines and so on, and social media to
13 get the recreational community to report their
14 schoolie landings, because as I said, it was epic.

15 And unfortunately, during the midst of
16 the season, there was a problem with the app and
17 there was a lot of frustration there with that app,
18 so I do have a question.

19 Have those bugs been worked out with the
20 recreational reporting apps so I can have those and
21 those organizations report back to the
22 recreational community so they would feel

1 confident then to report via the app? What is the
2 status of that?

3 MR. BROOKS: Who is best to respond to
4 that? Just a note to Katie, and Matt, and Kevin,
5 if you're not talking, if you'd turn your mic off,
6 that might help us with some of the feedback we're
7 getting.

8 MR. BLANKINSHIP: We might have to do
9 some talking and get back with you about the answer
10 on the app situation.

11 MR. BROOKS: Okay, thanks. Jeff, let's
12 go over to you.

13 MR. ODEN: Thank you. At my particular
14 home port, there are multiple vessels that are not
15 identified with documentation numbers, and I know
16 I probably sound like a broken record because this
17 is not the first time I've brought this up.

18 And the reason I ask is I just bought
19 a new commercial vessel, and do I need to put
20 documentation numbers on there if these guys
21 aren't? And if not, what is the penalty?

22 I'm just curious to know what the

1 penalty for not having documentation numbers and
2 federal permits and selling fish because at a
3 previous AP meeting, the Coast Guard was 67 percent
4 more inclined to board a commercial vessel than
5 they were a recreational.

6 MS. MOORE: I can answer part of that.
7 There's traditionally been more of a focus on
8 commercial fishing boardings because that has been
9 seen in the past as being the highest hit on the
10 resource, and that is hard to change that mindset.

11 So, we do try to do boardings all across
12 all components of the fishery. I do not know what
13 the violation amount would be for lack of
14 documentation when required.

15 I can note and give this information to
16 our outreach specialist for your area, but as
17 always, if you ever have individual vessels to
18 which you are concerned that there might be a
19 violation occurring, you can submit information to
20 me. I cleanse your name off of it and I can look
21 into it further.

22 So, you are welcome to contact me with

1 any information, understanding that no one likes
2 to do that without confidentiality reassurances,
3 but if there's any violations, or hot fisheries
4 occurring, or pulses, send information my way and
5 then I can use that and vet it to see, you know,
6 how much it can help inform our operations, so thank
7 you.

8 MR. BROOKS: Thanks, Katie. All right,
9 let's go over to John.

10 MR. DEPERSENAIRE: Yeah, thank you. I
11 was actually going to mention that same point that
12 Mike did, so I'm glad he brought that up, and I do
13 support looking into that because I know there's
14 a lot of interest in, at least from the recreational
15 side, providing that input, particularly on those
16 school fish.

17 But looking forward, I guess if that
18 tremendous bite does continue and availability is
19 very high to the recreational sector, if you guys
20 continue that outreach effort, I think one thing
21 is important to touch on because there was some
22 confusion, and question, and perhaps even some

1 concern last year, you know, just with this
2 emphasis on social media where we have a lot of new
3 anglers and this desire to have a picture with an
4 HMS species, you know, and when does that cross over
5 to possession, even if that fish is actually
6 released at some point?

7 So, we field a lot of questions on that,
8 and I think if the agency, if law enforcement could
9 provide some clear guidance on that, that could be
10 reported out to the magazines about that whole
11 possession definition and how it applies to picture
12 and all of that kind of stuff. I think that would
13 be very helpful. Thanks.

14 MR. BROOKS: Do you want to jump in on
15 that, Randy?

16 MR. BLANKINSHIP: To that point about
17 photos of fish that are going to be released, it
18 has been the case in our regulations for many years
19 for Atlantic HMS, fish that are to be released are
20 to be released with the maximum chance of survival
21 without removing the fish from the water, so it
22 doesn't really matter about the definition of

1 possession. The regulation specifies that.

2 MR. BROOKS: Thanks. Bob, why don't you
3 jump in?

4 MR. HUMPHREY: Yes, this question is for
5 Katie. I know three or four years ago in group
6 northern New England, it was a priority to kind of
7 look for target pirates, charter boat captains who
8 were taking people for hire that lacked the proper
9 credentials. Is that still a priority or is it even
10 on your radar at this point?

11 MS. MOORE: I'd say that remains on the
12 radar, but it hasn't been seen as high as some other
13 issues which were already discussed. The issue of
14 charter vessels targeting and saying they're
15 recreational, but they actually had intent of
16 landing, that one was more of a focus, but that's
17 not off our radar for illegal charters and it's not
18 limited to the northeast.

19 MR. HUMPHREY: All right, thank you.

20 MR. BROOKS: Thanks. Tim Pickett,
21 you're online. Your hand is still up. Did you have
22 another question or was that just left over? Tim,

1 are you there?

2 MR. PICKETT: No, mine was left over.

3 Sorry about that.

4 MR. BROOKS: Yeah, and, okay, Matt

5 Walia, do you want to come in with some thoughts

6 from your end? And then we'll probably start moving

7 to public comment, but Matt, let me hand it off to

8 you.

9 MR. WALIA: Can you hear me this time?

10 MR. BROOKS: Yes, we can. Thank you.

11 MR. WALIA: All right, I apologize for

12 that. You guys thought you were done after Brad's

13 mixup and I apparently want to add to that, so I'm

14 hooked up a little different on my cords here, but,

15 yeah, I was trying to chime in earlier.

16 I'm the compliance liaison down in the

17 southeast. Tim Donaldson wasn't able to make it,

18 so I'm giving our update across the southeast. So,

19 there are a couple of questions that I did hear when

20 I was going in between reconnect that I'll try to

21 address as well.

22 But down in the southeast region for the

1 NOAA OLE, we have some similar numbers that you
2 heard from Kevin. We actually -- I have data that
3 our analysts provided from our last meeting that
4 we had with HMS staff in December, so it's a little
5 shorter from the last AP meeting.

6 So, from December of 2021 to currently,
7 we opened up 199 total incidents revolved around
8 HMS. Forty-eight of those are still ongoing, so
9 I can't comment on those, but we have had 56
10 HMS-targeted patrols, as well as 69 incidents that
11 have been closed, but no violation.

12 So, most of those are boardings and
13 inspections made in our presence, you know, in the
14 area going around to the boats. The remainder of
15 those are kind of closed out with compliance
16 assistance, written warnings, and some summary
17 settlements.

18 A couple of things I did want to note,
19 those HMS-targeted patrols that we did, a lot of
20 that focus has been in the North Carolina area.
21 Some of you may have seen our guys out there.

22 There's a lot of work on the docks, on

1 the dealers. We saw very high compliance. We had
2 over 60 boardings, 50 calls made to various HMS
3 constituents out there, not a lot of issues going
4 on, and I do want to give a shout out.

5 A lot of that work was done just by one
6 of our EOs, Miles Dover. He works in that AOR that's
7 up and down the Outer Banks. He was based out in
8 Morehead City, so he made our presence known. We've
9 had other folks go out there as well and that was
10 real successful.

11 And the other thing that Katie alluded
12 to, we recently had a special agent down in Miami
13 that rode along with a U.S. cutter ship out to the
14 Bermuda to focus on IUU out there, so it was good
15 PR. It was Operation TitanHammer that he went out
16 on. So, they came into port into Bermuda and were
17 patrolling offshore as well. They pretty
18 successful from what you heard earlier as well.

19 And a couple of things I wanted to note
20 as far as some Caribbean outreach that we've been
21 able to do is we're recently staffed down there.
22 We haven't been in a while. We have a St. Thomas

1 enforcement officer that's there now, as well as
2 our special agent that's in Puerto Rico.

3 So, down in St. Thomas, he recently did
4 a multi-day enforcement detail. He looked a lot
5 for HMS charter permits in the Red Hook area. He
6 also had high compliance, so he was out there
7 previously. So, he's getting out there. We're
8 getting good compliance seen out in that area.

9 And another thing is he recently worked
10 along with our agent in Puerto Rico down on the west
11 side in Rincon and on the south side. They did an
12 HMS-targeted op and patrol.

13 We worked with CBP. We did some
14 flyovers with Customs as well, did some outreach
15 at the ramps, did letters, so it was real successful
16 as well getting the word out there working on HMS
17 issues.

18 Our EOs will be aware, depending on what
19 final actions are made here in June on some of
20 these, you know, the restricted fishing days and
21 other rulings as they come down, so we'll be aware
22 of that and be out on the docks for that.

1 And we continue to get referrals. You
2 know, some of those comments made about enforcement
3 on reporting issues, I just wanted to echo Kevin's
4 thought that we continually get referrals from HMS
5 staff on a broad suite of issues, right, everything
6 from reporting to EM issues, which those have
7 actually gone down.

8 We're seeing better compliance in
9 electronic monitoring with the hard drives.
10 Logbook dealer reports come our way.
11 Observer-related reports that are HMS come our way
12 as well. So, we're still continuing to get those
13 and, you know, we do that as our resources allow
14 for work on those.

15 And if there's individual
16 case-specific questions, I can always get help with
17 the AP member as well if there's any more questions
18 after following here.

19 I did want to just quick address I heard
20 as far as Jeff mentioned with the commercial, the
21 documentation on the letters. I was actually on
22 an earlier call today where that kind of came up.

1 So, it's one of those things that's kind of, I
2 think, just falling lower on the tier, on the ladder
3 to enforce it as a regulation.

4 There is a difference between
5 commercial and charter to get out there, so we're
6 trying to work in our area with some of the Coast
7 Guard sectors as well to make sure the size of the
8 letters are proper. On a commercial vessel, you
9 want to have your name and the documentation on,
10 you know, starboard or port side, get that out
11 there.

12 The charter issue is definitely a high
13 priority in the southeast. We have focused a lot
14 of efforts on all permit access, you know, open and
15 closed, so that does continue to be a focus, you
16 know, with HMS permits as well for that question
17 that was recently asked.

18 And the last thing I wanted to throw out
19 there was in regards to Puerto Rico jurisdiction.
20 That has come up before in the past and it's pretty
21 much a jurisdiction issue.

22 Our special agent, Miguel, down there,

1 he's worked at it. Our General Counsel has worked
2 with the Caribbean Council trying to figure out
3 what to do.

4 So, I believe Puerto Rico is trying to
5 figure out how to pursue and adopt some of those
6 regulations, but as it stands right now, we're tied
7 into what happens at the EEZ when it comes to that,
8 but I'd be happy to follow up offline more. I can
9 give you my info and what we come up with on that
10 as well, but that's what I had.

11 So, once again, apologies for the delay
12 and the mute. I'm happy to take any additional
13 questions you all may have. Thank you.

14 MR. BROOKS: Thanks, Matt, and you were
15 clearly paying close attention. I appreciate you
16 being so responsive in those comments.

17 We should be getting to public comment
18 in a minute or two. Let me just see, is there anyone
19 in the room who is going to want to be making a
20 public comment? Okay, and anyone online who wants
21 to be making a public comment, if you would raise
22 your hand as well?

1 Let's take the last question here and
2 then we'll shift to public comment. Dewey?

3 MR. HEMILRIGHT: Yeah, this question
4 might be for Matt. I was just curious. Talking
5 about vessel compliance and different things with
6 recreational and commercial, I was curious about
7 has there been any compliance assistance or any
8 type of violations for people taking pictures with
9 their fish held out in the water that they're going
10 to release?

11 Because you see thousands of them
12 pictures all the time on social media and different
13 things, and I was just curious how do you all handle
14 that or is it just a foregone conclusion that it
15 shouldn't be done, but we'll talk about it later?
16 And I was curious how that works and how many
17 violations has there been for that? Thank you.

18 MR. WALIA: Appreciate the question. I
19 don't know off the top of my head how many
20 violations we have with those. I could try to look
21 into that and see.

22 We have gotten them before and it kind

1 of varies. Some are kind of, you know, we need
2 elements of the case to pursue. Some are easier
3 than others. I think everyone kind of --

4 You know, now with the days with social
5 media, what's really hard is someone may forward
6 a picture over and say, hey, look, he's holding,
7 you know, a marlin up out of the water, but we have
8 to prove that digital forensics of what that photo
9 is, where it was taken, when it was taken.

10 You know, we've run into cases where a
11 picture was taken from three years ago off of the
12 Cayman Islands and someone's saying, hey, look what
13 I caught off of Jersey.

14 So, we have to be able to go back and
15 show where that photo came from, but we have pursued
16 some of those. There's been some instances on
17 commercial boats as well where that's happened.

18 So, I'd have to look back at our summary
19 settlement schedule. It is a handling violation.
20 I'm not sure of the exact amount on there. So, it
21 is case specific, but we have looked into those.
22 I can get back with you later if you want some more

1 specific numbers.

2 MR. BROOKS: Thanks.

3 MR. HEMILRIGHT: Yeah, that would be
4 good. Thank you.

5 MR. BROOKS: All right, Matt, and Katie,
6 and Kevin, thank you very much. I mean, there were
7 a couple of get-backs from this.

8 It sounds like it would be good to
9 connect Yamitza with either OLE or somebody to sort
10 of push at this jurisdictional issue. It doesn't
11 sound like it's new, but it sounds like it could
12 benefit from a conversation.

13 There is a get-back on the status of the
14 recreational reporting app, and then this last
15 piece by Dewey around interest and understanding
16 what violations, if any, have been cited for photos
17 of fish at a, for fish in photos.

18 I think that's all I've got here, so,
19 Randy, anything else you want to add before we shift
20 to public comment? Okay, all right, then let's go
21 to public comment. And again, for anybody online,
22 raise your hand. I see your hand up, Greg, so thank

1 you for doing that.

2 Oh, sorry, actually I've got one more
3 comment. Raimundo, I see your hand is up. Do you
4 want to jump in on the enforcement piece?

5 MR. ESPINOZA: Yes, Brooks. Thank you
6 so much. Just really quick since I heard Puerto
7 Rico come up a couple times. You know, it's
8 something that we've been trying to address. The
9 chair from the council has also addressed it at the
10 AP meetings specifically for enforcement.

11 And it doesn't necessarily -- it deals
12 with the tuna, but it deals with all of the HMS
13 issues and, you know, it's understandable that we
14 continue to bring this up just because it's one of
15 these issues that affects a lot of how the fishery
16 is managed, especially for us since we are dealing
17 with the small permit which doesn't require any
18 electronic reporting or monitoring at all.

19 And so, it's kind of the only HMS
20 license that kind of is pretty much just in that
21 boat that you request it, and I think it's 25 bucks,
22 and that's it. Then you can go ahead and do it.

1 It's not in the U.S. EEZ. However, for Puerto Rico,
2 we have to deal with that with sharks as well.

3 So, the regulations state that for the
4 HMS recreational fishery, HMS regulations apply in
5 Puerto Rico territorial waters, and that last
6 sentence is what's not included for the commercial
7 fishery of HMS.

8 So, it says that the Puerto Rico
9 regulations state that HMS fisheries need to follow
10 HMS regulations, and of course that applies to
11 federal waters, and so there's something internal
12 that the Department of Natural Resources needs to
13 improve, amend in how the regulations are read
14 because we've had an issue of how it's been
15 interpreted by several attorneys and judges when
16 the cases go to court to issue the fines, both for
17 sharks and for tuna.

18 And so, again, it's an issue that, of
19 course, from the AP, from HMS NOAA, it's really
20 important for it to address because it affects how
21 it's managed once it's landed or once it's landed
22 on Puerto Rican jurisdiction and not NOAA's

1 jurisdiction.

2 So, that's something that's really
3 critical, and we've brought this up before, but I
4 just wanted to make sure we were clear that, you
5 know, this issue from the NOAA side, it's not
6 something that --

7 We continue requesting information
8 from the leadership of the Department of Natural
9 Resources to address it, but we've done that and
10 we've done it continuously.

11 You know, we continue doing it to make
12 sure it's addressed because it is a gap in the local
13 regulations. Thank you folks for giving me the
14 time.

15 MR. BROOKS: Thanks, Raimundo. All
16 right, let's go to our speaker in the room here
17 first. If you would come up? Maybe you can sit
18 over here. There's an available mic. And if you
19 would start just by starting with your name,
20 affiliation, and topic?

21 And our general ask is to ask folks to
22 limit their comments to, you know, no more than

1 three minutes, and just ask the same general rules
2 of everyone else, which is just being focused and
3 being respectful of everybody, please.

4 MR. HOUTH: Hey, yeah, I'll be short.
5 My name is Matt Houth. I'm from North Carolina and
6 have a small fish house and several longline boats
7 that we unload there.

8 We also unload quite a few General
9 category boats in the winter months, you know, when
10 the fish are in our area, but I just -- and I saw
11 Matt up there and I spoke with him a lot over the
12 years, and I just wanted to say a couple things.

13 The CLS VMS that we have now is -- I
14 spoke with Matt a lot when we had SkyMate, and
15 SkyMate was no good, and CLS is a great unit and
16 the people there are really nice to work with.

17 I heard him mention Miles Dover, which
18 is the enforcement agent in our area, great guy.
19 He needs a raise. He's easy to work with.

20 We've had issues. Most of our issues
21 are with the General category folks not really
22 understanding what they need to have and what they

1 don't need to have as far as -- a lot of it is the,
2 I think it's the commercial endorsement on their
3 General category permit. Some of them don't have
4 that. Anyway, we've overcome a lot of issues
5 dealing with Miles and all of that in the last
6 couple of years.

7 One earlier thing I had written down was
8 we were talking about makos and retention for
9 makos, and there's a possibility in 2023. I would
10 urge us, being that longline boats, we have
11 cameras, that we could retain, at least retain the
12 dead discards on makos because that's just a waste
13 of the resource, and --

14 Oh, yeah, oh, and this might -- I might
15 be able to talk to Brad or one of these guys after
16 the meeting about the app reporting for longline
17 and our logbooks in the future, but anyway, I got
18 questions about that, but maybe after the meeting
19 would be better. Thanks.

20 MR. BROOKS: Yeah, that would be great.

21 MR. HOUTH: All right.

22 MR. BROOKS: Good. Thank you. Anyone

1 else in the room have any public comments? Okay,
2 and again, looking back online, I saw Greg
3 DiDomenico's hand up a moment ago, but I don't see
4 him anymore. Okay, Greg DiDomenico, are you there,
5 and if so, why don't you come off mute and make your
6 comment?

7 MR. DiDOMENICO: I am there. Bennett,
8 can you hear me?

9 MR. BROOKS: I can, Greg. Howdy.

10 MR. DiDOMENICO: Excellent. I think I
11 have three questions. I think they're simple. One
12 is for Katie. Katie, can you hear me? Besides the
13 IUU fishing you've identified in the Gulf from
14 Mexican vessels, what other IUU fishing is
15 occurring in the U.S. EEZ?

16 MS. MOORE: In regards to HMS fisheries
17 themselves, what we have seen over the years is we
18 have seen vessels that have been flagged or stated
19 they were flagged to the Dominican Republic. In
20 the past, we've had some Bahamian issues. That's
21 what I've seen.

22 So, we keep our eyes open for those that

1 come close to the U.S. borders, but those are the
2 flag states to which -- within our EEZ, those have
3 been issues in the last couple of years, but as
4 stated earlier, we haven't seen so much of the South
5 Atlantic coming in as we had over a year ago.

6 MR. BROOKS: Hey, Greg, I'm going to
7 jump in just for a second here because for public
8 comment at the advisory panel, we really look to
9 the public just to make comments and not to be
10 having a back and forth at this point, so could I
11 ask you to focus your comments in that direction,
12 and then I'm sure afterwards, folks here could help
13 make a connection as needed.

14 MR. DiDOMENICO: Yeah, do you want me
15 to make a comment, but not ask a question?

16 MR. BROOKS: Yeah, that's the intent of
17 this period is really to have, to hear public
18 comments, not for a back and forth with, you know,
19 with speakers. Apologies, but that's the way we
20 try to structure this.

21 MR. DiDOMENICO: Okay, then I'll try to
22 structure this as best as I can. I was not going

1 to respond to Katie because -- not to have a back
2 and forth. I have to somehow formulate this in a
3 comment.

4 Okay, I guess my comment is to the law
5 enforcement officers, both of whom who spoke and
6 presented some data. I was wondering if you could
7 maybe at the next meeting or in your next couple
8 of, you know, in the next couple of months, could
9 you, in your boardings, determine and report on the
10 number of people who are still not putting DO
11 numbers on their vessels even though they have a
12 permit that requires them to do so? Thank you.

13 MR. BROOKS: Thanks, Greg. So, the ask
14 is for in the future, to have information provided
15 on the number of people not putting DOs down. Okay,
16 that's helpful. Thanks, Greg.

17 Okay, are there any other public
18 comments either in the room or online at this point?
19 Okay, if not, then I think we can move to close.

20 Just to remind folks for tomorrow, we
21 are starting, well, the room will be up and ready
22 at 9:00 if you want to get in and get yourselves

1 settled. We won't actually start until 9:30 in the
2 morning.

3 And again, we'll be spending much of the
4 morning talking about A13 FEIS and we'll also talk
5 about some MRIP and Large Pelagics Survey
6 information. We'll go to lunch at 12:30. Afternoon
7 will be offshore wind.

8 We will hear from the Office of
9 Protected Resources on the PLTRP final rule, Marty,
10 and we'll also talk about electronic monitoring
11 cost allocation policy, and again, public comment
12 at 4:15 and adjourn at 4:30.

13 Randy, I don't know if there's anything
14 else you wanted to cover before we adjourn? We
15 still have a couple of minutes left.

16 MR. BLANKINSHIP: Nothing new to cover.
17 Just thank you for a good day to start us off.
18 Tomorrow should be another good conversation. And
19 on the agenda, I think, but I'll just mention our
20 Office of Sustainable Fisheries Director, Kelly
21 Denit, will be here first thing in the morning to
22 provide some brief comments, so we look forward to

1 that happening. That's it for me.

2 MR. BROOKS: Good. Well, thank you for
3 being so game to work with us in this hybrid world.
4 We sort of mostly got through it, a little bit of
5 audio here at the end. We'll keep scratching our
6 heads and seeing how to clean that up more for
7 tomorrow, but thanks, everybody, very much, and we
8 will see you tomorrow, and thanks to all of the
9 speakers today and to our last set here on
10 enforcement. Thanks, all. Have a good evening.

11 (Whereupon, the above-entitled matter
12 went off the record at 4:46 p.m.)

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C E R T I F I C A T E

This is to certify that the foregoing transcript

In the matter of: Public Meeting

Before: Atlantic Highly Migratory Species Advisory Panel

Date: 05-18-22

Place: Silver Spring, MD

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