

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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THURSDAY  
 MAY 19, 2022

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The Panel met at the DoubleTree by Hilton Silver Spring, 8777 Georgia Avenue, Silver Spring, Maryland, at 9:30 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

1 WILLY GOLDSMITH, American Saltwater Guides  
Association  
2 WALT GOLET, University of Maine School  
of Marine Sciences, Gulf of Maine Research  
3 Institute  
4 DEWEY HEMILRIGHT, Mid-Atlantic Fishery  
Management Council  
5 GREG HINKS, New Jersey Department of  
Environmental Protection  
6 EVAN HIPSLEY, JR.  
7 JAMES HULL, Hull Seafood  
8 BOB HUMPHREY, Sport-Ventures Charters and  
Casco Bay Bluefin Bonanza  
9 LISA KERR, Gulf of Maine Research Institute  
10 CHRISTINE KITTLE, Florida Fish and Wildlife  
Conservation Commission  
11 JEFF KNEEBONE, New England Aquarium  
ROBERT "FLY" NAVARRO, Fly Zone Fishing  
12 JEFF ODEN, F/V Sea Bound  
TIM PICKETT, Lindgren-Pitman, Inc.  
13 MICHAEL PIERDINOCK, CPF Charters  
"Perseverance"; Recreational Fishing  
Alliance  
14 STEVE POLAND, North Carolina Division of  
Marine Fisheries  
GEORGE PURMONT  
15 MARK SAMPSON, Ocean City Charterboat  
Captains Association  
16 MARTIN T. SCANLON, F/V Provider II  
DAVID SCHALIT, American Bluefin Tuna  
Association  
17 GREGORY SKOMAL, Massachusetts Marine  
Fisheries  
18 PERRY TRIAL, Texas Parks and Wildlife  
Department  
RICK WEBER, South Jersey Marina  
19 ALAN WEISS, Blue Water Fishing Tackle Co.  
KATIE WESTFALL, Environmental Defense Fund  
20 ANGEL WILLEY, Maryland Department of Natural  
Resources  
21  
22

1 NOAA NMFS STAFF PRESENT

2 RANDY BLANKINSHIP, Division Chief, Atlantic  
3 Highly Migratory Species Management  
4 Division

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

8 CRAIG COCKRELL, Atlantic Highly Migratory  
9 Species Management Division

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

12 DAN CREAR, Atlantic Highly Migratory Species  
13 Management Division

14 TOBEY CURTIS, Atlantic Highly Migratory  
15 Species Management Division

16 GUY DUBECK, Atlantic Highly Migratory  
17 Species Management Division

18 CLIFF HUTT, Atlantic Highly Migratory  
19 Species Management Division

20 BRAD MCHALE, Atlantic Highly Migratory  
21 Species Management Division

22 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

JACKIE WILSON, Atlantic Highly Migratory  
Species Management Division

16

ALSO PRESENT

17

BRIAN HOOKER, Bureau of Ocean Energy  
Management

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ERIN FOUGERES, Office of Protected  
Resources, NOAA NMFS

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YONG-WOO LEE, Office of Science and  
Technology, NOAA NMFS

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A G E N D A

Office of Sustainable Fisheries	6
A13 FEIS	15
Large Pelagics Survey	92
Update of MRIP Regional Implementation Plan	112
Pelagic Longline Take Reduction Update	149
Offshore Wind Update	159
Electronic Monitoring Cost Allocation Policy	220
HMS Permit Issuance	228
Public Comment	251

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

9:29 a.m.

MR. BROOKS: All right. Since you are all in your seats and quiet, I think we should just get going here. Randy, I will hand it off to you.

MR. BLANKINSHIP: Good morning everybody. It's great to see you today for Day 2 of our meeting. Yesterday went very well. I certainly was very pleased with the discussion and input that we've been receiving. I'm looking forward to your continued input and the comment and discussion today on several different topics.

But before we get into all of that, we are really pleased to have with us Kelly Denit, who will be making some comments. Kelly is the Director of the Office of Sustainable Fisheries and that office, she's my boss, and that office is here in Silver Spring, of course.

Within the Office of Sustainable Fisheries that is located at Atlantic HMS Management Division; Domestic Fisheries Division, which deals nationally with a lot of the fishery

1 management policy with all of the different  
2 Councils and consistency across the country. Also,  
3 we have a division that includes some of our  
4 regulatory services activities for the agency, and  
5 then also NSIL, the National Seafood Inspection  
6 Laboratory, down in Pascagoula.

7 So we're really excited to have her.  
8 She's been this week at the Council Coordination  
9 Committee meeting in Annapolis, and then took some  
10 time to come over and join us today. So thank you  
11 Kelly for being here, and I'll turn it over to you.

12 MS. DENNIT: Great, thank you Randy.  
13 Hopefully I've got the mic situation. I'll do my  
14 best to make sure I speak loudly into it, so  
15 everybody on our webinar can hear me. It's really  
16 great to be here with you all today, live and in  
17 person. Thanks to all of you who traveled to come  
18 and see us here in beautiful Silver Spring. Thanks  
19 to all of you who are joining us online.

20 My props to Pete and the team for  
21 getting all of these amazing cameras and everything  
22 set up so that everyone can participate. It's

1 really quite impressive actually. So like Randy  
2 said, I'm Kelly. I know many of you from my previous  
3 work in the world of Highly Migratory Species, when  
4 I used to work on  
5 ICCAT issues way back when. So it's great to see  
6 some familiar faces, and it's awesome to see some  
7 new faces. I look forward to meeting those of you  
8 who I have not already, and spending some time  
9 together today over the course of our agenda. So  
10 that's really great.

11 And I reiterate, I know that we say this  
12 to you at every meeting, but appreciate your input  
13 over these few days when you come and participate  
14 in these conversations. I know you're taking time  
15 out of your day and your work, and so it's really  
16 appreciated to hear the diversity of perspectives  
17 that each of you bring to our different topics.

18 I also wanted to just briefly touch a  
19 little bit on some of the big picture issues that  
20 are going on here in Office of Sustainable  
21 Fisheries. So mostly I'm just going to take a  
22 couple of minutes to talk about the budget. As we,

1 you may know, Congress actually passed an FY '22  
2 budget, which is very exciting for us. It was in  
3 general positive for the agency. We did get some  
4 increases.

5 Largely those were directed increases,  
6 meaning that Congress was telling us exactly how  
7 to spend them. I think the biggest increase that's  
8 of relevance to you all was the increased support  
9 for our survey work, make sure that our ships are  
10 getting out to actually collect the data that we  
11 need for stock assessments and things like that.

12 I would also note that the FY '23  
13 request is out, so the President's budget, which  
14 you know, it's themes that you have heard in  
15 previous AP discussions focus on climate as well  
16 as survey work, and other aspects of NOAA's  
17 mission, in particular weather forecasting and  
18 other things like that.

19 I think the challenge that we are  
20 facing, and it's not just us in the Office of  
21 Sustainable Fisheries is that, you know, Generally  
22 flat budgets are actually decreasing budgets



1       because of inflation and everything else. So we,  
2       like everyone else and I'm sure each of you in your  
3       respective businesses and work are also looking at  
4       how do we prioritize what it is that we do, and  
5       thinking about how we could be most efficient and  
6       effective in our current environment.

7                   And so we will continue to do that.  
8       There's no need for alarm at this moment. I'm not  
9       saying that to you to all of the sudden get wheels  
10      turning, like oh my God, what's going to happen.  
11      But I do think that's something to make sure that  
12      we're all aware of, because it is a challenge that  
13      we will be grappling with here in the years to come.

14  
15                   So just a couple more quick things.  
16      First, I know that Janet Coit our AA and Sam Rauch  
17      will be here tomorrow to speak with you. I hope  
18      you'll take advantage of the opportunity to engage  
19      with both of them.

20                   I know that Janet is very much looking  
21      forward to meeting you all. She's finally able to  
22      get out and actually meet all of our constituents

1 in person, which she's looking forward to. Many  
2 of you know Sam. He's been our DAA for Regulatory  
3 Programs for a long time. So that's great.

4 And I'll wrap up, wrap up just by saying  
5 I'm really looking forward to the conversation  
6 today around Amendment 13. I'm really thankful to  
7 Tom Warren for his leadership, Brad and the rest  
8 of the A13 team pulling that together. I really  
9 appreciate all of you who took the time to provide  
10 really extensive feedback as part of our process  
11 for Amendment 13, and I'm really looking forward  
12 to that conversation over the course of today and  
13 hearing your additional thoughts and feedback as  
14 we go.

15 So with that I'll wrap it up, and I'm  
16 happy to answer any questions. If there's  
17 something in particular that folks would like to  
18 hear more about, otherwise I certainly don't want  
19 to delay getting into the real meat of why everybody  
20 is here.

21 MR. BROOKS: Anyone have a quick  
22 question for Kelly?

1 (No response.)

2 MR. BROOKS: All right. Good morning,  
3 everyone. It's nice to see you again and thank you  
4 all for being so focused in the conversation  
5 yesterday and, you know, experimenting with us in  
6 our exciting new hybrid world. Hopefully we can  
7 leave the hybrid part behind soon. I've been saying  
8 that for two years, so we'll see.

9 Anyway, today we have a full day. In  
10 the morning, we will be focusing A13 and walking  
11 you all through the final Environmental Impact  
12 Statement. We'll spend the rest of the morning  
13 talking about a couple of different recreational  
14 data issues. We will get to lunch as did yesterday  
15 from 12:30. We'll give you an hour and a half again,  
16 enough time for folks in the room to get out and  
17 get some food, and importantly for those of you who  
18 are online get a break from staring at a computer.  
19 We definitely understand how tough that can be. So  
20 thank you all for hanging in.

21 In the afternoon, we will come back and  
22 we'll have a conversation about offshore wind. So

1 BOEM will be here. We'll hear from the Southeast  
2 Region about the Pelagic Longline Take Reduction  
3 Plan and where that stands. We will talk about  
4 electronic monitoring cost allocation policy, and  
5 we're going to add a small topic to the agenda after  
6 that to talk about HMS permit issuance and  
7 particularly as it relates to the Southeast Region.

8 So make a little bit of time on the  
9 agenda for that. We think that will fit in just  
10 fine. For members of the public who are here, we  
11 will have a public comment period at 4:15, and we  
12 will look to get all of you out of here by 4:45,  
13 so you can get on to whatever other work you need  
14 to do or just an evening.

15 We have a couple of new faces in the  
16 room, so I'm just going to hit some highlights on  
17 the ground rules, just so everyone understands sort  
18 of how we're having this conversation. For members  
19 of the public that are here or online, the  
20 conversation is around this table among the  
21 Advisory Panel members. So as I said, there will  
22 be an opportunity later in the day for members of

1 the public to weigh in. But until then, the  
2 conversation is among the Panel members.

3 We will run the queue like we did  
4 yesterday. I thought that worked reasonably well,  
5 which was to just try to take chunks of people  
6 around the table here, then bounce to the webinar,  
7 take a few people there.

8 It's a little bit easier technology  
9 than just bouncing back and forth, and as I did  
10 yesterday we'll, you know, continue to make sure  
11 that folks who we haven't heard from can weigh in,  
12 and I'll do my best to not continue to skip over  
13 Dewey, though it's so hard. Sorry Dewey.

14 No, I try really hard to make sure I'm  
15 getting everybody in and if I'm screwing up,  
16 apologies and call me on it. For folks who are  
17 online keeping your camera on, those of you that  
18 kept your cameras on yesterday, I really appreciate  
19 it, and if you can keep doing that that's great.  
20 For those of you in the room, I really appreciated  
21 the lack of side talk. It's very helpful and makes  
22 it much more possible for people online to be able

1 to follow the conversation.

2           Again, if you've got any tech issues  
3 along the way, shoot an email or something to Pete  
4 or to Craig, and we are recording the conversation  
5 as we were yesterday, so just please be aware of  
6 that. In the meantime, just be comfortable, be  
7 focused, ask questions, share time with everybody  
8 so we can continue to have good conversations.  
9 That's all I have to say. Randy anything, or Pete,  
10 anything you want to add?

11           Okay. Now let me just see if there's  
12 any questions around the table on what we're  
13 covering today or ground rules, anything, and  
14 online as well. Just raise, raise your hand if  
15 you've got anything? We want to make sure we're  
16 covering before we dive into the discussion.

17           (No response.)

18           MR. BROOKS: Okay. I have just lost all  
19 contact to the webinar, so I'm going to try to  
20 reconnect in the meantime. But let me hand it off  
21 to Tom Warren, who's going to talk to us about the  
22 A13 FEIS. Tom, all yours.

1 MR. WARREN: Thank you, Bennett. Tom  
2 Warren with HMS based in Gloucester. Get this a  
3 little closer here. I'm going to be summarizing  
4 the current status of Amendment 13 and summarizing  
5 the final Environmental Impact Statement. I'll be  
6 keeping my presentation pretty high level. There's  
7 a lot of details in Amendment 13, but I figure we  
8 can dive into various detailed topic areas  
9 according to your interest level.

10 So Amendment 13 we released about a  
11 year, the Draft Environmental Impact Statement and  
12 proposed rule. Subsequent to that proposed rule,  
13 we had two HMS AP discussions on Amendment 13 that  
14 were very valuable. We had three public hearing  
15 webinars, three presentations to councils and  
16 numerous written comments.

17 We recently released the final  
18 Environmental Impact Statement published on our  
19 website, and we anticipate a final rule this  
20 summer, with implementation of Amendment 13  
21 January 1, 2023. So I'll be summarizing the final  
22 measures and noting where these final measures

1 differ from the proposed rule. We organized these  
2 measures in this presentation according to the  
3 fishery. Again, Amendment 13 is focused on bluefin  
4 tuna.

5 So I'll be going the incidental bluefin  
6 tuna fishery and the pelagic longline fishery,  
7 notably changes to the method of distribution of  
8 IBQ shares, the Individual Bluefin Quota Program,  
9 as well as other aspects to the IBQ Program, and  
10 then summarizing briefly other changes or lack of  
11 changes that were analyzed for the Purse Seine  
12 fishery, General category, Atlantic -- excuse me,  
13 Angling category, Harpoon category and  
14 administrative measures.

15 So starting with the IBQ program, the  
16 first aspect is dealing with how the quota is  
17 distributed among the Longline fleet. So starting  
18 in 2015 with Amendment 7, there were 136  
19 shareholders defined, and this was a static pool  
20 of shareholders. Since that time, a surprising  
21 number of those shareholders were inactive,  
22 approximately a third at times. So based on this,



1 we proposed a different system, thank you, where  
2 the method of share allocation would be dynamic.

3 So that in contrast to Amendment 7 and  
4 the current status where a substantial portion of  
5 the quota would go to inactive vessels, Amendment  
6 13 proposed a dynamic system whereby annually you  
7 determine shareholders and their percentage shares  
8 based on the previous three years of fishing  
9 activity.

10 There were various alternatives that  
11 analyzed how the quota would be distributed, and  
12 what the basis for determining fishing effort would  
13 be. We had proposed a dynamic system based on  
14 landings used several designated species. Based  
15 on additional public comment, we are finalizing a  
16 dynamic determination of IBQ shares based on sets.

17 There were several reasons for this.  
18 Notably, folks thought that sets were a better, no  
19 problem; I'll just try to eat it -- that sets were  
20 a better, more standardized method of measuring  
21 effort because of the diversity of the fleet, and  
22 landings were more complex to determine on the

1 annual basis. And for example, folks were  
2 concerned that we did not include dolphin among the  
3 specified species and noted that dolphin is an  
4 important component of some members of the fishery  
5 at certain times a year.

6 One other new aspect that we did not  
7 propose but along with determining shares based on  
8 sets is a rule that only one set per day would count  
9 toward the share determination. Vessels are still  
10 free to make as many sets as desired during the day,  
11 but only one set would count toward the annual share  
12 determination.

13 The reason for this is to preclude  
14 vessels from speculative sets, basically throwing  
15 their short or small set in the water with the sole  
16 purpose of influencing their shares in the  
17 subsequent year.

18 Another aspect, we had proposed four  
19 different quartiles, basically binning share  
20 percentages in four categories to kind of smooth  
21 out the extremes on either end. Public comment came  
22 on strong, that they really felt that a customized

1 share percentage is a better way to do it.

2 Basically if you have a certain number of sets, that  
3 would translate directly into your share  
4 percentage.

5 And so vessels would not be modified in  
6 terms of their percentage wouldn't be rounded up  
7 or rounded down, so basically a more  
8 straightforward means. Another aspect that we  
9 proposed was in this vein of rounding up. We had  
10 proposed that if a vessel share was very small,  
11 basically the equivalent of one bluefin tuna, we  
12 would round up so that the vessel share would be  
13 increased and they would be allocated one bluefin,  
14 along with this custom share percentages. Then  
15 we're not finalizing any special treatment for the  
16 smaller share percentages.

17 Also a new aspect not proposed but  
18 finalized is we're authorizing a de minimis quota  
19 set aside for new entrants. This also was in  
20 response to public comment. This will lay the  
21 groundwork for potential development of such a  
22 program in the future.

1           So although it doesn't lay out the rules  
2           for precisely how much or the conditions, in the  
3           regulations it authorizes a framework provision  
4           kind of regulatory speak for laying the groundwork  
5           for this possibility in the future. So but it would  
6           entail future proposed and final rulemaking, to  
7           make this a full program.

8           So an example of annual IBQ share  
9           determination, under this new dynamic system is  
10          that Vessel A was active during the previous three  
11          years. It could have been one month, it could have  
12          been one year, it could have been active during  
13          three years. But during that three-year chunk of  
14          time, we would add up the sets.

15          So for example, this hypothetical  
16          vessel had 137 sets over the three-year period. If  
17          in the fishery at large over that same three-year  
18          period there were 16,629 sets, doing the math 137  
19          divided by 16,629 is .82 percent. So that would  
20          be the vessel's share, based directly on their  
21          number of sets in proportion to the total number  
22          of sets in the fishery, and then applying that

1 percentage against the annual quota of in this case  
2 366, 65 pounds, which was the amount used in the  
3 Final Environmental Impact Statement.

4 That individual vessel's quota for that  
5 year based on those three previous years, and the  
6 current quota would be 2,957 pounds.

7 Alternatively, another vessel, Vessel B say had no  
8 fishing activity during the previous three years.

9 It would need to lease IBQ during that first year  
10 in order to fish, to meet the -- satisfy there's  
11 a minimum requirement for the first trip in a  
12 quarter.

13 So it would need to lease, for example,  
14 551 pounds in the Gulf of Mexico or 276 pounds in  
15 the Atlantic. But if it fished during that year,  
16 then it would have sets on the board, and the  
17 subsequent year those sets would be calculated as  
18 a percentage and they would be a shareholder in Year  
19 2.

20 So this is a method of keeping the  
21 shareholder's dynamic, yet allowing for new  
22 entrants with not too much of a hurdle to jump.

1           Also another important aspect to recall  
2           the IBQ Program is IBQ shares have designated  
3           regional designations, Gulf of Mexico or Atlantic  
4           in association with each share. Gulf of Mexico  
5           designated quota can be used either in the Gulf of  
6           Mexico or the Atlantic, whereas Atlantic  
7           designated IBQ may only be used in the Atlantic,  
8           and this method serves as a braking mechanism for  
9           increased catch or effort in the Gulf of Mexico.

10           So along with this dynamic program, the  
11           Gulf of Mexico designations are also dynamic. So  
12           in contrast to the status quo, where a fixed amount,  
13           35 percent of the IBQ is designated Gulf of Mexico,  
14           and this was based on their original historical  
15           calculation for Amendment 7. The amount of Gulf  
16           of Mexico quota will be based on every year on the  
17           three previous years, relative amount of fishing  
18           effort sets in the Gulf of Mexico.

19           So for example, if 29 percent of the  
20           overall sets were from Gulf of Mexico, the maximum  
21           amount of shares or the amount of shares designated  
22           Gulf of Mexico would be 29 percent. So we're

1 finalizing this as proposed, but with a new twist.

2           There was public concern that if  
3 fishing effort declines to very low levels in the  
4 Gulf of Mexico, that basically the program would  
5 be constrained with very little -- IBQ vessels  
6 would be reticent to lease it out, and leasing is  
7 key to the IBQ Program to distribute quote where  
8 it's needed.

9           You know, because the bluefin fishery  
10 is so dynamic, it's hard to predict who will need  
11 quota. And so on the very low levels of Gulf of  
12 Mexico IBQ, the program could kind of seize up. So  
13 therefore we're finalizing a system whereby at very  
14 low percentages, five percent, that there would be  
15 a temporary relaxation in the accounting rules,  
16 such that a vessel could use Atlantic IBQ to account  
17 for Gulf of Mexico landings or meet the minimum  
18 land, minimum requirement for fishing.

19           So again, vessels still would need to  
20 use IBQ to account for bluefin, but we would be  
21 relaxing the rules under those conditions. So the  
22 subsequent year, whether that threshold would

1 trigger would depend entirely on the relative  
2 amount of Gulf of Mexico quota. If six percent of  
3 the overall IBQ were Gulf of Mexico designated,  
4 then the full accounting rules would be in effect.

5 Other aspects of the IBQ Program, we are  
6 finalizing as proposed no sale of IBQ shares. This  
7 was the no action alternative. Currently, and  
8 under Amendment 13, there's no sale of IBQ shares.  
9 So a share is associated inextricably with a  
10 limited access permit. So an individual cannot  
11 just buy shares. An individual could purchase a  
12 permit and the associated shares.

13 We are proposing or finalizing to cap  
14 the amount of shares an entity may hold at 25  
15 percent. So this is in accordance with the Magnuson  
16 requirements for preventing excessive share  
17 accumulation. So a vessel, although they cannot  
18 -- an individual cannot purchase shares through the  
19 purchase of permits, could be able to accumulate  
20 shares.

21 So this would cap the amount of shares  
22 an entity might accumulate through the purchase of



1 permits, or if a vessel had say five permits and  
2 a huge amount of fishing effort, under dynamic  
3 determination of shares conceivably they could  
4 approach a large percentage of shares just based  
5 on fishing effort. So again, this would preclude  
6 shares above a 25-percent level.

7 As a corollary though, we are not  
8 capping the amount of IBQ allocation an entity may  
9 lease. So it's important to maintain that  
10 flexibility, to account for bluefin and a lease  
11 expires at the end of a year. So a real problematic  
12 accumulation of shares or a quota won't happen on  
13 a long-term basis.

14 We'll be modifying the dealer reporting  
15 requirements as proposed. No longer a requirement  
16 for a dealer to report their discards, because  
17 vessels have successfully been reporting dead  
18 discards through VMS, and no longer a requirement  
19 for a dealer to enter the vessel personal  
20 identification or PIN number.

21 We'll be implementing a flexible cost  
22 recovery program, and flexible from the standpoint

1 of if it does not make any economic sense to do cost  
2 recovery, we will not. By "economic sense," I mean  
3 if because the amount of recoverable cost is  
4 limited under Magnuson to three percent of the  
5 ex-vessel value, and bluefin tuna is an incidental  
6 species, so basically the bottom line is there's  
7 not a whole lot landed and therefore three percent  
8 of that ex-vessel value is not a whole lot of money.

9 Basically, it would cost almost as much  
10 or as much to actually run an annual cost recovery  
11 program, calculate it, Federal Register notices,  
12 communication, you know, billing people, obtaining  
13 the money, follow-up. Those costs will approach  
14 the recoverable amount. So in most cases, we don't  
15 think it will make economic sense to implement a  
16 cost recovery program, but we do have one and so  
17 it's flexible in that manner.

18 Lastly, a provision to allow Longline  
19 category permitted vessels to retain bluefin  
20 caught on green-stick gear, regardless of whether  
21 longline gear is on board. So this basically  
22 clarifies the current regulations, to make it clear

1 that it is allowed to use green-stick gear on a  
2 longline vessel, and retain bluefin.

3 In that case, the bluefin would need to  
4 be reported through VMS, and I guess as a follow-up  
5 from yesterday's conversation, where there's  
6 concern or question about the ability of longline  
7 vessels to use multiple gear types, this is an  
8 instance where a longline vessel will be allowed  
9 to use green-stick gear at the same, on the same  
10 trip as longline gear.

11 So continuing on with the IBQ Program,  
12 with respect to electronic monitoring, we had  
13 proposed and are finalizing the same measure,  
14 mailing EM hard drives after every two trips.  
15 Currently, a vessel is required to mail their hard  
16 drives in after -- at the end of every trip. This  
17 basically reduces their burden, given that in most  
18 cases the hard drives are not full of data after  
19 every trip. So a vessel will be able to mail it  
20 in every two trips.

21 We had proposed clarification of the  
22 current regs that we do have the authority, if

1 necessary, to require the installation of booms or  
2 devices on the vessel to mount the camera in such  
3 a position that it obtains a good view of the side  
4 of the vessel where the fish are retrieved from the  
5 water.

6 So this is not another camera, an  
7 additional camera, but speaks to the method of  
8 where the current camera is mounted on the rail to  
9 improve the view. This is based on some research  
10 in Hawaii in the longline fleet that showed notably  
11 better views, that if you mount that real camera  
12 on a boom or a telescopic device to get it out over  
13 the water, when there's a better angle.

14 Now we had proposed the agency paying  
15 for it if funds are available. Since that time,  
16 budget constraints and the national policy  
17 regarding cost allocation have led us to determine  
18 that the vessel operator must fund that cost. We  
19 don't anticipate it being a huge burden in that it's  
20 a customized piece of equipment that will vary  
21 depending on the boat. But we don't anticipate it  
22 being more than \$1,000.

1           Folks had expressed their concern about  
2 safety issues and the logistics, and we hear you  
3 on that. Again, this is meant to be installed in  
4 coordination between the vessel operator and the  
5 agency. This will be a joint process and in the  
6 vessel operator, in the electronic monitoring  
7 operating plan. So this will be done in a  
8 customized manner.

9           The second aspect of the EM Program is  
10 the installation of measuring grids on deck, either  
11 a mat or a painted grid. This will facilitate  
12 measuring the animals on deck giving a standardized  
13 point of reference. This would help development  
14 of future AI algorithms to help identify and  
15 measure the fish.

16           And similarly, this is a somewhat  
17 minimal cost, but this would also need to be borne  
18 by the vessel operator.

19           We're getting near to the end of the --  
20 well we actually now we're at the end of the IBQ  
21 section, so we're going to switch gears to the  
22 measures that apply to all the bluefin quota

1 categories.

2           The first is a simple change to the  
3 method of allocation that reflects back on the fact  
4 that under Amendment 7, there was 60 metric tons  
5 basically taken off the top of the bluefin quota  
6 provided to the longline fleet, in deference to the  
7 old ICCAT provision that set aside from quota for  
8 the -- for the Longline category, to account for  
9 dead discards. So this is a simple modification  
10 to the percentage, category percentages.

11           But more substantively is the  
12 modification to the allocation percentages as a  
13 result of the discontinuation of the Purse Seine  
14 category. We had proposed reallocating to all  
15 directed categories and not including the Longline  
16 or Trap categories. However, based on public  
17 comment and additional analyses, we're finalizing  
18 reallocation of the Purse Seine category  
19 reallocation to all categories.

20           And specifically, the analysis that  
21 helped drive this decision was taking a closer look  
22 at where the leased quota was from. We realized

1 the importance of the Purse Seine category.  
2 However, we looked more closely at where the  
3 longline leases were coming from, and a substantial  
4 portion of long leases were from inactive vessels  
5 versus active vessels.

6 And so under dynamic determination of  
7 shares every year, you're getting rid of your  
8 inactive vessels. So if the active vessels are more  
9 hesitant basically to lease quota, you are changing  
10 the dynamics and undermining the leasing system by  
11 both getting rid of the inactive vessels and  
12 cutting down the amount of leasable quota by not  
13 including purse Seine category.

14 So at the risk of getting overly wonky  
15 and technical of the nuances of the IBQ Program,  
16 basically in order to facilitate a healthy leasing  
17 program and a robust IBQ Program, they're included  
18 in the reallocation. I'm going down the IBQ rabbit  
19 hole here, excuse me.

20 So to back up a step, changes to the  
21 bluefin allocation percentages as a result of the  
22 Purse Seine category. The General category, and

1 this -- actually this table reflects both that  
2 small adjustment for the 68 metric ton change in  
3 methods, as well as the Purse Seine reallocation.  
4 The General category will go from 47.1 percent to  
5 54 percent. The Angling category from 19.7 to 22.6;  
6 the Purse Seine from 18.6 to zero; Longline from  
7 8.1 to 15.9; Harpoon from 3.9 to 4.5; Reserve from  
8 2.5 to 2.9; and the Trap essentially the same  
9 rounding. It's not exactly the same, but it rounds  
10 to the same figure.

11 With respect to switching gears again,  
12 the directive category measures, we're finalizing  
13 the same measures as proposed, and in many cases  
14 I'll note that these are the no action  
15 alternatives. We analyzed a suite of alternatives  
16 and options for each of these fisheries, but in some  
17 cases determined that no action was the best  
18 course.

19 So for the General category, we  
20 analyzed various different ways of modifying the  
21 subquota periods and the associated quotas, but are  
22 finalizing as proposed no action. For the General



1 and Charter/Headboat categories, again we analyzed  
2 some modifications to allow for gears, but are  
3 finalizing no action. And with respect to the  
4 Angling category, we proposed and are finalizing  
5 a relatively minor modification to the trophy areas  
6 and allocations.

7 Specifically, that Trophy North area,  
8 which is in blue, the old Trophy North area north  
9 of the green area depicted, will be split into the  
10 Gulf of Maine Trophy and the Southern New England  
11 Trophy area, to allow for increased opportunity in  
12 these northern areas, and a slight increase in this  
13 Trophy North area allocation. For the Harpoon  
14 category, we proposed no change to the allowable  
15 gear type and are finalizing the same.

16 For also the Harpoon category, we  
17 proposed no change to the allowable gear type, and  
18 are finalizing the same. For also the Harpoon  
19 category, we had proposed a retention limit.  
20 You'll recall the Harpoon category targets the  
21 giant bluefin greater than 81 inches, and there is  
22 a restriction on the amount of large medium

1 currently with a default of 2 and a range of 2 to  
2 4. No change in that size category.

3 We had proposed a combined trip limit  
4 of the very largest fish and the large medium of  
5 10. We made a slight change for final, which is  
6 that this combined retention limit of 10 fish would  
7 have an associated flexibility such that we could  
8 -- the default be 10 fish, but it would be an  
9 inseason adjustment capability between 5 and 10  
10 fish just as a tool in the toolbox.

11 It's kind of parity with the other  
12 categories, the way we manage in-season and  
13 provides some flexibility to address potential  
14 future issues in the context of, as Brad mentioned  
15 yesterday, some increasing amount of landings over  
16 time of the General and the Harpoon categories, as  
17 well as some increased participation. This  
18 inseason flexibility helps to provide a tool for  
19 potentially slowing down the fishery in season and  
20 align for more opportunity throughout the year.

21 The Harpoon category, no change to the  
22 start and closure date as proposed, and then lastly

1 an administrative measure applying to the open  
2 access category permits, to allow permit holders  
3 to change permit types within a full year, provided  
4 the vessel has not landed bluefin. This allows  
5 applicants to change categories if they make a  
6 mistake on the permit application. It can be  
7 confusing, you know. Do I want a General, do I want  
8 a Charter or do I want an Angling, you know.

9 And so current rules allow changes  
10 within 45 days. This liberalizes it, so that a  
11 vessel can change an error any time during the year,  
12 provided they have not landed any bluefin.

13 And so that concludes the measures.  
14 This is a related piece of information folks might  
15 be interested in. The National Fish and Wildlife  
16 Foundation recently announced a grant and a request  
17 for proposals, and so this is a funding opportunity  
18 that applies specifically for electronic  
19 technologies. So it would be available to pelagic  
20 longline or other fisheries that are interested in  
21 electronic technologies.

22 However, the deadline for this proposal

1 is coming up fairly swiftly, and there's  
2 information listed here on how you learn more. And  
3 with that, we have ample time for questions and  
4 discussion. Thank you.

5 MR. BROOKS: Great, thanks Tom. That  
6 was a really good presentation. What we want to  
7 do, as Tom said, we have ample time. We have a chunk  
8 of time before the break, and then we're going to  
9 come back and have another 45 minutes after the  
10 break.

11 So what I'd like to do is for the next  
12 15 or 20 minutes or so, let's focus the conversation  
13 around clarifying questions, making sure we're all  
14 understanding what Tom just ran through, and then  
15 once we sort of work through all the clarifying  
16 questions, then we'll open it up more for  
17 discussion and comment.

18 So I've got 1-2-3-4, five comments up  
19 in the room here, and if the folks online raise your  
20 hands too. I've David Schalit so far online. So  
21 I'm going to wait for a couple more folks to gather  
22 up online. Let's start in the room here, and then

1 we'll work down the line. So we'll start with Bob  
2 and then to Dewey and then to Jason. Bob.

3 MR. HUMPHREY: I think this qualifies  
4 as clarifying, and if not you can boot me into the  
5 next section. But my question is regarding page  
6 11, the chart. If I do my math right, it looks like  
7 everything is roughly a 13 or 14 percent increase  
8 except for Longline, which is a 50 percent  
9 increase, and you may have addressed this with your  
10 rabbit hole comments, but I just didn't -- it didn't  
11 register with me, why the disparity?

12 MR. BROOKS: And yes, that is a  
13 clarifying question. Nicely done.

14 MR. WARREN: Yes. So this slide, which  
15 is at the back of the presentation that I didn't  
16 discuss, shows the breakdown of the source of the  
17 percentage changes. So basically the disparity is  
18 because the Longline category was previously  
19 getting basically 68 metric tons off the top of the  
20 quota.

21 What we did was just translated that  
22 amount of quota that they got every year into

1 percentage. So it looks like they proportionately  
2 got more, but they've been getting that quota in  
3 the past anyway just in terms of fixed amount, by  
4 translating it into percentage day. It appears  
5 they got more from the Purse Seine but they didn't.

6 So this table shows the change. So in  
7 the third column, you'll see revisions from  
8 simplified method. So this breaks down that  
9 changing that method instead of taking 68 metric  
10 tons off the top, you convert that into percentage.  
11 Basically, the various quota categories, they all  
12 go down. The Longline goes up, but basically that  
13 math is because they were contributing 68 metric  
14 -- a portion of the 68 metric tons anyway in the  
15 past. So I hope that clarifies.

16 MR. BROOKS: Thanks.

17 MR. BLANKINSHIP: Could I just --

18 MR. BROOKS: Yeah, go ahead.

19 MR. BLANKINSHIP: I just want also just  
20 kind of add, to build off of what Tom was saying,  
21 is that that column he was referring to, the third  
22 column from the left on the screen right now is --

1 that exercise is reflective of what happened in the  
2 Amendment 7, in order to account for that 68 metric  
3 tons for each of the other categories, that then  
4 was, you know, made available to the Longline  
5 category.

6 That is a simplification of the  
7 calculation of what happened in Amendment 7. So  
8 that represents a big chunk of what's happening  
9 with this change.

10 MR. BROOKS: Thanks. Let me just note  
11 for folks online, I'm seeing the chat around some  
12 sound cutting in and out. We will keep pushing at  
13 it. Just a question, when I'm talking am I cutting  
14 in and out, or is it just Tom?

15 Just throw that in the chat, and I think  
16 for speakers just stay as close as you can to the  
17 mic and really project, and we'll see how that  
18 works. Let's go over to the Dewey, again clarifying  
19 questions. Thanks Dewey.

20 MR. HEMILRIGHT: Yeah, thank you. Can  
21 you go to your slide that shows your Vessel A and  
22 B please? And my question is when you're doing this

1 math on Vessel A and B in these calculations about  
2 the totals, the fishery total over a three year  
3 period of six, the hypothetical of 16,629, is that  
4 from the pelagic longline industry for over the  
5 year?

6 MR. WARREN: Over the three-year  
7 period, based on VMS data, yes.

8 MR. HEMILRIGHT: Okay, all right. Now  
9 does any of that include multi-day sets, multi-sets  
10 in a day? Is that going to be included in that  
11 fishery total, or has that been taken out?

12 MR. WARREN: To be honest in that  
13 example --

14 (Off-microphone comment.)

15 MR. WARREN: Okay. That hypothetical  
16 example is just a hypothetical. That total  
17 probably reflects overall without taking out.

18 MR. HEMILRIGHT: Well, in the final  
19 implementation of this, wouldn't you take any  
20 multi-sets days, multi-sets so it's not adding to  
21 that total that would decrease people's quota?

22 MR. WARREN: Yes, and so the relative



1 amount of the multi-sets is about three percent of  
2 the Atlantic sets, and two percent of Gulf of Mexico  
3 sets. So overall, it wouldn't hugely impact the  
4 numbers, but it would bring those down a little bit,  
5 yes.

6 MR. HEMILRIGHT: And I have some -- that  
7 was a clarifying question, but I have other  
8 questions on the next session, questions about the  
9 presentation. Thank you.

10 MR. WARREN: Sure.

11 MR. BROOKS: Thanks, thanks Dewey, and  
12 again it does seem like if we talk right into the  
13 mic and raise our voice, we're giving our online  
14 participants the best chance to hear. So just if  
15 everyone can try to do that. Jason.

16 MR. ADRIANCE: Thanks. I think the two  
17 slides I have questions about are clarifying, but  
18 you can keep me in the queue for later for comments  
19 as well. I'm going to start on Slide 7. I'm curious  
20 what the basis is for that Gulf of Mexico low  
21 threshold, the five percent? Was that based on any  
22 analysis of the historic low of effort? Is this

1 folks at HMS throwing darts at a dartboard? Where  
2 did it come from? That's the first question.

3 MR. WARREN: Sure. We didn't throw any  
4 darts. This was from based on a hypothetical number  
5 of vessels fishing. So basically a radical  
6 reduction in the number of vessels fishing, because  
7 that's likely what would cause in part such a low  
8 number of sets. Also it was based on the average  
9 landings of bluefin, or catch, excuse me bluefin  
10 from the Gulf that would need to be accounted for.

11 So basically taking a hypothetical  
12 number of vessels, hypothetical landings, how much  
13 bluefin quota that would take, how much vessels we  
14 need to use to satisfy the requirement that they  
15 have 551 pounds in the first -- for the first trip  
16 in each calendar quarter.

17 And then adding a little bit per vessel  
18 as a, as a buffer so to speak, because vessels will  
19 not lease unless they have a little bit of quota.  
20 So basically we did a hypothetical.

21 MR. ADRIANCE: Okay. So it's  
22 landings-based, not sets like everything else? Is

1 that --

2 MR. WARREN: Well, the threshold is  
3 based on the number of sets, but again in  
4 association with a particular number of vessels  
5 fishing and amount of quota. It's -- basically it's  
6 analyzing a level of fishing effort and associated  
7 quota, where there's not enough quota. I'm not  
8 explaining it real well. It is in the Final  
9 Environmental Impact Statement.

10 MR. BROOKS: Thanks. Let's go online  
11 for a minute --

12 MR. ADRIANCE: Actually, I had a second  
13 --

14 MR. BROOKS: Oh, you have another one  
15 Jason?

16 MR. ADRIANCE: I had a second clarifying  
17 question on Slide 9. The measuring grid, is that  
18 -- will that come from a standardized vendor or will  
19 there a standardized grid, or is this just up to  
20 each vessel to decide what the grid will be?  
21 Thanks.

22 MR. WARREN: This will be a standardized

1 from the vendor, a standardized size, you might  
2 say, in terms of the intervals in the grid, but  
3 flexibly adapted to each vessel, you know. So there  
4 will be a standard protocol that can be adopted.

5 MR. BROOKS: You good Jason?

6 MR. ADRIANCE: Yes.

7 MR. BROOKS: Okay, great. Let's go  
8 online. Let's bring in David Schalit. Then we'll  
9 come back into the room for the four remaining  
10 speakers, and we've got about ten minutes left  
11 here, so if folks could be focused in questions,  
12 that would be great.

13 MR. SCHALIT: Thanks, can you hear me?

14 MR. BROOKS: Yes, we can David.

15 MR. SCHALIT: Okay, great. Tom, thanks  
16 very much for that comprehensive presentation.  
17 With regard to page 11, bluefin allocation, and I  
18 suppose it's also page 21, it's -- there are 20  
19 nations that harvest Atlantic bluefin tuna under  
20 ICCAT, and of those 20, one of them is the European  
21 Union, and they actually have six nations that  
22 harvest bluefin tuna.

1           None of them, with the exception of the  
2 United States, have any significant quota left over  
3 at the end of the year. The United States has  
4 developed what you might consider a codified  
5 under-utilization of quota due to regulation,  
6 okay. So what I'm -- and this is obviously not in  
7 the best interest of the nation.

8           We will always leave quota on the table,  
9 and of course I know that there is a (10-percent  
10 rollover, but this doesn't really mitigate the  
11 circumstance. So what we seem to be doing here is  
12 we are increasing --

13           (Simultaneous speaking.)

14           MR. BROOKS: Hey, David, I want to just  
15 jump in for -- David. That's fine. I want to get  
16 to the clarifying questions for this portion.

17           MR. SCHALIT: I'm sorry. I missed what  
18 you said.

19           MR. BROOKS: Just this portion, we're  
20 really trying to get just clarifying questions out  
21 on the table if we can.

22           MR. SCHALIT: Yes, here's my question.

1 Have you considered other alternatives that we've  
2 not increased this under-utilization, annual  
3 under-utilization of quota? Thanks.

4 MR. WARREN: Thanks David. So I'm not  
5 sure exactly what the clarification is. The  
6 alternatives did include, and as was proposed, not  
7 including the Longline category among those  
8 categories getting reallocated Purse Seine quota,  
9 if that is the heart of your question.

10 MR. SCHALIT: That's not concerning.  
11 The issue is that the Angling category has not fully  
12 utilized its quota for at least a decade, maybe  
13 more, and I'm not saying that they should be  
14 deprived of this opportunity to have more quota.  
15 I'm saying that there could be a better way to  
16 manage it on the basis of need, you know, annually,  
17 and I'm wondering if that has been -- that was  
18 considered when this decision was taken?

19 MR. WARREN: In setting the scope of the  
20 Amendment 13 alternatives, we did not flesh out the  
21 objective, so to speak. We did not address the  
22 objective of looking at the overall quota category

1 divisions and allocation percentages. That was  
2 outside the scope of Amendment 13. We kept  
3 basically within the current roadmap and  
4 historical percentage distributions when  
5 analyzing the alternatives.

6 MR. BROOKS: Thanks, Tom. Okay. Let's  
7 come back into the room and finish up on clarifying  
8 questions. Again, we'll just go George to Marty,  
9 to Mike, then over to Peter.

10 MR. PURMONT: Good morning. Tom,  
11 congratulations. That was an excellent  
12 presentation, and congratulations to Highly  
13 Migratory Species on elimination of the Purse Seine  
14 quota. It's something that I felt strongly about  
15 for a long time, and it's good to see it go. Thank  
16 you.

17 MR. BROOKS: Okay. That's going to be  
18 a rhetorical clarifying question, George.

19 (Off-microphone comment.)

20 MR. BROOKS: Marty.

21 MR. SCANLON: Yes, I have several here.  
22 I have three things here. Number one, on Slide 7

1       there, the five percent of the Gulf of Mexico sets,  
2       that is based against the overall amount of sets  
3       made by a prior fleet, Atlantic and Gulf; is that  
4       correct, right?

5                   MR. WARREN:   Correct.

6                   MR. SCANLON:   Okay.   Number 8, the  
7       25-percent total shares that can be held, is that  
8       the same as can they also -- is that the same as  
9       what they could actually utilize, you know?   I mean  
10      is there a difference between holding it and  
11      utilizing it?   What's the difference here?   Is there  
12      a difference in that?

13                  MR. WARREN:   There's a difference.   The  
14      holding basically means the amount of shares an  
15      entity would be allocated for the year, based on  
16      their shares associated with the permit.   So a  
17      permit holder say holds X number of permits and  
18      associated shares.   That's what's being measured  
19      and capped, not the amount a vessel may lease in  
20      or out or utilize.

21                  MR. SCANLON:   So you can lease more than  
22      25 percent if need be?



1 MR. WARREN: Yes.

2 MR. SCANLON: Okay, and my other  
3 question here is with the -- pertains to the  
4 green-sticks. If you were green-sticking and  
5 catching bluefin here, that would not count towards  
6 sets; is that correct? You know, that activity  
7 would not be considered. If a vessel was, a PLL  
8 vessel was out fishing and wasn't setting PLL gear  
9 but was green-sticking, that activity would not  
10 count towards set, you know, allocation, you know,  
11 IBQ allocation; correct?

12 MR. WARREN: Correct.

13 MR. SCANLON: Okay.

14 MR. BROOKS: Thanks, Marty. Mike.

15 MR. PIERDINOCK: Thank you Tom for your  
16 presentation. The slide with all the different  
17 percentages on it, the question I have is for the  
18 Angling category, I mean as you know there's a  
19 sub-category there with different percentages.  
20 Now those, there's quota associated with each  
21 percentage. Is that an ICCAT-driven percentage and  
22 breakdown, or is that domestic?

1                   MR. WARREN:           I believe it's  
2 ICCAT-driven, but I might defer to Randy or Sarah.

3                   MR. BLANKINSHIP:    No, the total  
4 breakdowns are not ICCAT-driven except for the  
5 limit of ten percent on school. But there's a  
6 history on the rest of it. That's not  
7 ICCAT-related, domestic history.

8                   MR. PIERDINOCK:    So if I understand that  
9 correctly, the school category could change up or  
10 down by ten percent? Is that -- or am I not  
11 interpreting that correctly?

12                   MR. BLANKINSHIP:    No. We have a  
13 tolerance like we discussed yesterday, a tolerance  
14 of ten percent school of the total U.S. quota. So  
15 we can't go over ten percent of the total U.S. quota  
16 that can be made of school fish, school-size fish.  
17 But the other size category are not related to an  
18 ICCAT guideline or requirement.

19                   MR. PIERDINOCK:    So lastly if the bag  
20 limit was changed, it's almost it fits within the  
21 percentage, that can be done here domestically? It  
22 doesn't require an ICCAT revision?

1 MR. BLANKINSHIP: That's correct.

2 MR. PIERDINOCK: Thank you. One last  
3 question. With the new electronic monitoring  
4 program, it's noted that specifically there's  
5 going to be outreach to the Pelagic Longline. Since  
6 this is in the proposal phase, would it also include  
7 outreach to the General category boats,  
8 Charter/Headboat as well as recreational to  
9 participate in the process? Because if it's not  
10 in the proposal phase, the proposals would only  
11 just address longlines.

12 So I'm just interested in whether it  
13 will address those other monitoring means and  
14 methods that could be further refined to be  
15 reflective of catch and release and location of  
16 fish. Thank you.

17 MR. WARREN: You're referring to that  
18 funding opportunity?

19 MR. PIERDINOCK: Yes, the new  
20 electronic monitoring program.

21 MR. WARREN: Yeah. I'm going to punt  
22 on that one to the folks who administer that request

1 for proposal. I'm not familiar with the details  
2 of that, if that's your question.

3 MR. PIERDINOCK: So while the  
4 objective, as it was noted earlier, is that it would  
5 be specific to pelagic longline, and there's -- as  
6 we all know there's the need for General category,  
7 Charter/Headboat, and recreational reporting to  
8 also participate and provide better data and  
9 information.

10 So I wanted to make sure -- or the  
11 question is are they included in it, or it's just  
12 specific to pelagic longline?

13 MR. WARREN: Kelly?

14 MR. BLANKINSHIP: So that funding  
15 opportunity is through the National Fish and  
16 Wildlife Foundation, which is external from the  
17 agency, and it is open to anybody to apply under  
18 the guidelines for that request for funding or  
19 proposals. And I will mention that we have a NFWF,  
20 or National Fish and Wildlife Foundation  
21 representative actually sitting -- Craig, I'm  
22 getting feedback the closer I get to this, sorry

1 -- sitting in the room with us. If we want to have  
2 a sidebar conversation after outside this meeting,  
3 we can direct you to that person.

4 MR. PIERDINOCK: Thank you.

5 MR. BROOKS: Okay. Let's try to get in  
6 two more questions before we go to break. Let's  
7 go to Peter, and then we'll head over to Christine.  
8 Peter.

9 MR. CHAIBONGSAI: Tom, great job. That  
10 was really well done. I just have, I believe like  
11 I said, a clarifying question. Just in terms of  
12 the new subcategory, the new categories or the  
13 breakup of the northern, the northern region for  
14 Trophy quota in Angling, does that mean that now  
15 that we have four different sections, those are all  
16 divvied up, and does that mean that the three  
17 current, the North, the South and the Gulf, does  
18 that mean that they reduce the amount of quota that  
19 they have because of this fourth that has been  
20 added?

21 MR. WARREN: The relative amount of  
22 Trophy quota is being increased to accommodate the

1 new area, and that quota's being taken, so to speak,  
2 from the large and medium Angling category size  
3 class, because we track the size classes of that,  
4 of that quota to make it all fit, so to speak.

5 MR. BROOKS: Thanks, and Christine,  
6 I'll give you the last question before we go to  
7 break.

8 MS. KITTLE: Okay, thank you. So this  
9 is my first time using the microphone. So thank  
10 you Tom for those clarifications. I have two  
11 questions if that's okay. The first is about the  
12 green-stick gear. When the pelagic longline  
13 vessels are using that, is whatever is caught off  
14 that, is that quota towards the General category?  
15 Like do they need to get an additional permit for  
16 that, or would that go towards their pelagic  
17 Longline quota?

18 MR. WARREN: That would be accounted for  
19 using their IBQ. It's intended as an incidental  
20 catch, you know. They'd be targeted yellowfin  
21 tuna, and so they would need to report those sets  
22 through VMS where they have interactions. So we

1 wouldn't be looking for a census; there wouldn't  
2 be reporting all green-stick gear sets, but just  
3 those sets where there were interactions, and that  
4 would count against their individual bluefin  
5 quota.

6 MS. KITTLE: Okay, and the second one  
7 was more of a timeline question. With this going  
8 into effect next year, the three years, would that  
9 be started at 2023, like I mean wait three years  
10 to do the shares, or would it be like for 2020  
11 through 20, the end of this year? And is there any  
12 concerns with like how quota affected the fishermen  
13 in their catches?

14 MR. WARREN: It would be for the three  
15 years running up to January 1. So we wouldn't be  
16 going through December say, but it may be October  
17 of this year back three years. So 2021 and '22,  
18 maybe a month or two of 2019 so to speak. But 36  
19 months as close to 2023 as we can, we can you know  
20 do it administratively and communicate to folks,  
21 etcetera.

22 MR. BROOKS: All right. I've got a few

1 more people in the queue, both in the room and  
2 online. I'm going to suggest we go to a break, and  
3 just sort of stick with our schedule, and then when  
4 we come back from the break, we'll just pick up.

5 So when we come back, I'll throw it over  
6 to Amy and Jeff in the room, then David online, and  
7 then we'll come back and I know there are folks who  
8 already wanted, who wanted to make some comments.  
9 So let's go to break. We'll be back at quarter of.  
10 See you then. Thanks.

11 (Whereupon, the above-entitled matter  
12 went off the record at 10:33 a.m. and resumed at  
13 10:54 a.m.)

14 MR. BROOKS: All right. Again, if we  
15 can get everyone to take their seats, we'll get  
16 going. Thank you very much. All right. So we've  
17 got about a little more than a half hour for some  
18 additional discussion, and I just want to remind  
19 everyone, you know, we're -- this is now an EIS  
20 that's being, that's been finalized.

21 So the conversation this morning is  
22 really around, you know, if you all have some



1 reactions to the Final EIS that you'd like the  
2 agency to hear, great. If you have thoughts related  
3 to implementation of the rule, that's also going  
4 to be really helpful. So just sort of keep that  
5 in mind as you think about any thoughts you might  
6 want to share.

7 So let's go back to the queue that we  
8 had, and we'll start with Amy and Jeff, and then  
9 we'll take it from there. Amy.

10 MS. DUKES: Thank you, Tom. Great  
11 presentation. Just a quick clarification for  
12 dealers and their reporting changes. It is to  
13 eliminate the need for dead discards, and to  
14 eliminate the need to list the vessel PIN; correct?

15 MR. WARREN: Correct.

16 MS. DUKES: And that's the only two  
17 modifications?

18 MR. WARREN: Yes.

19 MS. DUKES: And lastly, just for my  
20 purpose and clarification, I am all for the change  
21 in permit categories. I think that's a great  
22 addition for this amendment. That 45 days is rather

1 restricting. Can you just tell us what the driving  
2 force behind that was? Was it public comment? Was  
3 it documented instances where you couldn't change  
4 the permit?

5 MR. WARREN: Yes. I mean we get these  
6 -- we get these, you know, requests and legitimate  
7 errors, no bluefin landed, and it would just seem  
8 overly burdensome to say no, you can't do it. It's,  
9 you know, 50 days past, and it was just one of those  
10 requirements that over time didn't stand the test  
11 of time, didn't make sense, so we modified it.

12 MR. BROOKS: Great. Jeff, you were next  
13 up.

14 MR. ODEN: I spoke with Brad during the  
15 break. I'm good, thanks.

16 MR. BROOKS: Perfect, all right. Dewey,  
17 you had wanted to jump back in before.

18 MR. HEMILRIGHT: Yeah. I think an  
19 interesting comment that Tom made and a word that  
20 Brad's always used is "dynamic," and Tom said the  
21 IBQ is so dynamic, it's hard to know who, who will  
22 need quota. And it looks like that if you put --

1 what happens if swordfish or the revitalization of  
2 the swordfish industry happens, and 136 vessels go  
3 back fishing, and there's probably on the disk that  
4 the 70 IBQ vessels will be given permit, will be  
5 given quota and all of the sudden there's 136 that's  
6 going to be, or another 60 that's going to be  
7 needing quota? It will be reducing the quota that's  
8 given to the, under this scenario.

9 And as bluefin tuna increase and the  
10 potential or could be interaction with bluefin  
11 tuna. I just really fear a conundrum and a dynamic  
12 of what could happen, very plausible, and at the  
13 same time is where -- if I'm fishing and I land my  
14 IBQ, I don't know where to go, to a system or  
15 somebody to where do I go to get more quota from,  
16 and nobody knows that.

17 Nobody, I don't know if -- how's that  
18 going to happen? So given that there's some good  
19 things maybe with this Amendment 13, there's some  
20 other things that, really plausible actions that  
21 very well can happen as with a couple of scenarios  
22 I've laid out here of where's quota going to come

1 from if you need it, who's got it and what's going  
2 to happen? Thank you.

3 MR. BROOKS: Thanks, Dewey. Tom.

4 MR. WARREN: Thanks, Dewey. So with  
5 respect to the first aspect of your comment, I agree  
6 that the future, if a lot of vessels enter the  
7 fishery and the pie is divided among more vessels,  
8 things get tighter. It would take more cooperative  
9 behavior and a fluid leasing market, and to that  
10 point, we are working on a web app or web aspect  
11 that will show folks where IBQ is and contact  
12 information possibly on how to obtain that. And  
13 Brad can elaborate more on their efforts to develop  
14 such a tool. So more information will be available.  
15 We realize that folks need information and on how  
16 and who from to lease.

17 (Off-microphone comment.)

18 MR. HEMILRIGHT: Yeah, and on your page  
19 about you based the boom theory on Hawaiian  
20 longline boats, it's my thought process that the  
21 Hawaiian longline boats are probably 80 and 90 foot  
22 steel boats, and maybe even larger. Our vessels,

1 a lot of them are 45 foot or 40 foot fiberglass  
2 boats.

3 So it's a lot different in application  
4 on a 90 foot steel boat than it is a 45 foot, I mean  
5 a 45 foot fiberglass boat saying -- I would venture  
6 to say it's not, it could be more than \$1,000 to  
7 do some boom configuration on a smaller vessel and  
8 modifications. So --

9 MR. BROOKS: Dewey, do you have any  
10 thoughts on how to deal with that through  
11 implementation?

12 MR. HEMILRIGHT: Well right now, I've  
13 got a camera on the side of my boat that's on the  
14 thing, and so I don't see what's wrong with it now.  
15 It shows the side of the vessel. Is this going to  
16 happen where you're going to have to have a boom,  
17 or is it going to go look at species by species if  
18 you need a boom?

19 MR. WARREN: Not necessarily species by  
20 species.

21 MR. HEMILRIGHT: I meant vessel by  
22 vessel.

1                   MR. WARREN: Vessel by -- yes. It would  
2 be done in conjunction with historical data on  
3 okay, how is the view? For this particular vessel,  
4 are we getting an optimal view of the rail area,  
5 and in a lot of cases, in most cases the answer would  
6 be no, that just putting the camera out on a boom  
7 or a telescopic device would increase the angle and  
8 get a better view.

9                   But again with respect to your point,  
10 this would be customized. So we're not looking for  
11 a tungsten steel boom, something that would achieve  
12 the goal and be cost-effective would work.

13                   MR. HEMILRIGHT: Well your key word was  
14 "customize," and with customized, it costs some  
15 money. So it ain't just something that you plug  
16 and play. Thank you.

17                   MR. BROOKS: Thanks, Dewey. Let me go  
18 to the online folks for a minute, and then we'll  
19 come back and sweep down the table here. David  
20 Schalit, your hand was up right before the break.  
21 I don't know if you still want to jump in, and then  
22 we'll go to Stephen Getto. David. Okay. Steven

1 Getto, let's --

2 MR. GETTO: I have a question on the  
3 biological impact of shifting quota of above 73  
4 inch fish to fish that are below 73 inches, and was  
5 that considered in the decision to take commercial  
6 quota and move it a recreational sector? Thank you.  
7 Brad, you weren't counting on anyone to hear that,  
8 right?

9 (Off-microphone comment.)

10 MR. BROOKS: Okay.

11 MR. WARREN: So would you clarify your  
12 question please? It's what shifts from where to  
13 where? Are you referring to reallocation of Purse  
14 Seine quota or some other shift?

15 MR. GETTO: Purse Seine quota, which is  
16 a quota of fish that are above 73 inches. Was the  
17 biological impact of that, moving it to a  
18 recreational sector, considered? So now we're  
19 going to be taking a cottage of sub-73 inch fish.

20 MR. WARREN: I'd have to look in the FEIS  
21 and see frankly off the top of my head. I'm not  
22 sure whether we address that nuance or not. My gut

1 reaction is that given the size of the quotas, it  
2 wouldn't have a meaningful impact.

3 MR. BROOKS: Thanks. We'll give you  
4 space to come back later if you have something more  
5 to add on that. Let's go to Walt Golet online,  
6 Golet. Sorry Walt, Golet online and then we'll come  
7 back into the room.

8 DR. GOLET: Hey, right. Thanks Bennett.  
9 Hey Tom, thanks. Great presentation as always, and  
10 I just had a question. I guess it's, I guess it's  
11 around the Trap category. You know, historically  
12 looking back, it's hard to find much data I guess  
13 before 2016 maybe in like the SAFE reports.

14 But from 2016 to 2020, it looks like the  
15 Trap only landed .8 out of about 6.4 or 6.5 metric  
16 tons. Moving forward, is that -- is that still a  
17 category that the agency intends to keep, or is that  
18 something that might be considered as a category  
19 that hasn't been really participated in the fishery  
20 and maybe that's something that just comes off the  
21 reserves, since it's such a small amount of quota?

22 I think the last five years, I think



1 there's only been one year that actually had any  
2 landings. And again, forgive me if I'm not as  
3 familiar with this category or how it's allocated  
4 or utilized. But just a general question on kind  
5 of that history and thoughts about maybe utilizing  
6 that quota moving forward, because it seems to be  
7 there every year. Thanks Tom.

8 MR. WARREN: Thanks Walt, and that's a  
9 great point. That's something we can look into.  
10 I haven't frankly given it much thought, it's such  
11 a small amount. It's, you know, I guess can be  
12 considered a de minimis category that may be, as  
13 you said largely historical. But we'll look into  
14 that. Thank you.

15 MR. BROOKS: Great, thanks. Let's come  
16 back into the room. Let's here from Katie, because  
17 I don't think you've been in yet this morning, and  
18 then we'll go back to Jason and Marty and Jeff.

19 MS. WESTFALL: Thank you, Bennett. So  
20 just a couple of quick comments, largely to express  
21 my gratitude for the agency's work on Amendment 13  
22 and the responsiveness to the feedback you all

1 received. IBQ was an incredibly innovative  
2 approach and the reduction in bluefin tuna by catch  
3 has been a really compelling conservation success  
4 story.

5 I think all of the iterative work that  
6 you guys have done to make, to continue to improve  
7 the program has been really incredible, so I want  
8 to thank you for that. And especially related to  
9 getting quota to active fishermen, I think that was  
10 an issue in the beginning, and I think all of the  
11 improvements that you've made have been really  
12 good.

13 I also appreciate the move away from  
14 designated species to the set approach to the  
15 customized share approach. I think Tom he laid out  
16 some of the problems that folks communicated with  
17 the original approach. So I appreciate the  
18 responsiveness there. I'm also really heartened  
19 by the dynamic nature of this approach, and the  
20 authorization to potentially create a set-aside  
21 program.

22 I think that will be incredibly

1 important, given how critical it is to have an  
2 economically viable Pelagic Longline fishery, and  
3 to make sure that there aren't large barriers of  
4 entrants, for new entrants into the fishery.

5 On the EM booms, I will mention that the  
6 Gulf of Mexico, the fishery has done some testing  
7 of the booms on some potentially smaller vessels.  
8 So as we move toward implementation, you all might  
9 want to work with Mote Marine Lab, who's tested some  
10 of the boom approach, to make sure that what's  
11 implemented isn't more expensive than it needs to  
12 be and is as effective as possible. But that boom  
13 has really provided a camera angle that is better  
14 for seeing some of the species.

15 Lastly, I did want to also say Tom I'm  
16 great, it's great to hear that you're looking to  
17 an online tool or online marketplace for quota.  
18 There was a National Academy of Science report on  
19 limited access privilege programs, and one of their  
20 recommendations was to make sure that data about  
21 allocation and leasing is publicly available, to  
22 really facilitate the function of that market. So

1 I'm really glad to hear that's in the works. So  
2 thank you all.

3 MR. BROOKS: Thanks, Katie. Jason, you  
4 had a comment from earlier.

5 MR. ADRIANCE: Yeah thanks, and I don't  
6 think I thanked you for the presentation Tom,  
7 before I threw darts at you. Sorry about that. This  
8 is probably something I've said every year, and  
9 it's a little disappointing in the Trophy category,  
10 that there isn't an increase for the Gulf of Mexico.  
11 I know obviously just got some not that long ago,  
12 but as I've always said, whether that western  
13 bluefin dies on the way to or from the Gulf of Mexico  
14 or in the Gulf of Mexico, it's still a dead fish,  
15 and why not provide that opportunity in the Gulf  
16 of Mexico given the reductions that occurred and  
17 interactions and dead discards overall. Thanks.

18 MR. BROOKS: Thanks, Jason. Marty.

19 MR. SCANLON: Yes. Well first of all,  
20 I think possibly in the future that we need to  
21 establish, I think we've discussed this already  
22 here, but there needs to be some sort of a threshold

1 to how much IBQ an individual vessel can fall into,  
2 what kind of IBQ debt it can fall into at any given  
3 time before it has to make, you know, ante up, so  
4 to say, so we can avoid, you know, the scenario that  
5 we're facing right now. So that's something that  
6 we may be able to look forward to in the future.  
7 We've all agreed on that.

8 As a question on the booms here, I still  
9 have my concerns at safety at sea with anything  
10 extend beyond the footprint of the vessel. I really  
11 do not understand the need to put anything out over  
12 our heads that will be extended outside the  
13 footprint of the boat. It's extremely dangerous,  
14 and who's going to be liable for that when somebody  
15 gets hurt as a result of that, which is inevitably  
16 going to happen?

17 I mean, you know, if you've been on my  
18 boat and taken some of the shots that I've taken  
19 over the years, you would understand that fully,  
20 you know. I mean we've had, I've had my windows  
21 taken out of that damn boat three different times.  
22 So I mean, I don't need to get smashed in the face

1 or my crew get smashed in the head with some boom,  
2 because somebody wants just a little slightly  
3 better angle.

4 I mean, my vessel, the camera's mounted  
5 within six inches of the rail. So I mean how much  
6 more do you need to actually see? The fish swim  
7 in a circle. They don't just come up directly  
8 alongside of the vessel. There's ample opportunity  
9 to see what that fish is. I think that's overreach.

10 I mean we're, we're already over, you  
11 know, we already have a level of accountability  
12 that far exceeds everybody else in every other  
13 category in this room, and to be looking to  
14 continually build on that accountability to me is,  
15 you know, is beyond understanding.

16 As far as the mat on the deck, that's  
17 another thing. I really don't understand the  
18 purpose of the map. I mean we measure all the fish.  
19 I mean there isn't -- we don't have an issue of us  
20 bringing in undersized fish. So what's the purpose  
21 of adding another thing that we have to deal with,  
22 another cost to the industry?

1 I mean you know, and if they do, it's  
2 not going to be a set placard like you do with the  
3 placards now, where you hand out these placards.  
4 Is the government going to hand us a placard to put  
5 on the deck that's going to have to be continually  
6 maintained? The deck is continually resurfaced,  
7 you know. That's another issue. So those placards  
8 are going to be continually have to be replaced  
9 throughout the year.

10 The other thing I want to add here is  
11 that in answer to Dewey's question, unless we go  
12 forward with spatial management and get access to  
13 the swordfish bottom that we've been denied since  
14 1996, there is going to be no revitalization. The  
15 key to the revitalization of the fishery is not to  
16 increase our access to bluefin tuna areas, but it's  
17 to add access to the swordfish that we've been  
18 denied. Unless we get that, there will be no  
19 revitalization, end of discussion.

20 So that's about all I have to say at the  
21 moment. Thank you.

22 MR. BROOKS: Thanks, Marty. Anything

1 you wanted to respond to there, Tom?

2 MR. WARREN: Yeah, just to clarify  
3 briefly the purpose of the mat is, I agree. You  
4 measure your fishing from your purposes. That  
5 works. But from the electronic monitoring program  
6 perspective, whereby either a human analyst or a  
7 computer is trying to identify an unknown fish,  
8 size is one of the characteristics used to identify  
9 species.

10 Relative position of the fins, et  
11 cetera, could help identify a yellowfin from a  
12 bigeye depending on the size, et cetera. And for  
13 future development and cost savings for the  
14 program, artificial intelligence would be great,  
15 and artificial intelligence needs assistance in  
16 terms of size, hues, et cetera.

17 MR. SCANLON: Do you realize that we put  
18 those fish on the deck and then we go to clean and  
19 dress those fish? Those fish don't just sit on that  
20 deck still. Those fish are in constant motion, and  
21 the butcher or the guy that's assigned to clean  
22 those fish, he's in a constant struggle to maintain



1 the stability of that fish.

2 So I mean like I said, to me how are you  
3 going to keep them and, you know, this is -- to me,  
4 this doesn't make any sense. I mean I just don't  
5 see the purpose of it, I mean, and we don't have  
6 a problem with us landing undersized fish. I mean  
7 we report the fish. I mean, you know, what more  
8 accurate than taking a ruler and measuring it? I  
9 mean you're still going to have to eyeball it for  
10 whether it's exactly on the line or it's not exactly  
11 on the line. I mean are you going to build a box  
12 that is going to be set in the box. I mean how  
13 much further do we need to go with this? I mean,  
14 you know, how many more hoops do we have to jump  
15 through, you know, to be able to fish? I mean  
16 especially with the level of accountability  
17 throughout the rest of the industry. I mean, you  
18 know, how much more do you want out of us?

19 MR. BROOKS: Thanks. Thanks, Marty.  
20 Let's take two more comments in the room, then we'll  
21 go back out online and then we'll come back to  
22 Charlie. So Jeff, and then over to Shana.

1                   MR. ODEN: Thanks. It's good I get to  
2 follow Marty because, you know, the disparity that  
3 our industry, you know, endures is just mind  
4 boggling, and to add, you know, a third camera or  
5 a boom or whatever on our industry when you have  
6 -- you don't even require reporting in other HMS  
7 fishery that's corrected, General categories.

8                   I'm not trying to throw them under the  
9 bus, you know. They're a great industry, but our  
10 industry is valued at 60 percent of the HMS fishery,  
11 and instead of trying to, you know, throw us under  
12 the bus, you should be trying to daggone help us  
13 land, you know, what we do. What we supply this  
14 nation is very important, and we're treated like  
15 the red-headed stepchild.

16                   That's unfortunate, and if you want to  
17 add a camera or a boom to us and I understand what  
18 you may be after, but are you after that short  
19 that's going to get gaffed on a General category  
20 boat? Why don't you put one on their boats? If  
21 you want -- let's be, let's be equitable with this.  
22 Hey, we've got cameras, we've got observers, we've

1 got tablets to call in our bluefin that are caught  
2 that day.

3           How many is -- like Marty says, how many  
4 more hoops do you want us to jump through? I mean  
5 you are here to manage the fishery to the best  
6 sustainable use for this country, and you're doing  
7 everything you can to throw us under the bus. And  
8 hoops and weather that most people aren't out in  
9 -- like, especially Marty. Well, Marty will be  
10 out there when most of us aren't. But it's like  
11 he says: trying to daggone run a fish across the  
12 tape when the guy -- it's all he can do is keep his  
13 footing and --

14           MR. BROOKS: Thanks, Jeff. And I just  
15 -- I hear the frustration and just remind us to --  
16 I don't think Tom's trying to throw anybody under  
17 the bus. So it's just trying to not personalize  
18 things as much, and I of course hear the  
19 frustration, Jeff. Shana.

20           MS. MILLER: Thanks Bennett and thanks  
21 Tom. You know, I know that a lot of work went into  
22 this amendment from you and your team, and thanks

1 for presenting it today. You know, congratulations  
2 for getting this across the finish line but, you  
3 know, it is, it was frustrating to see the  
4 relaxation of the IBQ rules in the Gulf of Mexico.  
5 Under Alternative B3, you know, we've seen this  
6 week what can happen when regulations are relaxed  
7 and, you know, hopefully it won't come back to haunt  
8 us, you know.

9 Arguably, that 35 percent allowance for  
10 the Gulf of Mexico is too high, and the change to  
11 Alternative B3 should have been to lower that  
12 rather than to, you know, lift it, but the five  
13 percent or less. And you know, I know that I'm  
14 always talking about the Gulf of Mexico and, you  
15 know, it's different. It's absolutely different.

16 It's the only spawning ground where  
17 there are only western fish. The sloped sea is a  
18 confirmed spawning ground. I said it but it has,  
19 you know, the genetics have shown that it's western  
20 and eastern fish that are there. The Gulf of Mexico  
21 is just -- your computer -- is just Western fish  
22 and, you know, that's why ICCAT is prohibited

1 fishing there for 40 years.

2 So it's different. It deserves to be  
3 treated differently for both the recreational and  
4 the commercial fishery, and yeah, I'm probably  
5 going to keep harping on the Gulf of Mexico. But  
6 great job, other than that point was disappointing.  
7 Thanks.

8 MR. WARREN: Thanks Shana. To clarify  
9 though, the Gulf of Mexico, Amendment 13 both  
10 retains the default 35 percent cap, the ability to  
11 reduce that cap if necessary, and under the  
12 conditions where there was that five percent  
13 threshold, we would still have a cap on catch.

14 So although the Gulf of Mexico  
15 designated IBQ is the proxy for catch, it's the  
16 tool, in that case we would still have a cap on  
17 catch. It might be at the default 35 percent, or  
18 if it had been lowered, that would still be in  
19 place. So we feel that it's as protective of the  
20 Gulf of Mexico, if not more overall than the status  
21 quo.

22 MS. MILLER: Thanks for that Tom, and

1 it sounds like I need to read that more closely,  
2 because that's not how I understood it. But the  
3 35-percent cap is what, you know, we were really  
4 hoping to see lowered, even as the default. I  
5 understand it can be lowered from there but yeah,  
6 I'll re-read that five percent, because it does  
7 sound like I misunderstood that. Thanks.

8 MR. BROOKS: Thanks. Let's go back to  
9 Panel members who are online. I'll start by just  
10 reading a chat from Walt Golet. It says "Tom, I  
11 think my thought was around the cumulative totals  
12 of the Trap category. Over ten years it would  
13 represent 13.4 metric tons and I'm sure other gears  
14 would be welcome to utilize. I'd be happy to chat  
15 about it further," and Walt if you want to fold in  
16 on that anymore, please just raise your hand. But  
17 for now, let's bring in Tim Pickett online.

18 MR. PICKETT: Okay. Thanks Tom for the  
19 presentation. This is just kind of adding to  
20 Marty's thing in -- with the grid, I see the -- you  
21 know, a grid as being a very subjective thing in  
22 terms of enforcement. You know, I just don't know

1       how they would quantify somebody saying okay, well  
2       your grid's too worn out. You need to replace it  
3       or you need to buy a new mat or, you know.

4                It just becomes a subjective thing in  
5       terms of, you know, how you implement that, how you  
6       tell somebody that their grid isn't correct or is  
7       there a fine with that if that gets worn out or  
8       something happens? I just see it as a very  
9       difficult thing to quantify? You know, using the  
10      Hawaiian Longline fleet as an example, as was said  
11      by Dewey. You know, they're kind of a -- they're  
12      very centrally located. It's easy to observe the  
13      entire fleet and to treat the whole fleet kind of  
14      as a whole because they all do essentially the same  
15      thing, and they're all in one place.

16               So it's -- I would just exercise caution  
17      in the future in terms of comparing the two fleets,  
18      because our fleet is a lot more dynamic. There's  
19      a lot of different things and it varies in size,  
20      in vessels and techniques and approaches and things  
21      like that greatly, compared to that fleet as a  
22      whole.

1           So that was kind of a question and  
2 comment, you know, on the firsthand with the grid  
3 and, you know, how that comes about  
4 enforcement-wise and stuff like that. Some  
5 clarification on that, and then just a general  
6 comment about, you know, comparing the East Coast  
7 fleet to the Hawaiian fleet. Thanks.

8           MR. BROOKS: Thanks, Tim. Let's stick  
9 with online, take one more comment there from Alan  
10 Weiss. Then we'll finish up in the room and then  
11 we will probably shift to talk about recreational  
12 data. Alan, your line is open. Go ahead, Alan.

13           MR. WEISS: Okay, thank you. I want to  
14 echo some of the earlier comments in regard to the  
15 camera boom and the grid, that I think they're in  
16 -- well obviously this has already been finalized,  
17 so you're not going to be making changes at this  
18 point.

19           But the manner in which this is  
20 implemented should be done very carefully, because  
21 first of all in regard to the booms, anything that  
22 you have around the side of the boat and over the



1 side of the boat can get in the way. These guys  
2 are handling live fish, and you know, when you're  
3 talking about swordfish and bigeyes, you're  
4 talking fish that could easily be a couple hundred  
5 pounds.

6 When you're talking about bluefins, now  
7 you're talking about something could be caught 100  
8 pounds or more. The guy holding the leader isn't  
9 determining where the fish goes. The fish is taking  
10 the guy around the boat, and so if the guy gets --  
11 if a boom, a camera on a boom gets in the way of  
12 the guy trying to go with the fish or the leader  
13 gets tangled in it or something of that nature, you  
14 can imagine this can present a disastrous safety  
15 problem.

16 The other thing is in regard to the grid  
17 on the deck. Again, you're talking about  
18 oftentimes this is a rolling platform. Guys are  
19 trying to maintain their own stability so they  
20 don't fall and get hurt. You're dealing with a live  
21 fish, potentially a substantial size, very strong  
22 live fish, and it's not going to just lay there and

1 let you pose for the camera like someone who caught  
2 a fish sport fishing and hangs it up at the dock.

3 So the last thing I wanted to mention  
4 is in regard to the discussion about the Gulf of  
5 Mexico and catching a bluefin tuna in the Gulf of  
6 Mexico. I'll point out as I have in the past that  
7 the whole management program for bluefin tuna, as  
8 well as every other species, is all about  
9 controlling fishing mortality.

10 Fishing mortality is just the number of  
11 fish that you kill. It has nothing to do with  
12 whether you catch them in the Gulf of Mexico or the  
13 Straits of Florida on Georges Banks or at the Grand  
14 Banks. Every fish that you take out of the  
15 population counts as a fishing mortality, and it  
16 doesn't matter where it takes place. Thank you.

17 MR. BROOKS: Thanks, Alan. We've got  
18 just a couple of minutes left and I want to get in  
19 the last few comments here. Let's go over to  
20 Charlie, then to John and Marty. Is your card  
21 leftover or back up?

22 (Off-microphone comment.)

1 MR. BROOKS: Okay, great. So let's see  
2 if we can squeeze in these last few. Charlie.

3 MR. BERGMANN: Mine's just a quick thing  
4 about the mat like you've heard others talk about,  
5 and if the mat is there for a size comparison of  
6 the fish. There are other venues that could be size  
7 comparisons, such as the crew member standing on  
8 the deck. He's in front of the camera all day long.  
9 It's very easy to get a size comparison without  
10 having to paint something on the boat or put  
11 something there that's going to wear out,  
12 somebody's going to slip and fall.

13 MR. BROOKS: Thanks Charlie. John.

14 MR. DEPERSENAIRE: Yeah thank you.  
15 First I had a question. The 22.6-percent increase  
16 that's going to the Angling category, will that be  
17 implemented in the 2023 fishing season? And if so,  
18 will revision to recreational measures be  
19 discussed at the fall HMS AP meeting?

20 MR. WARREN: I'm not sure we'll be on  
21 the agenda in the fall. However, we do anticipate  
22 these measures, including the new quotas being

1 implemented in 2023.

2 MR. DEPERSENAIRE: Okay, thank you. I  
3 guess I just have a quick question too. I know the  
4 comment was made earlier about the Angling category  
5 not being fully utilized, and I really do think that  
6 is a function of in many cases the regulations and  
7 what those regulations provide in terms of that  
8 cost-benefit incentive that a lot of people have  
9 to weigh when they want to target bluefin.

10 But if there's discussion moving  
11 forward about how we utilize this increase to have  
12 new regulations, one thing I would like to discuss  
13 is how we, how can we get to that, to that full  
14 utilization of the Angling category.

15 Specifically too, I'd like to also have  
16 a discussion about bringing back in some of the  
17 historical participants of this fishery who were  
18 pushed aside by some of the regulations, where they  
19 couldn't take advantage, particularly talking  
20 about like the head boats, which historically were  
21 always a part of this fishery.

22 But regulations have kind of forced

1       them out of it, and as you know, those boats really  
2       provide some members of the public the only ability  
3       to access the HMS fisheries. People that can't  
4       afford to go out on a charter or don't have their  
5       own boat.

6                       So I think that's an important element,  
7       and I know that ties in with the discussion you guys  
8       plan to have tomorrow about social environmental  
9       justice. So I think that's a discussion we should  
10      have, if the AP has it in the fall, about how we  
11      utilize that new, that increase for the Angling  
12      category. Thank you.

13                     MR. BROOKS: Thanks, John. Marty, I'll  
14      give you a last quick final word here.

15                     MR. SCANLON: Well the one thing is I  
16      want to just comment that I believe that the  
17      five-percent threshold is a little low. I mean  
18      that's not, you know, I would think it would be more  
19      in line with ten percent, because ten percent would  
20      be, you know, more in line with the third. That  
21      would be about a third of the 35 percent that would  
22      be eligible to be caught out of there.

1           The 35-percent threshold still  
2 protects the Gulf, but you know, the ten percent  
3 we give a little bit better access to, you know,  
4 in case it was needed. I mean if we dropped down  
5 to five percent, it would take almost forever to  
6 build up the, you know, access to the Gulf at five  
7 percent, if it reached that threshold.

8           It also it doesn't necessarily mean  
9 that it would trigger the agency to give us access.  
10 It would just give them the ability. So I think  
11 that that threshold should have been raised a  
12 little bit higher to maybe ten percent, to give the,  
13 you know, NMFS the ability to give us the access  
14 that we're looking for there, in the event that that  
15 was to take place.

16           And to go back to the boom type of thing,  
17 I understand the agency's need on some vessels to  
18 get a better view, because I see how some of these  
19 boats are configured as far as the cameras are  
20 concerned. They've got, you know these big boats,  
21 they've got -- their rigging is inside of the, you  
22 know, the outer portion of the boat by as much as

1 ten feet at times.

2 So I can understand that you want to  
3 have a camera closer to the rail. On the vessels  
4 that the camera's within six inches or a foot of  
5 the rail, I mean the increasing danger to the fleet  
6 and the individuals far exceeds the need to bring  
7 it out that much further. I mean to me that's just  
8 not realistic.

9 And in regards to the mat, if you're  
10 going to make those mats, which apparently you are,  
11 then that mat should be in a form of a mat. We clean  
12 those fish on a carpet, to keep them from sliding  
13 on a fiberglass or a steel deck. So when we lay  
14 those fish to clean them, they're being clean on  
15 some sort of a mat that has some sort of a carpet  
16 surface, and we clean that mat. Otherwise, the fish  
17 just slides back and forth.

18 So if you were going to make those mats,  
19 they have to be in a carpet form, so that the fish  
20 can be put on there and stabilized to the best  
21 extent possible, all right?

22 MR. BROOKS: Marty, and thanks everyone

1 for the good discussion here. You know, I think  
2 just to wrap it up here, there were a number of  
3 comments that sort of touched on things like Gulf  
4 of Mexico allocation and I think we heard a range  
5 of comments there, some comments to rethink the  
6 Trap category allocation, a little bit on Angling,  
7 comments on needing to address the situation where  
8 you have an IBQ deck for any individual vessel as  
9 sort of in -- as a future issue.

10 But for the most part, the comments  
11 centered on first of all, nice job and responsive;  
12 I think that's important to call out. But then  
13 obviously a number of comments really focusing on  
14 from folks around the table that the details for  
15 the Pelagic Longline piece section seemed some  
16 combination of sort of lacking parity and  
17 problematic.

18 Things I heard, some sense that there  
19 are safety issues. There's a piling on, lack of  
20 equity and subjectivity to some of it, obviously  
21 focused mostly around the mat on the deck and the  
22 boom, and a sense that without revitalization



1 that's really underpins all of it. So thank you  
2 all for the good conversation.

3 At this point we're going to move right  
4 into a conversation around recreational data and  
5 we're going to hear first from Yong-Woo Lee, who's  
6 going to give us an update on the Large Pelagics  
7 Survey, and then Cliff Hutt will talk to us about  
8 progress on priorities on the 2017 Regional  
9 Implementation Plan and then share some ideas  
10 moving forward. So we'll -- this will take us to  
11 lunch at 12:30, and again we'll spend about 20  
12 minutes on the first part and then 40 after that,  
13 so stay tuned.

14 DR. LEE: Good morning. My name is  
15 Yong-Woo Lee. I currently serve as LPS task manager  
16 as well as LPS statistician. So thank you for this  
17 opportunity to tell you something about the LPS  
18 redesign project and the current status.

19 This table was presented back in May,  
20 no actually September 2018 to this AP meeting, and  
21 to complete this new LPS design, we estimated that  
22 it would take seven years, and tasks that are

1 involved to make this new design starts from  
2 baseline assessment, and put the -- and develop new  
3 design and put the new design into a field test,  
4 and all the way down to MRIP certification and full  
5 calibration of historical estimates.

6 And currently, we are in 2022 and we are  
7 in the Phase 2 and Phase 3 of the project. And good  
8 news is that we have been able to meet the timeline  
9 in original plan. So the cells with diagonal line  
10 indicates that tasks that are completed according  
11 to the schedule, and currently we are in the final  
12 year, third year of the pilot testing and we're sort  
13 of -- we are in the process of getting up to speed  
14 with MRIP certification, and know about what it  
15 will take to file MRIP certification.

16 So let me tell you something about the  
17 pilot surveys that we have been doing. So this year  
18 2022, we are about to start pilot testing in these  
19 three states, New Hampshire, New York, New Jersey.  
20 Last year, we were able to complete pilot testing  
21 in the states of Mass, Rhode Island, Connecticut  
22 and Virginia, and in 2020, which is the year of

1 major pandemic events, we were able to complete  
2 pilot testing in Mass, Delaware and Maryland.

3 And then from these pilot testing and  
4 pilot testing surveys, not only we are confirmed  
5 the validity of the new design, but also it would  
6 provide benchmarking data to calibrate the old  
7 estimates, basically make the historical estimates  
8 in the common currency, if we are going to adopt  
9 new design as official design.

10 So let me step back a little bit and tell  
11 you about why the new design was needed. So number  
12 one motivation was the MRIP certification. MRIP  
13 stands for the Marine Recreational Information  
14 Program, and it is a state-regional-federal  
15 partnership that creates a national network of  
16 surveys, to join the national network of surveys  
17 and establish several rules, several guidelines  
18 and standards to be certified.

19 Because these surveys provides the  
20 essential input data for this thorough assessment,  
21 it is critical to be validated and certified by the  
22 MRIP program, and join their national network. And

1 also back in 2018, Atlantic HMS Implementation  
2 Plan, which was published in 2018, it indicated and  
3 identified that LPS redesign is the number one top  
4 priority.

5 So why the HMS Implementation Plan  
6 identify the redesign as top priority? Because it  
7 recognized some problems, some issues to be  
8 certified by MRIP, two categories. There are two  
9 categories. One, the first category is departures  
10 from probability-based sampling of current  
11 existing LPS design, and second category is the  
12 mismatches between design and the estimation part.

13 So I will elaborate a little bit more  
14 about these two categories. So number one, the  
15 first category, departures from probability-based  
16 sampling in current LPIS. So there are some  
17 examples. First one is a multi-site clusters, and  
18 cluster is defined by group of sites. Some clusters  
19 can be single site, and some clusters have  
20 multi-sites, and currently to make the sampling  
21 more efficient, meaning that they will encounter  
22 more returning vessels, the samplers are

1 instructed to move freely between the sites, if  
2 they are assigned on a multi-site cluster.

3           Also, samplers can stay, you know,  
4 given assignment as short as two hours, and  
5 depending upon the fishing activities, they can  
6 stay even longer than eight hours. So the sampling  
7 duration currently varies. And because the  
8 returning vessels tends to be afternoons or late  
9 afternoons, samplers are deployed mostly in the  
10 afternoon time. And it's been criticized that,  
11 because of that nature of the sampling, the current  
12 LPIS misses the morning time and night time.

13           So these things create coverage gaps  
14 and variability of the sampling, too much of  
15 flexibility in sampling, that couldn't be, that  
16 cannot be, statistically accounted for in the  
17 estimation. And it's been criticized that these  
18 factors could create potential for bias in the  
19 estimation.

20           Another category of the criticism is  
21 the mismatches between the design and estimation.  
22 The current LPIS design is characterized as

1 complex, stratified, multi-stage with a site  
2 cluster approach. And also for the sample draw  
3 process, it uses the unequal probability sampling,  
4 and because of that the PGS sites (phonetic) is  
5 drawn more frequently, so that it will encounter  
6 intercepts more anglers.

7 And also, depending upon the fishing  
8 activities, samplers can stay longer than eight  
9 hours. However, these design features are not  
10 reflected in the estimation, and estimation  
11 currently ignores these complex design components.  
12 And also it assumes equal probability, rather than  
13 unequal probability of the samples. And also it  
14 doesn't use a weighting process for the estimation.  
15 So these mismatches, again, were criticized as  
16 potential factors for the bias.

17 So we need to make some improvements for  
18 the design. And main goals were to make those areas  
19 that were criticized, so that we make the design  
20 to be more statistically more valid and robust. At  
21 the same time, we wanted to make the sampling  
22 productivity close level with the current LPIS

1 design. But these two things are -- it's like  
2 running rabbits in two opposite directions. It's  
3 hard to incorporate.

4 So in order to improve, there was too  
5 much of flexible area. We wanted to make the,  
6 abandon the multi-site approach and go with a --  
7 we decide to go with a single site approach, and  
8 also rather than having the samplers to choose to  
9 longer hours, we fix the time intervals for three  
10 hours for each assignment.

11 One other amazing improvement was that  
12 as I spoke, you know, maintaining sample  
13 productivity for this type of rare event officially  
14 is really problematic. So we wanted to allow  
15 certain amount of flexibility. However, at the  
16 same time we wanted to have that flexibility be  
17 accounted for during the estimation.

18 So we set aside 25 percent of the  
19 assignment to be flexible, and to be moved  
20 depending upon the fishing activities, weather  
21 conditions, and also changes in regulations. This  
22 type of adaptive sampling should help maintain

1 productivity. Preliminary data suggests that it's  
2 been working out, and because this adaptive  
3 sampling feature is kind of structured in the  
4 beginning of the design, the inclusion probability  
5 can be estimated in a statistical model.

6 We have conducted a lot of compare  
7 simulations with external and with the  
8 consultants, and it's been confirmed based on the  
9 compare simulation that it produces unbiased  
10 estimates with relatively high precision. So  
11 according to the original time-frame, time line  
12 over the project, 2024 is the year that we are  
13 targeting to complete redesign projects and  
14 implement new design, if it is certified by MRIP  
15 program.

16 Of course, there are certain factors  
17 that could delay the full implementation in 2024,  
18 so I list here some of the "what if" scenarios for  
19 potential delays. So if the pilot testing data  
20 suggests that we need more data, so that could be  
21 a delaying factor and what if for the calibration.  
22 What if data from the pilot surveys suggest that



1 we need more data, we need more sample size, then  
2 that could be another delaying factor.

3 Also state of Maine has not been  
4 included in this pilot testing because of this  
5 state's inherent challenges, long coastlines,  
6 sparse distance between the sites and also very low  
7 productivity. Even with a very flexible current  
8 LPIS design, the sampling productivity in Maine has  
9 been pretty low.

10 So we didn't want to test out this new  
11 design because we believe that it's not going to  
12 work. At the same time, we didn't want to have state  
13 of Maine becoming a bottleneck over the whole  
14 process. So we decide to leave out the state of  
15 Maine, and so questions come up as like okay. Since  
16 state of Maine has not been tested, will it be a  
17 factor for delaying the MRIP certification?

18 And recently we had a conversation with  
19 MRIP staff about the certification process, and  
20 they were telling us that if the new design shown  
21 to be valid in the areas or states that are tested,  
22 then they can go ahead and certify the new design

1 as a new official MRIP certified design. State of  
2 Maine can be filed. For the MRIP certification,  
3 state of Maine can be filed later on if we come up  
4 with another design for that particular state.

5 So we are still hopeful to meet this  
6 target deadline of 2024, to have the MRIP  
7 certification on those states that are tested, and  
8 have this new design as official MRIP-certified  
9 survey design in those areas, those states. If you  
10 have any questions, I will happy to be -- happy to  
11 answer.

12 MR. BROOKS: Great, thank you. We've  
13 got about five minutes for questions. Let's start  
14 online. David Schalit, why don't you come on in?

15 MR. SCHALIT: Thank you for your  
16 presentation, thank you very much. With regard to  
17 the Large Pelagics Survey, one critique that you  
18 mentioned resonates for me, which is the unequal,  
19 I think you put it this way, the unequal probability  
20 of sampling. I remember Clay Porch has said many  
21 times that every fish must have an equal  
22 opportunity to be sampled, in order for sampling

1 to be properly done.

2 Now I think the problem in this, with  
3 this project is -- with regards to the Large  
4 Pelagics Survey is that it comes down to the word  
5 "highly" in highly migratory species. In other  
6 words, the spatial distribution of bluefin, in  
7 particular juvenile bluefin, yellowfin and bigeye,  
8 creates a big challenge for the Large Pelagics  
9 Survey. It changes yearly in many cases.

10 Now to ensure coverage of fishing  
11 events, in order to achieve a spatial distribution  
12 of sampling would require a dynamic approach to  
13 resource allocation. When I'm referring to  
14 resource allocation, I'm referencing the dockside  
15 interviewers, because we can't have dockside  
16 interviewers from Eastport, Maine to Key West,  
17 Florida, you know.

18 They would need to be shifted relative  
19 to where the fish actually show up, in order to  
20 obtain this spatial distribution that we're  
21 looking for. So I'm kind of, I'm kind of agreeing  
22 with you on this issue, that this is something that

1 needs to be looked much more deeply into, and I  
2 believe that this reporting scheme or a reporting  
3 scheme, let's put it that way, is definitely more  
4 advantageous and more accurate in addressing this  
5 particular problem than the Large Pelagics Survey.  
6 Thank you.

7 MR. BROOKS: Thanks. Thanks, David.  
8 Let's, I've got two other people online and a couple  
9 in the room. Again, we've just got a couple of  
10 minutes for this, so if folks can be as focused as  
11 possible in their questions, that would be very  
12 helpful. Jimmy Hull.

13 MR. HULL: Yeah, thank you. I think,  
14 you know, we're talking about the Angling sector  
15 here and they have to have an HMS Angling permit  
16 to do this, harvest these animals. So why aren't  
17 -- since we know who they are, why aren't they  
18 required to report, or at least a portion of them  
19 required to report? Seems to me that would be a  
20 much more accurate way to get at what you're trying  
21 to get at here from the Angling sector.

22 I have lots of other questions. But

1 that's the main point. If they're required to have  
2 a permit now to do this, you're halfway there.

3 Thanks.

4 MR. BROOKS: Thanks, Jimmy. Any answer  
5 to that Cliff?

6 MR. HUTT: So the Angling category is  
7 required to report their landings and their  
8 discards of bluefin tuna, as well as landings of  
9 billfish and swordfish. The LPS collects a lot more  
10 data just beyond landings data though, and it  
11 collects data on other HMS species like the  
12 yellowfin and bigeye tuna, as well as the pelagic  
13 sharks, and it's key for collecting a lot of effort  
14 data. But we don't at this point have like, you  
15 know, logbook requirements for angling, although  
16 that is something we may be discussing in the  
17 future. That's for the next presentation.

18 MR. BROOKS: Thanks. Lisa online.

19 DR. KERR: Thanks. Yeah, it is very  
20 interesting to hear about these proposed changes  
21 to the survey design, and I assume that there's been  
22 some conversations with folks who use the data for

1 stock assessment purposes and estimating indices  
2 of abundance. But just was curious what the  
3 conversations have been like of how these either  
4 very large changes would be accounted for, for the  
5 continuity of the use of the data for stock  
6 assessment.

7 So when there's large-scale changes in  
8 surveys, it's often dealt with, the break in the  
9 time series or calibration factors or model  
10 standardization. So just looking to hear how these  
11 might be accounted for.

12 MR. BROOKS: Thanks Lisa. Any quick  
13 response on that?

14 DR. LEE: That's why the process  
15 includes the calibration effort, but until we have  
16 the data indicating that the calibration is needed,  
17 we don't need -- we don't need to take on the major  
18 calibration. But yes, we need to do a lot of  
19 analysis to be clear about need of calibration and  
20 if it is needed then yes, we need to bring the old  
21 estimates to be aligned with the new estimates, so  
22 that the time series will not be broken.

1                   MR. BROOKS: Thanks. Yeah Cliff, you  
2 want to jump in?

3                   MR. HUTT: Yeah, this would be very  
4 similar to what they did with MRIP when they adopted  
5 the new Fishing Effort Survey, and over the last,  
6 you know, two years and this year they have been  
7 conducting the old LPS survey alongside these pilot  
8 surveys, so they can do that calibration testing  
9 as needed.

10                  MR. BROOKS: Thanks. Let's take a  
11 couple and then I think we'll probably need to bump  
12 to the rest, next presentation, then we can come  
13 back. But Amy, why don't you jump in and then we'll  
14 go over to Mike.

15                  MS. DUKES: Thanks for that additional  
16 information on the calibration. You hit one of my  
17 questions. The second was with the Maryland catch  
18 cards and doing the Maryland pilot study in 2020,  
19 were you able to do any validation between those  
20 two data streams to see if there was consistency?

21                  DR. LEE: The new design is not to test  
22 or validate the catch card program. However, we

1 did some analysis with the existing LPIS data, and  
2 they track pretty closely. However, some analysis  
3 -- we didn't conduct analysis, but in the past,  
4 based on the past analysis, it says that -- it  
5 indicates that about compares rate of the catch  
6 card is around the 80 percent or 85 percent. But  
7 when we look at the trend, the good news is that  
8 they track each other pretty closely.

9           If I may, may I respond to the first  
10 comment? I brought up the slide talking about  
11 unequal probability sampling. This is statistical  
12 jargon that can be confusing or misleading, but I  
13 still need to use this jargon so that we are on the  
14 same page. But unequal part means that again, we  
15 want to send the samplers more frequently to bigger  
16 sites.

17           That's where this unequal probability  
18 sense comes in. We don't want to send everybody  
19 equally to every site. We want to send more  
20 samplers more frequently to those bigger sites.  
21 That's where this unequal concept comes in, and for  
22 the second comment about being flexible, yes we



1 recognize the need of that. That's why we wanted  
2 to combine the fixed component of the sampling,  
3 which is probability-based with adaptable  
4 components.

5 So that samplers can be adaptive,  
6 depending upon the weather condition and fishing  
7 condition. That's the way that we are hoping that  
8 sampling productivity can be maintained. Thank  
9 you.

10 MR. BROOKS: Thanks. Mike, I'm going  
11 to let you jump in quickly, and then we're going  
12 to shift it over to Cliff.

13 MR. PIERDINOCK: Okay, thank you. If  
14 I understand this correctly, you went to these  
15 various sites going back to 2020. You did your  
16 interviews. You took that information and then you  
17 plugged it into the models, and then you ran the  
18 models and you had an output.

19 Now with that output, if I understand  
20 you right, you did validate that appears  
21 acceptable. Were they all within acceptable  
22 standard deviation and so on for use, or does that

1 require further calibration, because on Slide 12,  
2 it's noted you need more data, you need additional  
3 benchmark field surveys, which -- is that a result  
4 of issues with the input?

5 And I note with that, with the need for  
6 more data, we just had a previous presentation and  
7 the fact that the National Fish and Wildlife  
8 Foundation's coming out with a proposal, and that  
9 could be a mechanism to help fill in some of these  
10 gaps that are here.

11 But and then the last question, since  
12 this is kind of dated and it started in 2018 and  
13 we've seen and continue to see the impact, the  
14 climatic shift of our stocks when they move into  
15 New England sooner, stay there longer and leave  
16 later, would that change the outcome, because this  
17 is kind of influx of when this is taking place.

18 Thank you.

19 DR. LEE: I'm not sure if I really have  
20 all the questions, but so this slide, the vectors  
21 for potential delay of the certification process,  
22 these are the what if scenarios. These are the

1 states that we put the new design in to test, and  
2 the data coming out of this pilot testing will  
3 confirm that design is valid. And we did a lot of  
4 simulations on a lot of different scenarios, and  
5 this computer simulation indicates that design is  
6 working.

7 Now for this -- your point of what if  
8 we need additional data or additional testing.  
9 Because of this component of estimating weights for  
10 the flexible adaptive components of the survey, we  
11 need the data from all three years, and we are doing  
12 some preliminary analysis based on past two years  
13 of data.

14 It's looking positive, but we need a  
15 whole set of all nine states or all LPIS areas  
16 except state of Maine to be able to make sure that  
17 design and estimation process is working, as we are  
18 hoping.

19 MR. BROOKS: Thanks. I know there are  
20 more questions around the table. I've got a queue  
21 here, but we've got to get the mic to Cliff, and  
22 we'll see if we have a little more time. As it is,

1 I think we'll probably run about ten minutes into  
2 lunch, just so we make sure we have some adequate  
3 time for this next conversation. Cliff, over to  
4 you.

5 MR. HUTT: Good morning everyone. I'm  
6 Cliff Hutt with the Atlantic HMS Management  
7 Division, and today I'm going to be presenting on  
8 our plans to update the MRIP Regional  
9 Implementation Plan for the Atlantic HMS Region.  
10 The regional implementation plans are meant to  
11 identify recreational data needs and provide  
12 recommendations for programmatic improvements,  
13 for HMS, our primary focus here are on MRIP and the  
14 Large Pelagics Survey.

15 But we also use this plan as an  
16 opportunity to conduct a comprehensive examination  
17 of our recreational data collections. The first  
18 Atlantic HMS plan was developed in 2017 and  
19 published in 2018.

20 For today, my goals are kind of to give  
21 the AP an update on our progress towards the various  
22 priorities that were identified by that plan; to

1 put forth agency ideas for additional improvements  
2 to our recreational data collections for HMS; and  
3 to solicit your input on additional recreational  
4 needs and priorities that we may have missed.

5 Basically, Atlantic HMS recreational  
6 data needs are largely the same as what they were  
7 five years ago, with some minor changes in the  
8 margins. As we have heard repeatedly, we are seeing  
9 tuna show up in the LPS regions and the recreational  
10 fisheries for them beginning earlier than they had  
11 in previous years, and in some cases extending  
12 later into the year than historically.

13 So there are, there is a potential need  
14 for adjustments to some of those survey periods for  
15 like the LPS. For billfish and swordfish, we're  
16 seeing deep drop fisheries expanding into new  
17 areas, thanks to improvements in technology, and  
18 we still need to reestablish MRIP in the Caribbean,  
19 which was discontinued after the 2015 season thanks  
20 to basically damage due to hurricanes and changes  
21 in how the survey is going to be organized and  
22 governed down there.

1           In the recreational shark fishery, we  
2           have Amendment 14 coming up, which is going to be  
3           calling for active management of the recreational  
4           shark fishery, and we're still having questions  
5           about our ability to quantify the shore-based  
6           fishery for large sharks, especially at night. And  
7           we're having increasing reports of depredation up  
8           and down the coast, as you're all well aware of.

9           Major changes to our recreational data  
10          collections over the last year, as Yong-Woo just  
11          reported the LPS is entering the final year of its  
12          pilot testing for its new design. MRIP has fully  
13          transitioned to the new Fishing Effort Survey to  
14          replace the Coastal Household Telephone Survey,  
15          and they have new data standards coming out next  
16          year.

17          For-hire logbook reporting programs  
18          have sprung up and down the Atlantic and Gulf coast,  
19          so that now all federally permitted for-hire  
20          vessels are required to do logbook reporting, with  
21          the exception of HMS Charter/Headboat vessels. We  
22          are now selecting all HMS tournaments for catch

1 reporting with greater than 90 percent of those  
2 tournaments now reporting electronically through  
3 the new ATR system.

4 So an update on where we are from the  
5 progress we've made on the priorities that were  
6 identified in the last plan. Yong-Woo's  
7 presentation pretty much covers the priority of the  
8 LPS redesign. I will just say that will continue  
9 to be a top priority for us moving forward. The  
10 next priority was expanding Atlantic HMS  
11 recreational fishery data collections to the rest  
12 of the Atlantic HMS region. The LPS covers Maine  
13 to Virginia, but we wanted to see improved sampling  
14 North Carolina through Texas.

15 Main options that were identified by  
16 the plan last time were either expansion of the LPS  
17 or increasing offshore sampling in surveys like the  
18 APAIS, which is the dockside survey under the  
19 general MRIP survey, the Access Point Angler  
20 Intercept Survey.

21 The Modern Fish Act provided additional  
22 funding for increased sampling in APAIS to improve

1 PSEs, and through the South Atlantic in particular  
2 a lot of states have chosen to use a lot of that  
3 additional funding to increase sampling of  
4 offshore fishing trips, which essentially  
5 accomplishes this priority.

6 In the Gulf, we've also seen expanded  
7 offshore sampling of recreational trips through  
8 the various state surveys that have been designed  
9 to kind of deal with red snapper management down  
10 there and surveys like Louisiana Creel, which has  
11 a designated offshore stratum that's resulted in  
12 more consistent estimates of HMS catch in the state  
13 of Louisiana.

14 The next priority was including, the  
15 inclusion of Atlantic HMS charter head boats in  
16 federal for-hire electronic logbook data  
17 collections. As I said, all federal for-hire  
18 vessels in the Atlantic and Gulf of Mexico,  
19 excluding HMS, are now required to do logbook  
20 reporting.

21 We estimate a little over a third of our  
22 for-hire permitted vessels are captured by those



1 Council logbook reporting programs because of the  
2 dual permitted issues. Our division is planning  
3 an omnibus electronic reporting rulemaking in the  
4 near future, that's looking at both commercial and  
5 recreational electronic reporting issues.

6 One of the things we will be considering  
7 as a part of that rulemaking would be expanding the  
8 logbook reporting requirement to all HMS  
9 Charter/Headboat permitted vessels. That  
10 rulemaking will also look at the possibility of  
11 expanding such logbook reporting to the Atlantic  
12 Tuna General category, and the Swordfish General  
13 Commercial Permit as well.

14 The next priority identified in the  
15 original plan was to identify ways to reduce  
16 reporting burden for HMS permitted vessels. The  
17 main way we have done that, as Randy mentioned in  
18 his presentation yesterday, we have integrated HMS  
19 catch reporting into ACCSP SAFIS eTrips system,  
20 both their mobile and online systems.

21 So any of our for-hire vessels that are  
22 having to report through logbook reporting, if they

1 are using SAFIS eTrips, they only have to submit  
2 one trip report now and they don't have to worry  
3 about doing separate HMS catch reporting, because  
4 that data will be captured through their eTrips  
5 report.

6 We are committed to advancing the  
7 One-Stop Reporting initiative that was started by  
8 GARFO, and we are actively kind of working to try  
9 to get our HMS data elements implemented in GARFO's  
10 eVTR and Bluefin Inc.'s VESL reporting systems,  
11 which are two of the other major systems used for  
12 that for-hire logbook reporting.

13 Another priority was developing  
14 integrated estimates of effort and catch for  
15 species encountered by multiple surveys. We  
16 occasionally have issues where both MRIP and the  
17 LPS are generating separate estimates for some of  
18 our species, although the LPS ones are much more  
19 precise as a general rule. But that does cause  
20 issues from time to time. HMS has standard  
21 accounting procedures for combining catch data  
22 from multiple surveys, and reporting programs

1 develop our estimates of total HMS catch for ICCAT  
2 reporting.

3 But we are continuing to monitor some  
4 discussions, particularly in the Gulf, where they  
5 are dealing with this same issue because you have  
6 MRIP overlapping with these state reef fish surveys  
7 that's causing issues. They're working out ways  
8 to try to integrate that data to create, you know,  
9 unified reports of catch and effort, and we are  
10 monitoring those discussions because we think that  
11 could set precedents for dealing with, you know,  
12 conflicting report estimates between LPS and MRIP  
13 in the future.

14 The next priority was evaluating and  
15 combining an expansion of catch card harvest  
16 reports, tournament landings reports. Starting in  
17 2019, HMS began selecting all HMS tournaments for  
18 catch reporting. Previously we had just been  
19 selecting billfish tournaments, but now we're  
20 selecting all of them. Maryland DNR has also been  
21 considering going electronic for their catch card  
22 reporting program, and the fact that we are now

1 including HMS catch reporting in SAFIS eTrips does  
2 develop the potential for some duplicative  
3 reporting with state catch card programs.

4 If you're a for-hire vessel in Maryland  
5 or North Carolina that has a council charter party  
6 permit that requires you to do logbook reports,  
7 you're still going to be required to submit your  
8 state catch card reports. So there is a -- there  
9 is basically going to be a duplicate reporting  
10 stream going on in those two states for the for-hire  
11 categories.

12 So this is something we're keeping an  
13 eye on to make sure -- a little closer, okay. This  
14 is something we're keeping an eye on to make sure  
15 that we aren't, you know, getting duplicate numbers  
16 in our catch reporting for ICCAT is something we're  
17 going to have to pay attention to in the future,  
18 especially if once we expand the logbook reporting  
19 requirement of all HMS Charter/Headboat permitted  
20 vessels.

21 The next priority was improving and  
22 expanding our data collections of our recreational

1 shark fisheries. Sharks are among the species  
2 identified in the South Atlantic to see improved  
3 PSEs from that increased APAIS sampling. So that  
4 is something we are going to be monitoring and  
5 evaluating over the years to come.

6 We still have the issue that  
7 approximately half of all discarded sharks  
8 reported to MRIP are not identified to species.  
9 They're just identified as sharks or maybe  
10 hammerhead shark, because people can tell the  
11 difference between a pointy-nose one versus a  
12 hammerhead. But you know, that's something we want  
13 to improve.

14 We are working with some researchers,  
15 particularly right now Texas A&M, on their  
16 developing an app that uses artificial  
17 intelligence, where you take a picture of a fish  
18 and hopefully it can suggest what species it likely  
19 is. So developing technology is like data we hope  
20 in the future can help improve some of the species  
21 identification on our recreational discard data.

22 We still have a lot of uncertainty in

1 terms of how well our data collection methods are  
2 capturing things like shore-based fisheries for  
3 large trophy sharks, especially at night. It is  
4 a complicated issue because technically those are  
5 state-managed fisheries. HMS permits are not  
6 required to fish for sharks in state waters or from  
7 shore.

8 But it is an issue that we continue to  
9 work on and want to partner with states where that  
10 is particularly popular, like the state of Florida  
11 to improve our data collection on that. And there  
12 is potential for expanding HMS mandatory catch  
13 reporting to include pelagic sharks in that omnibus  
14 electronic reporting role. That is something that  
15 is being considered largely due to the ongoing  
16 issues with mako.

17 If there's ever a chance to open mako  
18 back up for the recreational fishery, it will  
19 probably have to come with a provision of mandatory  
20 reporting of any of those landings. So that's  
21 something we're looking to for, you know, if it's  
22 needed in the future.

1           The next priority that was identified  
2           in that plan was revising the HMS Charter/Headboat  
3           permit category to distinguish for-hire vessels  
4           that fish commercially or just recreationally.  
5           That's why we put out the commercial endorsements  
6           for charter/headboats so we could identify vessels  
7           that had an interest in fishing commercially.  
8           Approximately 45 percent of them are getting that  
9           endorsement now.

10           And finally we had evaluating  
11           opportunities to revise the Large Pelagic  
12           Biological Survey to allow for increased  
13           biological samples of all HMS species. That is  
14           still, still just collecting bluefin tuna is the  
15           only species that is triggering opportunistic  
16           assignments for that. But in the future, we're  
17           going to continue to look at opportunities to  
18           expanding that to other species.

19           And as I said, we need to get MRIP  
20           re-going in the Caribbean. Currently, our  
21           Southeast Regional Office and Southeast Fisheries  
22           Science Center are in discussions with the agencies

1 in Puerto Rico and the U.S. Virgin Islands to  
2 establish a new governance structure that will get  
3 MRIP going again in the Caribbean region.

4 Now new major data collection  
5 priorities that we are considering. There is the  
6 need to potentially expand the sampling of the LPS  
7 into new months, because we are seeing these tuna  
8 being caught earlier and earlier. Currently, the  
9 LPS begins in the month of June in the Mid-Atlantic  
10 and Massachusetts. In the other states it starts  
11 in July. We might consider in the future expanding,  
12 you know, starting the LPS as early as May, maybe  
13 starting it in June in some of those other New  
14 England states.

15 We're definitely interested in hearing  
16 the AP's opinions on that, and if they think that  
17 expansion would be -- even more expansion may be  
18 needed. Our thoughts is initial assessments of  
19 that could be done with data from things like the  
20 HMS catch reporting program, the state catch cards  
21 and the Large Pelagic Telephone Survey, which is  
22 used to collect effort data. It would be much



1 easier to increase and expand that sampling before  
2 we expand the dockside sampling.

3 We also need to assess how that  
4 increased APAIS offshore sampling, how that's  
5 affecting our PSEs for our species in the South  
6 Atlantic and Gulf of Mexico. As I've already hinted  
7 at multiple times, you know, we've got that  
8 electronic reporting rule coming up and the  
9 potential to expand logbook reporting to our HMS  
10 charter/headboat vessels. This would not  
11 necessarily exempt them from participation in  
12 surveys like the LPS, but it could eventually do  
13 so.

14 At minimum, we would need a period of  
15 overlapping logbook and survey reporting, so that  
16 we could calibrate those time series of data as some  
17 of the previous questions issued. That would be  
18 a major concern, to make sure we have that time  
19 series of data for our stock assessments. Surveys  
20 can also collect a level of detailed data that is  
21 difficult to accomplish with logbooks,  
22 particularly on like fish size data.

1                   And that rulemaking rule, as I said,  
2                   we'll also be considering potential logbook  
3                   reporting for the Atlantic Tunas General and  
4                   Swordfish General Commercial vessels.

5                   Another major issue is this need to  
6                   quantify shark depredation events. We see a number  
7                   of different options for collecting data on shark  
8                   depredation. One option could be the development  
9                   of a mobile application for self-reporting of  
10                  depredation events. This would give us a bit more  
11                  control over the data elements included and the  
12                  scope of them.

13                  However, you have the con of relying on  
14                  self-reported data, when really what we need is a  
15                  more quantitative assessment. One way to get a more  
16                  quantitative assessment would be to add questions  
17                  to the existing MRIP and LPS surveys about  
18                  depredation. The concern there is if you add too  
19                  many additional questions, that affects the  
20                  efficiency of those dockside surveyors and how many  
21                  surveys that could get done within an assignment.

22                  So if we added any questions here, it

1 would probably be a very minimal number, say did  
2 you experience depredation. If so, how many fish  
3 did you lose, what species do you think were  
4 involved, and that would be about it. An option  
5 for you would be a hybrid approach. Having a few,  
6 possibly a few additional surveys added to MRIP LPS  
7 with a self-reported data app that could be used  
8 to collect more detailed information from people  
9 who actually do experience depredation events.

10 Other things to consider, expanding HMS  
11 catch reporting to pelagic sharks as I mentioned  
12 earlier; continued efforts to maximize our  
13 reporting compliance for our HMS catch reporting,  
14 and evaluating the use of efficiency improvements  
15 in some of our dockside sampling for the Large  
16 Pelagics Survey, namely potential use of tablets  
17 within that survey. ACCSP and GulfFIN have adopted  
18 the use of tablets for the MRIP dockside surveys,  
19 and reported significant improvements in survey  
20 efficiency.

21 And Quantech, the contractor that  
22 conducts the LPS dockside surveys, began assessing

1 the use of tablets last year. With that, some  
2 topics for discussion, this is my last slide. You  
3 know, did we miss anything? Are there any other  
4 major recreational data collection developments  
5 pertaining to HMS that we may have missed the AP  
6 might want to bring to our attention?

7 Do the priorities of the 2017 plan still  
8 reflect our data needs? Are there any major  
9 recreational data gaps that still need to be  
10 addressed or are newly emerging, and does the AP  
11 have any thoughts on the best framework for  
12 quantifying sharp depredation?

13 MR. BROOKS: Thanks Cliff, and why don't  
14 we leave that slide up there, so people could focus  
15 on it?

16 MR. HUTT: Yes.

17 MR. BROOKS: Let me ask the folks who  
18 have their cards left over from before just to put  
19 them down. I have it captured; I've got John and  
20 Jason and Charlie and Amy, and if we have time,  
21 we'll come back to that for the LPS survey. But  
22 I'd like to see what kind of questions or comments

1 folks have related to presentation that Cliff just  
2 gave us, and let's just start over with you Jeff?

3 DR. KNEEBONE: Sure. Thank you very  
4 much to both of you for great presentations. I  
5 don't know where to begin, but I will start with  
6 my biggest theme for this meeting, which is  
7 offshore wind. So as you know, more lease areas  
8 are popping up and many of not all of them encompass  
9 really productive and popular recreational fishing  
10 areas for HMS.

11 Moving forward, I would just stress,  
12 there's an extreme need to figure out ways to mend  
13 MRIP, the LPS, explore new mechanisms to improve  
14 data collection, to allow us to monitor the impacts  
15 of offshore wind on both recreational fisheries,  
16 charter fisheries, as well as commercial  
17 fisheries. Just looking at the LPS data from 2002  
18 to 2019 in a 1,500 square mile area in Southern New  
19 England, that has been leased for offshore wind  
20 development.

21 There's only 300 observed LPS trips  
22 with as few as five observed in individual lease

1 areas. So that just exemplifies the extreme need  
2 to amplify the amount of data that we collect. That  
3 will allow us to begin to monitor. So we'd love  
4 to talk to you, anyone, about ways that we can  
5 increase productivity, data collection  
6 productivity.

7 And then a couple more than I'll fire  
8 off here. You mentioned adding questions and  
9 difficulty that may come with adding questions to  
10 the LPS relating to depredation. So if we think  
11 about offshore wind and we add those questions, are  
12 there any existing questions in the survey that  
13 maybe don't provide the amount of data that they  
14 once did, or are basically I guess the best word  
15 would be "expendable." Are they less valuable than  
16 collecting information on depredation or offshore  
17 wind?

18 I have more, but I want to be conscious  
19 of other people's time, so I'll stop there.

20 MR. BROOKS: Much obliged, thanks. And  
21 there's, you know, definitely come up to Cliff  
22 during lunch and --

1                   MR. HUTT: Yeah. I mean all the  
2 questions currently included in the LPS are there  
3 for a reason and have a purpose in the intercept  
4 survey that are primarily designed to get at that  
5 estimation of harvest of HMS species and discards  
6 of HMS species in the recreational fishery.

7                   One thing I will point out, you know,  
8 unlike MRIP, the LPS does collect location data on  
9 where people are fishing so we can actually have  
10 identification of trips in these sites, which the  
11 MRIP currently cannot do at all. So I mean it would  
12 definitely be beneficial if we could get location  
13 data on, you know, vessel trips from MRIP added.

14                   Beyond that for the LPS, it would  
15 probably take just more sampling, you know, to  
16 increase those numbers. And another thing, you  
17 know, we expand logbook reporting to our  
18 charter/headboat fleet, that will come with  
19 location data. So that should substantially  
20 improve that data, at least for the  
21 charter/headboat fleet.

22                   MR. BROOKS: Thanks Jason. Let's go

1 over to you then Bob, then John, then we'll go  
2 online.

3 MR. ADRIANCE: Thanks, and I will keep  
4 it to this presentation, even though I think the  
5 two are part and parcel. I won't go back to the  
6 first one. Thanks to the both of you, thanks Cliff.  
7 Thanks for the shout out.

8 In relation to questions, you say they  
9 all have -- while they're all designed to get at  
10 something, one thing we looked at when we went to  
11 LA Creel is what is absolutely necessary for  
12 management and quantifying the fishery, and we  
13 reduced the survey to that.

14 It was less of a burden on the anglers.  
15 We were able to put -- we were able to get more  
16 surveys quicker, and we did switch to tablets. We  
17 do it exclusively on tablets, and I think that's  
18 something that greatly improves efficiency.

19 You know, if your anglers are more  
20 willing -- so your PSEs, how are they really going  
21 to go down? It's number of samples. The more  
22 interviews you get, the more fish you touch, the



1 better those PSEs, and I think that's something to  
2 strive for. Thanks.

3 MR. BROOKS: Thanks, Jason. Bob.

4 MR. HUMPHREY: Thank you both for your  
5 presentations. Cliff, LPS definitely needs to  
6 start sooner and linger longer, and second comment,  
7 if you think that there might be some value, greater  
8 value in a more intensive sweep of data coming from  
9 tournaments, grab me and we'll talk aside.

10 MR. BROOKS: Thanks. Over to you, John.

11 MR. DEPERSENAIRE: Yeah, thank you.

12 Yeah, very interesting presentations, both of  
13 them. I have a question about the first  
14 presentation, but you know, I think it carries over  
15 and I can make it part of this discussion. So I  
16 was curious how you dealt with the issue of the LPS  
17 intercept surveys, because I understand they are  
18 what drives catch composition, and how you deal  
19 with vessels that dock at a private dock wherein,  
20 a surveyor may not have access to that dock or that  
21 boat that's engaged in the HMS fishery.

22 Obviously with some species being

1 mandatory, you know, marlin, swordfish, bluefin  
2 tuna, you know, you capture that information there.  
3 But I guess that's a data gap. I mean I guess I'd  
4 like to know a little bit more how you, how you guys  
5 plan to deal with that.

6 DR. LEE: I will answer quickly about  
7 the potential data gaps because of a lack of data  
8 coming from the private docket, and because of  
9 that concern about ten years ago, before my time  
10 with this LPS, science -- LPS statistician  
11 conducted a bootstrap type of analysis, checking  
12 out those types of gaps.

13 And for the important major species  
14 like bluefin tuna, it shouldn't be much of a  
15 concern, but it is within our radar to update the  
16 analysis with the most time series of data.

17 MR. HUTT: And you know, to that I'll  
18 add, unlike MRIP, the LPS does get access to some  
19 private docks, but you know, what they did with that  
20 study was basically kind of coming to the  
21 conclusion that the difference in catch rates  
22 weren't all that different between, you know,

1 vessels fishing out of public versus private docks.

2 We are still getting data from those  
3 vessels through the telephone survey, which is the  
4 effort survey. So we're finding out how many --  
5 we're still finding you how many trips they're  
6 taking, and unlike the MRIP Effort Survey, we do  
7 add some questions to that on did you catch and  
8 harvest any bluefin, any of the billfish. So we  
9 are getting some catch data from those guys, so that  
10 we can continue to evaluate and make sure that we're  
11 not getting biased estimates by not being able to  
12 include them in the dockside intercepts.

13 MR. DEPERSENAIRE: Thanks. So I guess  
14 the only follow-up question I had was that -- so  
15 I guess you've done some analysis you found the  
16 avidity and I guess the skill level is relatively  
17 the same across both the dock at someone's house  
18 as opposed to a public marina. And as long as you  
19 capture it through the HMS permit framework, I  
20 guess, you can make those relatively fair  
21 assumptions that it's captured.

22 MR. HUTT: Yeah. That was basically the

1 conclusion on that study from ten years ago, and  
2 really it may getting about time to update that,  
3 but --

4 MR. BROOKS: All right. Let's grab two  
5 folks from online, and then we'll come back into  
6 the room and finish up with Amy and Dewey. So and  
7 then we'll get you off to lunch. So if our remaining  
8 speakers could be focused, that would be helpful.  
9 Lisa.

10 DR. KERR: Yes. Thanks for the  
11 presentation. Yeah, I had a question, I guess,  
12 regarding the changes that have been seen in the  
13 fishery with an influx of more inexperienced  
14 fishermen and what the impacts could have on kind  
15 of, you know, quantification of catch rate, you  
16 know, with the idea being hours fished for an  
17 inexperienced, you know, the effort metric for an  
18 inexperienced fishermen is going to mean something  
19 different than for an experienced fishermen.

20 So I didn't know if there's an easy way  
21 that that's, you know, there's a real question that  
22 that's accounted for and if you're kind of thinking

1 about how to track that. Thanks.

2 MR. HUTT: I'm assuming you're talking  
3 about the kind of, the increase of fishing effort  
4 we've seen the last two years during the pandemic.  
5 I would say, I mean we're not exactly collecting  
6 data to determine their experience level, but the  
7 way the survey is designed to estimate catch rates.  
8 If the experience level of the fishermen is  
9 changing, it really shouldn't bias those  
10 estimates.

11 I mean we may see catch rates, you know,  
12 catch effort on average going down because there's  
13 more inexperienced people in the fishery. That  
14 might be a more concerning issue for say some of  
15 those stock assessment indices that are being  
16 generated, you know. That's something that they  
17 would have to adjust for.

18 But if they're using those, you know,  
19 as we're using those as an index for recruitment,  
20 excuse me. But it really shouldn't bias the  
21 estimates of total catch, the way the survey is  
22 designed.

1 MR. BROOKS: Thanks. David Schalit.  
2 Lisa, sorry. Did you want to -- did you have another  
3 comment?

4 DR. KERR: Oh just yeah. I guess in  
5 reference to that, that was my concern, used for  
6 indices of abundance because for exactly the  
7 reasons you stated. I think if there were a model  
8 that could account for that, if there were a  
9 question that classified experience. So I'll just  
10 leave my comment there, but I think yeah, there  
11 would be ways. If the data were available, there  
12 would be ways to account for that and adjust.

13 MR. BROOKS: Thanks, Lisa. David.

14 MR. SCHALIT: Yes. Actually to Lisa,  
15 like any survey, it all comes down to the  
16 confounding elements, right. But Cliff, thank you  
17 very much for this very interesting presentation.  
18 I'm a bit shocked actually, because I was  
19 completely unaware that there's a -- that this LPS  
20 redesign was being worked on, and I'm pretty sure  
21 --

22 You may be aware that after the 2020

1 assessment for bluefin tuna, there was, there was  
2 a very strong reaction on the part of ICCAT Advisory  
3 Committee people and others regarding the results,  
4 which were, you know, which showed data that was  
5 completely unlike anything we were experiencing on  
6 the water.

7 And the noise was basically deafening  
8 from this conversation and it lasted for almost a  
9 year, and this -- this resulted in a calamitous  
10 situation in which we had a quota recommended of  
11 1,680 tons through 2021, and then we had another  
12 assessment which in the following year, in which  
13 our quota was 2,720 tons.

14 So and to a certain degree, these  
15 results would -- were dependent, I mean the very  
16 issues in these results were dependent upon  
17 estimates of recruitment. So what I'm saying here  
18 essentially is this, is that I think we need to be  
19 looking at the fundamental reasons why we're  
20 collecting this data. I mean obviously NOAA needs  
21 to know how many fish are being caught, how many  
22 of each species under HMS, that's for sure.

1           But then the rest of it has to do with  
2 ICCAT okay, and we have a burning need to get a  
3 handle on that as quickly as we can and as  
4 accurately as we can, because we have two other  
5 nations that are entirely dependent upon U.S. data  
6 for recreational, for recruitment estimates. So  
7 what I'm suggesting is this. We're not going to  
8 get to the bottom of this or even close to the bottom  
9 of this in this conversation.

10           So what I'm suggesting is that we set  
11 up a meeting, a Zoom meeting with you guys, and with  
12 anyone who's interested in the -- from the HMS AP,  
13 and anyone who's interested from the ICCAT Advisory  
14 Committee to attend, to have an initial discussion  
15 which allows for an exchange and discussion  
16 regarding data collection protocols and  
17 objectives.

18           So my suggestion to you guys would be  
19 to speak with Pete and with Brian to the IAC. They  
20 can send out an email to the committee members of  
21 both of these committees, and that we look with a  
22 view toward having a meeting in the near-term, let



1 us say for example within the next ten days. Thanks  
2 very much.

3 MR. BROOKS: Thank you, David. Cliff.

4 MR. HUTT: I will say the, you know, the  
5 effort to update the Implementation Plan is largely  
6 about doing that. We had a meeting a couple of  
7 months ago with the team that was involved in  
8 drafting the initial plan, which included stock  
9 assessment scientists from the Southeast Fisheries  
10 Science Center and various other internal and  
11 external agency partners.

12 And we'll be having another such  
13 meeting some time over the summer. But I mean we  
14 can definitely take into consideration having a  
15 broader meeting with more people like including  
16 folks from the AP at some point. I can't promise  
17 turning that around in ten days though.

18 MR. BROOKS: Thanks Cliff. Let's go,  
19 come back in the room and see if we can punch through  
20 the last questions and then get you to lunch.  
21 Dewey.

22 MR. HEMILRIGHT: Thank you. I was

1 wondering on your second bullet point there about  
2 the priorities of 2017. Is there something in the  
3 2017 plan where they've been achieved, and meaning  
4 I see a lot of the discussion and stuff going on  
5 and happening, but I'd like to see where  
6 something's been achieved, and I didn't -- I  
7 haven't seen that achievement except for maybe the  
8 redesign of the LPS survey going forward, and I've  
9 got one other question after that.

10 MR. HUTT: I mean I would say major  
11 achievements include, you know, the progress  
12 that's made on the LPS redesign, getting our HMS,  
13 you know, catch reporting data elements included  
14 in SAFIS eTrips to reduce that duplicative  
15 reporting burden, establishing the commercial  
16 endorsement on our Charter/Headboat permits so  
17 that we have a better handle on how many of them  
18 are attempting to commercial fish.

19 But I mean for most of these, it's an  
20 ongoing process, you know. The recreational  
21 fishery is always evolving. The data needs and the  
22 technology are evolving. So I mean it's really the

1 case where something is like fully complete and  
2 done, and we don't have to worry about it anymore,  
3 you know. It's just like we're always having to  
4 evolve and continue to adapt and improve.

5 MR. BROOKS: Good.

6 MR. HEMILRIGHT: Yeah, I mean we're in  
7 2022. Anybody that fishes from a vessel that fishes  
8 for HMS species should be having to be permitted  
9 that vessel in some type of app, which seems to be  
10 more readily available and faster than all this  
11 paperwork stuff, to show the effort there.

12 And on the other part, even though the  
13 LPS survey is from Virginia North, we're still not  
14 talking about the MRIP and the PSEs, and how one  
15 or two fish can produce 100 metric tons of mako  
16 sharks in the winter in North Carolina. So that  
17 has to be used as the best available data, and  
18 there's problems with it.

19 So how are we going to fix, and the only  
20 way you fix that is more samplers, but yet we don't  
21 have no money according, from what I heard earlier  
22 today, really tight budgets and all this stuff,

1       stagnant or straight budgets. How are we going to  
2       increase that to get them PSEs down?

3               MR. BROOKS: Thanks, Dewey.

4               MR. HUTT: As I said, you know, the  
5       Modern Fish Act did provide funding for increasing  
6       sampling in the MRIP surveys and in the South  
7       Atlantic they have been putting a lot of that  
8       towards sampling of offshore fishing trips in the  
9       hope of improving PSEs like that. You know, next  
10      year MRIP has new data standards coming out, among  
11      which is they will no longer be releasing estimates  
12      to have PSEs of greater than 50.

13              MR. BROOKS: All right.

14              MR. HEMILRIGHT: Can I have one  
15      follow-up to that? I mean what's the -- why  
16      wouldn't you release it to the public for  
17      transparency to show that? That just is kind of  
18      crazy if you say we're not going to release and show  
19      what the PSE is if it's above 50?

20              MR. HUTT: They will be reporting that  
21      there was data, but because the PSE was greater than  
22      50, they're not going to be releasing the catch

1 estimate, with the proviso that it's not reliable  
2 enough for science and management.

3 MR. BROOKS: Okay. Let's push on. I've  
4 got to --

5 MR. HEMILRIGHT: But the point is  
6 they're still using that. I know a PSEs of 75, 80  
7 percent and we're using those best available  
8 science. So is that going to change? If it's above  
9 that 50, that means we will no longer be able to  
10 use that PSE for the best available science, or will  
11 it be a twofold, where we will only use it as not  
12 for management as it shouldn't be done already?

13 But I'm just confounded by what you're  
14 telling me, is because it's the best available and  
15 now we're not going to get a PSE, publicly given  
16 out there for transparency. We're just not going  
17 to -- we're going to keep under -- if it's under  
18 50, we'll tell you about it. If it's over, we ain't  
19 going to talk about it.

20 MR. HUTT: It's not just that they're  
21 not going to release the PSE. They're not going  
22 to release the catch estimate.

1 MR. BROOKS: All right. I'm going to  
2 jump in here and invite you guys to pick this up  
3 as you head to lunch, which I really want to get  
4 us to. Amy, Peter, if it's burning, jump in. If  
5 not, let's get a break going on here. Amy, you good?  
6 Peter? Okay, great. Thank you all very much. We  
7 will reconvene at two o'clock.

8 So we're taking ten minutes from lunch.  
9 For those of you that might have had a question that  
10 you left, please feel free to connect with Cliff  
11 and Yong-Woo lee during the break here at lunch or  
12 at the later afternoon break. We will start at two  
13 o'clock sharp with offshore wind. Thanks  
14 everybody.

15 (Whereupon, the above-entitled matter  
16 went off the record at 12:39 p.m. and resumed at  
17 2:03 p.m.)

18 MR. BROOKS: All right. We are a little  
19 bit after two o'clock, so we should get going here.  
20 Just to remind ourselves, this afternoon we're  
21 making a quick change to the agenda, just because  
22 of availability. We're going to jump in first to

1 the Pelagic Longline Take Reduction Plan Final  
2 Rule, get a status update on that with Erin  
3 Fougères. And then we will shift to Offshore Wind  
4 and over to Brian Hooker with BOEM.

5 After break, we'll come back in the  
6 afternoon. We'll talk about the electronic  
7 monitoring cost allocation policy. And as I  
8 mentioned as well, we're going to add to the agenda  
9 a brief conversation around HMS permit issuance,  
10 and particularly as it relates to the Southeast  
11 Region. And we will have public comment for any  
12 members of the public who are on at 4:15, and then  
13 after wrapping up we will adjourn at 4:45.

14 So, with that, Erin, I'm going to hand  
15 it off to you. Erin Fougères is with the Southeast  
16 Regional Office, Office of Protected Resources.  
17 Erin, you're up.

18 MS. FOUGERES: Okay, thanks so much.  
19 Can everyone see my screen?

20 MR. BROOKS: We can see the screen and  
21 we can hear you.

22 MS. FOUGERES: Okay, fantastic. Well

1       thank you for having me here today. I'm going to  
2       be giving an update on the Pelagic Longline Take  
3       Reduction Plan. See if I can make it advance.

4               MR. BROOKS: Erin, if you wouldn't mind  
5       speaking up just a little bit, that would be  
6       helpful.

7               MS. FOUGERES: Sure, no problem. So  
8       today I'm going to go over the proposed rule  
9       elements, including the scope of the plan, the  
10      regulatory and non-regulatory elements and the  
11      current status. So in the scope changes that we  
12      proposed back in December 2020, we proposed  
13      removing Risso's dolphins and long-finned pilot  
14      whales from the scope of the take reduction plan  
15      for the pelagic longline fishery, and that was  
16      primarily because both species have been below the  
17      zero mortality rate goal or ten percent of PBR since  
18      the implementation of the original plan back in  
19      2009.

20              And there has been some additional  
21      research since that time to determine that the  
22      species primarily impacted by the pelagic longline



1 fishery are short-finned pilot whales. So we are  
2 removing Risso's and long-finned from the scope of  
3 the plan. We are, however, leaving in short-finned  
4 pilot whales. The mortality and serious injury  
5 incidental to the pelagic longline fishery has  
6 exceeded at ten percent of their PBR since the plan  
7 was implemented. In some years it kind of bounced  
8 around, bounces around some years to exceed PBR.

9 So for the regulatory elements of the  
10 proposed rule changes to the Pelagic Longline Take  
11 Reduction Plan, we would be removing the Cape  
12 Hatteras Special Research Area, along with its  
13 special observer and research participation  
14 requirements for fishermen operating in that area.  
15 That was the same as the consensus recommendation  
16 from the Pelagic Longline Take Reduction team.

17 We are also modifying the mainline  
18 length restrictions in the Mid-Atlantic Bight,  
19 such that no more than one mainline can be in the  
20 water at any one time, and the total mainline length  
21 cannot exceed 32 nautical miles. So previously the  
22 mainline length restriction was 20 nautical miles.

1 So now there can be no more than 32; however, of  
2 that 32 there can be no more 30 nautical miles of  
3 active gear or gear with the leaders and hooks, and  
4 you can't have a single section of active gear that  
5 is more than 20 nautical miles.

6 So sections of active gear have to be  
7 separated from other sections by at least one  
8 nautical mile. It's what the team was calling a  
9 hookless line interrupt, and that was the same as  
10 the consensus recommendation from the team. We did  
11 also include in the proposed rule some language  
12 related to accidental parting, so if the gear  
13 breaks apart after setting the owner or operator  
14 has to make every effort to remove the additional  
15 portions of gear as soon as possible.

16 There are also terminal gear  
17 requirements proposed. They include implementing  
18 terminal gear requirements for the EEZ portion of  
19 the Florida East Coast, South Atlantic Bight,  
20 Mid-Atlantic Bight and Northeast Coastal fishing  
21 areas. The goal of those regulations are to make  
22 the hooks the weakest part of the terminal gear.

1           So the terminal gear requirements  
2 include requirements for hooks, such as circle  
3 hooks need to have a straightening force not to  
4 exceed 300 pounds, and a round wire diameter that  
5 can't exceed 4.05 millimeters of 60/0 and 4.4  
6 millimeters of 18/0. The leaders have to be made  
7 of monofilament nylon. No other light material  
8 like wire can be used and crimps and chafing gear  
9 are allowed though.

10           This terminal gear requirement  
11 recommendations are the same as the consensus  
12 recommendations from the Take Reduction team, and  
13 then also include an exception for transiting  
14 through the area, as well as an exception for  
15 research.

16           There are also non-regulatory elements  
17 that were recommended by the Take Reduction team  
18 including convening a Safe Handling and Release  
19 Work Group to potentially update those protocols,  
20 as well as updating observer and fishery --  
21 observer protocols and fishery observer forms, to  
22 increase information collected.

1           So during the 60-day public comment  
2 period, we received comments from a number of  
3 organizations listed here, and all of those  
4 comments can be found on regulations.gov at this  
5 link. And the current status is that the final rule  
6 is -- has been drafted and is in review, and we are  
7 anticipating that it will publish this summer or  
8 potentially early fall. That's all I have.

9           MR. BROOKS: Great. Thanks, Erin.  
10 Let's open it up to any questions or comments around  
11 the table, or in the -- in the online participants,  
12 and let me go first to Charlie and then over to  
13 Marty.

14           MR. BERGMANN: Hi Erin. Thanks for the  
15 presentation. I have a question for you. If my  
16 memory serves me correctly, the weakest point, the  
17 hook was based on the -- what the folks in Hawaii  
18 did with the false killer whale, and they found  
19 subsequently that that didn't work out well. They  
20 had to change their leader configuration to remove  
21 all the wire, and I don't know what they did about  
22 the hook.

1           But as I told the folks in Virginia,  
2           that particular hook is about three times as strong  
3           as the hook that folks use here in the Atlantic.  
4           So I don't know how you're going to address that.

5           MS. FOUGERES: Yeah, thanks Charlie. So  
6           the idea for the terminal gear regulations did come  
7           from the Hawaii fishery. However, the  
8           configuration of the gear proposed in our rule is  
9           significantly different in terms of the hook  
10          strength and the leader strength.

11          So we don't anticipate that we will have  
12          the same issues. We do know that the false killer  
13          whale team had to go back and revisit theirs.  
14          However, their hook was significantly stronger  
15          than the hook we're proposing, and we did base all  
16          recommendations, the team based their  
17          recommendations on primarily research from Bill  
18          McClellan.

19          The straightening force for a variety  
20          of different hooks when they did some tests using  
21          pilot whale heads and how the gear would interact  
22          with the pilot whale heads. So they did a number

1 of measurements using straightening forces and  
2 things like that. So the idea did come from the  
3 false killer whale, but the actual recommendations  
4 were substantially different. So we don't  
5 anticipate that we'll have the same issues.

6 MR. BROOKS: And just a note, there was  
7 a new weak hook study done out with the Hawaii  
8 longline fleet as well in the last year or so. You  
9 might want to look into that. Marty.

10 MR. SCANLON: Yes. Well, thank you for  
11 the update Erin. One thing I want to ask is how  
12 long after the publication of this rule will the  
13 implement -- can we expect the implementation be?

14 MS. FOUGERES: Actually, we did solicit  
15 public comment on whether and for how long there  
16 should be a delayed implementation for some  
17 components of the rule, because we do recognize  
18 that for the terminal gear requirements, there will  
19 be some time required for manufacturing and then  
20 stocking and being able to purchase those different  
21 components of the gear that will be required.

22 I can't speak to what the final rule

1 will say, but we did solicit comments on that and  
2 weigh the timelines that were suggested in coming  
3 up with the final rule recommendations.

4 MR. SCANLON: Right, and will there be  
5 a -- did you anticipate, you know, a timeframe to,  
6 you know, for implementation of these weak hooks  
7 or the change in hooks there to give the tackle  
8 dealers the opportunity to supply those hooks? I  
9 mean that's a -- you know, we brought this issue  
10 up and you're well aware of it there that, you know,  
11 it may not be as easy as, you know, said to make  
12 the changes that may be in this rule.

13 I'm hopefully that will be in  
14 consideration when you put the final rule together,  
15 and that's been published.

16 MS. FOUGERES: We specifically  
17 solicited comments on from manufacturers and the  
18 fishermen, and the tackle dealers. So that's  
19 definitely something that we're weighing in the  
20 final rule, and expect that the fishermen will be  
21 able to get the gear based on what the final rule  
22 recommends.

1                   And then we also did have separate phone  
2                   calls with Finstem (phonetic), with Kundalini  
3                   (phonetic), and some of the industry folks, talking  
4                   about the current supply chain issues and we're  
5                   aware of that as well. So we have spoken with the  
6                   folks about what we anticipate might happen with  
7                   regard to the terminal gear requirements.

8                   MR. SCANLON: Okay, and one final  
9                   question here. Do you have an update on the work  
10                  being done on the changes, potential changes to the  
11                  serious injury criteria?

12                 MS. FOUGERES: No, I don't have an  
13                 update. I'm sorry, we did have that meeting with  
14                 headquarters. That's a headquarters-led process,  
15                 and so I recommend contacting Kristy Long if you  
16                 would like an update on those.

17                 MR. SCANLON: Excuse me, I didn't quite  
18                 hear you there.

19                 MR. BROOKS: She said recommended  
20                 reaching out to Kristy Long at headquarters.

21                 MR. SCANLON: Right.

22                 MR. BROOKS: For an update on that.



1 That's a headquarters, a headquarters-led process.

2 MR. SCANLON: Okay. Thank you.

3 MR. BROOKS: Great. Any other questions  
4 or comments, either in the room or online?

5 (No response.)

6 MR. BROOKS: Erin, I think we're going  
7 to give you an extra half hour back in your life  
8 here.

9 MS. FOUGERES: Okay, thank you  
10 everybody. Have a good meeting.

11 MR. BROOKS: Yeah, thanks for calling  
12 in. Appreciate it. Okay. Let's shift then to  
13 Offshore Wind, Brian Hooker with BOEM is here.  
14 Brian, if you want to come on up. Do you have a  
15 presentation?

16 MR. HOOKER: Yeah, there it is.

17 MR. BROOKS: Okay, great. All right.  
18 So we'll -- I think Brian's got a presentation to  
19 walk through. You want to just walk through that  
20 before you take questions Brian? Would that be  
21 best?

22 MR. HOOKER: Yeah, that's great.

1 Thanks.

2 MR. BROOKS: Okay, great.

3 MR. HOOKER: Okay. So good afternoon.

4 My name is Brian Hooker, and I'm the Biology Team  
5 lead with the Office of Renewable Energy Programs  
6 at the Bureau of Ocean and Energy Management. We're  
7 based out of Sterling, Virginia, and I'm here to  
8 day just to give you an update on some of the  
9 activities that we have going on.

10 I will note that part of the  
11 presentation does touch on some new initiatives  
12 being undertaken by the Gulf of Mexico, and I will  
13 do my best to answer those questions. But I might  
14 have to refer you to the Gulf of Mexico for more  
15 specific details there.

16 So again, here's some of the things I  
17 want to cover. Atlantic Project updates, our  
18 Central Atlantic Call for Information and  
19 Nominations, which was just published, an update  
20 on Gulf of Mexico leasing, and then just a very  
21 brief update on ongoing and completed studies.

22 So again, where we are now. We've

1 completed, you know, nine lease sales. We have  
2 about 18 active commercial leases. I think that  
3 plus six in parentheses is the New York Bight-lease  
4 sales, which have now been executed, so that plus  
5 six is now in the total column.

6 And we've approved now two construction  
7 operations plans. The construction operations  
8 plans or COPs are really the plans for the  
9 commercial development of a facility. So that was  
10 for Vineyard Wind 1 and the South Fork facility.  
11 Under the general activities plan approved, that's  
12 referring to the CVOW project, to two test turbines  
13 off of Virginia.

14 And as we noticed and I'll get into  
15 more, we have several more of these areas under  
16 consideration, and again there our first project  
17 in federal waters was the commercial Virginia  
18 Offshore Wind Project, which was completed in 2020.  
19 But in addition to that, we do have the Block Island  
20 Wind Farm that's in state waters.

21 So I thought the easiest way to, you  
22 know, kind of go through the Atlantic projects is

1 kind of, you know, just kind of walk through them  
2 one by one. As I mentioned, Vineyard Wind and South  
3 Fork have been approved, and they're currently in  
4 the, you know, the process of really doing a lot  
5 of some land-based work and getting ready for  
6 construction in the 2023 timeframe. We are really  
7 close --

8 MR. BROOKS: Brian, just if you can get  
9 even closer and speak up, that would be helpful.

10 MR. HOOKER: All right. We are getting  
11 very close to issuing the Draft Environmental  
12 Impact Statement for the Ocean Wind Project, and  
13 that will kick off a round of public hearings and  
14 public comments on that construction and  
15 operations plan. That project is off of New Jersey.

16 Following that project, we have the  
17 Revolution Wind Project off of Rhode Island and  
18 Massachusetts, and then following that we have the  
19 Empire Wind Project, which is in the New York Bight.  
20 Then you can see the other projects and their  
21 anticipated time lines on when we anticipate  
22 publishing those Draft Environmental Impact

1 Statements.

2 All the information on this slide is  
3 also publicly available on that link at the bottom.  
4 These are all what we term "Fast 41" infrastructure  
5 projects. So there is a federally-maintained  
6 permitting dashboard that lists, you know, where  
7 the project is under all the various statutes,  
8 whether we're talking about NEPA, the Endangered  
9 Species Act consultations, the consultations for  
10 Essential Fish Habitat.

11 All the milestone dates for each one of  
12 those projects is listed at that link there. So  
13 even myself, I oftentimes wonder where are we here  
14 with this, and that's the link. Just select BOEM  
15 on the dropdown list of agencies, and it will give  
16 you all the BOEM projects, and I'm happy to answer  
17 any questions about these at the end of the  
18 presentation.

19 I think the newest one that I mentioned  
20 at the very beginning was the New York Bight  
21 auction. So these are the newest leases that we've  
22 issued on the Atlantic. So we held that auction

1 back in February. 14 companies participated.

2 This does say still -- I apologize, I  
3 didn't update the slide -- they're no longer  
4 provisional winners, that they're actually  
5 executed leases now, and it was noted for its  
6 competitive winning bids totaling over -- totaling  
7 \$4.37 billion, the highest-grossing competitive  
8 ocean energy lease auction in history. And then  
9 on the right, you can see a color coding of which  
10 entities received each of those leases.

11 So now I'm going to pivot to the leasing  
12 process that we have ongoing in the Central  
13 Atlantic. As I mentioned, we just published on  
14 April 29th the Call for Information and Nominations  
15 for this area. This was unique in that prior to  
16 the publication of the Call for Information and  
17 Nominations, we held a series of meetings to gather  
18 stakeholder input on these areas prior to going out  
19 with the call.

20 Usually that call is our kind of first  
21 public opportunity to get public feedback, which  
22 the comment period is currently open, and in this

1 case we decided to frontload a comment or  
2 stakeholder workshops prior to Call for  
3 Information and Nominations. After we receive all  
4 the information on the Call, we will look toward  
5 developing an Area ID, going through an area  
6 identification process, and the term "Wind Energy  
7 Area," which some of you may be familiar with, is  
8 what happens at the end of the Area ID process.

9 From there, we do an environmental  
10 assessment for the purposes of issuing leases, and  
11 then we have a proposed sale notice, and there's  
12 notice and comment on the proposed sale notice, and  
13 then after that the final sale notice. At each  
14 point in that process, we identify additional  
15 concerns and opportunities to further winnow down  
16 the areas.

17 I think a great example of that is what  
18 occurred in New York Bight with one of the energy  
19 areas that were initially proposed going down  
20 through Area ID, and then even rolling even further  
21 down and that proposed sale notice. So as of right  
22 now, those six call areas for the Central Atlantic

1 are shown on the screen. They total about 3.9  
2 million acres and when we talk about whole and  
3 partial blocks, those are basically three nautical  
4 mile by three nautical mile offshore lease blocks.  
5 That's how we do our leasing is in lease blocks.

6 And again, we'll take time. I'm sure  
7 I'll have some questions about that at the end of  
8 the presentation. So again, links for everybody  
9 who is interested. The regulations.gov comment  
10 information is the top link. We have additional  
11 supportive information on the Central Atlantic.  
12 I've got a second link, and then also we did put  
13 a kind of project-specific GIS online as well.

14 That's called the Experience Builder.  
15 It has multiple different layers of information  
16 that went into the, delineating the call area, and  
17 that's available on our website as well.

18 So the next steps is there will be  
19 a -- well, we already have the task force meeting  
20 in February. We published the call. The end of  
21 the comment period is June 28th, so that's coming  
22 up next month. We then plan to complete the area



1 identification process. Again, that's the wind  
2 energy area designation in September, and then  
3 after that, as I mentioned, the proposed and final  
4 sale notices would follow sometime after that.

5 So now pivoting to the Gulf of Mexico,  
6 this is -- the Gulf of Mexico went with a very large  
7 call for information and nomination area to solicit  
8 public comment, as you can see here. There has been  
9 a lot of public gatherings to date. No, actually  
10 you get to that on the next slide, and they are  
11 currently in the process of evaluating all the  
12 information they received on this area to identify  
13 wind energy areas. They're now in that area  
14 identification phase.

15 This is the -- so this is the map that  
16 went out with the call, and the fed-state boundary  
17 for Louisiana starts at three nautical miles and  
18 for Texas it starts at nine.

19 (Off-microphone comment.)

20 MR. HOOKER: So -- oh, yeah, sorry. It's  
21 the -- well, that's the planning area. So it's  
22 basically this entire area, but within federal

1 waters.

2 MR. BROOKS: So, Brian, they're not  
3 seeing your cursor move.

4 MR. HOOKER: Oh, they're not seeing it?

5 MR. BROOKS: Now we got it. Now we see  
6 it.

7 MR. HOOKER: Okay. So the call area goes  
8 out to the -- about the 400 meter water isobath,  
9 and so it's about 30 million acres. So it's pretty  
10 much this whole area that you see here, obviously  
11 exclusive of state waters. It was a large area that  
12 we -- that they started off with. I mean again the  
13 -- I'm sorry. The 400 meter water isobath, not all  
14 the way out to the deep.

15 So where we are now, we are in the area  
16 -- like I said, they're in the area identification  
17 process there, which is anticipated this summer,  
18 to identify wind energy areas, with a proposed sale  
19 notice in -- some time later in the summer of 2022.  
20 Again, we have maps on that web link at the bottom  
21 of this slide that you can really get into more  
22 information. I think we also publishing an atlas

1 that has a lot of the information that will be used  
2 in the area identification process as well that  
3 will be posted to that website.

4 So another initiative that we're  
5 working on is guidance for lessees for mitigating  
6 impacts to fisheries. Back in November, we  
7 published a request for information to request  
8 information on the scope of our initiative to  
9 develop this guidance, specifically offshore wind  
10 injury impacts to commercial and recreational  
11 fisheries.

12 We received about 100 comments, and  
13 again the topic areas that we were soliciting  
14 feedback on were just around the general approach  
15 to mitigation, mitigation around siting, design,  
16 navigation and access, safety measures,  
17 environmental monitoring and financial  
18 compensation.

19 Obviously, I think the bulk of the  
20 comments are around the financial compensation  
21 piece, and there's a lot of discussion that will  
22 be in the guidance around the financial

1 compensation piece.

2           Regarding environmental monitoring, I  
3 want to clarify that that was really focused on  
4 monitoring fisheries' performance versus  
5 biological environmental monitoring. We have lots  
6 of other guidance out there, the Responsible  
7 Offshore Science Alliance and other -- the Regional  
8 Wildlife Science Collaborative.

9           All have, all are working on different  
10 biological monitoring standards and guidance  
11 across the board, and this isn't meant to, you know,  
12 focus on that side of things. It's more on the  
13 fisheries performance monitoring.

14           So where are we now? As I mentioned,  
15 we did the request for information. We held a  
16 state-federal working group to really dig in on  
17 just primarily focused on the Atlantic for data and  
18 methodology available for the fisheries  
19 compensatory mitigation development. So that was  
20 -- that information from that working group is used  
21 by BOEM in developing the guidance.

22           The guidance, I think I neglected to

1 mention, is a national level guidance, but there  
2 is, you know, specific information just for the  
3 Atlantic because of where we are in the leasing  
4 process on the Atlantic.

5 So we do anticipate soon publishing  
6 that draft guidance for notice and comment. We  
7 anticipate a 60-day comment period on that draft  
8 guidance, and then with final guidance issued this  
9 summer. We do plan to try to publish that guidance  
10 in a way that it can be incorporated into the Ocean  
11 Wind DEIS, so that they're kind of going in tandem  
12 with our next round of environmental reviews.

13 Again here, for your reference, we have  
14 a link to where you can find more information on  
15 that initiative. So lastly, I did want to just  
16 briefly touch upon BOEM's environmental studies  
17 program. We do have a studies development program  
18 and a studies development plan that we update  
19 annually. We are always looking for input from the  
20 public on study priorities and study ideas.

21 Usually that occurs, that solicitation  
22 occurs every winter, and then we look through

1 what's in the plan and select which ones we can move  
2 forward with and develop a national studies list.  
3 And then we also have those reviewed by an  
4 independent committee that is convened by the  
5 National Academy of Sciences.

6 The results of these studies are very  
7 important to our, kind of our feedback loop on the  
8 assessment for NEPA, and then using the best  
9 available information that we have from our studies  
10 and from other sources to improve the analyses in  
11 those, in those assessments.

12 So just real quickly some of the studies  
13 I wanted to highlight. We do have a lot of work  
14 that we've done over the years on baseline fish  
15 telemetry studies, both in Southern New England,  
16 which is ongoing currently, New York, Delaware,  
17 Maryland and Virginia, which wrapped up within the  
18 past couple of years, and again some links there  
19 for more information on those studies.

20 We've also published recently a  
21 hydrodynamic impact model for Southern New  
22 England, and we've also done several studies to

1 date on electromagnetic fields, including species  
2 such as skates, lobsters and eels. The most recent  
3 one on eels was just published last year.

4 So again, all this information and a  
5 host of other studies that we funded are found on  
6 that link at the bottom of this page, and again I  
7 can probably, be happy to answer any other  
8 questions you might have there.

9 So that's the end of my presentation,  
10 and I'm happy to take any questions at this time.

11 MR. BROOKS: Great. Thanks Brian, it's  
12 a great overview. I know this is an issue, a topic  
13 that's been of interest around the table in the past  
14 and I'm sure is now. I think our main goal today  
15 is both for you all to be caught up to speed as to  
16 what's going on, if you aren't already, and for  
17 Brian to have a chance to hear what kind of issues  
18 are top of mind. Obviously BOEM is front and center  
19 on this, not HMS, but we want to take advantage of  
20 having this conversation here.

21 So let's open it up. Let's start with  
22 -- we'll start online. Evan Hipsley, you asked a

1 question which I think is a little, got a little  
2 bit of a typo on there. But basically the question  
3 was, you know, wanting to better understand the  
4 square miles and are the structures physically  
5 secured to the bottom? So maybe Brian you could  
6 talk, talk about that and Evan, if you want to weigh  
7 in with a bit more of a question, feel free.

8 MR. HOOKER: Yeah. No, that's a great  
9 question, and the answer depends on the water depth  
10 at which the facility is built. So for example,  
11 in the Central Atlantic call that I mentioned,  
12 there are two of those call areas, if I can go back  
13 up to it, what we refer to as -- I think it's F and  
14 E, E and F. Those are, those are deep water sites.  
15 So those would have to use floating technology.

16 The other sites that you can see that  
17 are actually up on the shelf, we do expect those  
18 to be fixed foundations. So but even when I talk  
19 about floating, they're not free floating all over  
20 the place. They are secured to the sea floor.  
21 There's a variety of different mooring systems,  
22 whether we're talking about tension leg platforms



1 that are, you know, directly underneath the  
2 platform or catenary cables that secure it.

3 But the structures themselves are  
4 floating on the surface, but they're secured  
5 through a variety of different possible mooring  
6 systems. Again on the shelf, those are going to  
7 be like monopiles or jacket structures that are,  
8 you know, more traditional types of foundations.

9 MR. BROOKS: Thanks. Alan Weiss online,  
10 why don't you come on in?

11 MR. WEISS: Okay, thank you. Brian,  
12 thank you for the presentation. The areas that I'd  
13 like to talk to, and I'm glad you have this slide  
14 back up, are those Areas E and F that are offshore  
15 of the shelf break in the deep water. Those areas  
16 that are outlined at least at this stage are rather  
17 expansive and it's a little hard to see the ocean  
18 bottom features and locations precisely on the bath  
19 that you've got here.

20 But it looks like it would be the area  
21 offshore of Wilmington Canyon down to the area  
22 below Norfolk Canyon, offshore below Norfolk

1 Canyon. So that's a rather large area. I know  
2 there's a little break between Areas E and F, but  
3 in total, the two cover a tremendous amount of  
4 ocean. The pelagic longline fishery typically, as  
5 was mentioned in the previous presentation, can set  
6 up to 32 miles of gear and typically does just that.

7 So putting wind turbines in these areas  
8 will be particularly problematic to the longline  
9 fishery. Now the fishery doesn't operate in all  
10 of these areas all of the time, but as you and I  
11 have discussed, the fishery is basically  
12 opportunistic. The boats fish in the areas where  
13 the fish are at any given time, based on  
14 oceanographic features.

15 And when temperature breaks or warm  
16 eddies push in to certain areas at certain times,  
17 that's where the fish are going to be. That's where  
18 the boats are going to be fishing, and of course  
19 you have multiple boats fishing in a productive  
20 area. Each one of them is putting in the  
21 neighborhood of 30 miles of gear in the water and  
22 once you start putting fields of wind turbines in

1 here, it would become completely untenable.

2 I think the hope for the fishery is that  
3 there will be a reconsideration of these areas  
4 because the pelagic longline fishery doesn't work  
5 in the same way that some others work, where  
6 sometimes with some fisheries you can say well,  
7 we're putting the wind turbines in this area. You  
8 can go over there and fish, you know, in some area  
9 just a little bit away from them.

10 Here, if the water is pushing into the  
11 area where the wind turbines are, there's no place  
12 else to go. I mean it's like telling you you can  
13 go and buy your groceries anywhere you want; you  
14 just can't go to a grocery store. So it -- you know,  
15 I've given this quite a bit of thought and it's hard  
16 to imagine.

17 I don't know if you may have come up with  
18 anything, but it's hard for me to imagine any  
19 scenario in which you could put a field of wind  
20 turbines in here that wouldn't be quite disruptive  
21 of the pelagic longline fishery during any times  
22 where that's the place where the fish are.

1                   MR. BROOKS: Thanks. I'll let you wrap  
2 up just so we can get some more people in.

3                   MR. WEISS: Also, if I can just quickly  
4 ask, can somebody provide the AP members with  
5 Brian's presentation, because it wasn't attached  
6 to the agenda like the other presentations were,  
7 and it would handy to have some of the information  
8 on it. Thank you.

9                   MR. BROOKS: Thanks, and just so folks  
10 know that that is actually now up on the website.  
11 So if you go there, you should be able to see that.

12                   (Simultaneous speaking.)

13                   MR. HOOKER: And that was my fault for  
14 a delay in my getting it over to them.

15                   MR. BROOKS: Thanks. Let me go to David  
16 Schalit, and then we'll, got a bunch of cards up  
17 in the room here.

18                   MR. SCHALIT: Thanks Brian for that  
19 presentation. This, you know, I'm sure you're  
20 aware that you are -- well, you're attending, you  
21 do presentations for the councils regularly I'm  
22 pretty sure, and but you know, you're no doubt aware

1 that the -- that this division, Highly Migratory  
2 Species Management Division is not managed through  
3 the Council.

4 So we haven't been getting the benefit  
5 of the information the Councils have been getting,  
6 and I'm wondering if you would be in a position to  
7 ensure that we receive more of these presentations  
8 in the future.

9 I can't recall having received a  
10 presentation from BOEM at this, in this fora  
11 before. That would be my request, that you put us  
12 on the list of entities that needs to get these  
13 presentations regularly so we can keep updated.

14 The other question, the other issue  
15 that I wanted to mention was that are you -- are  
16 you working with the essential fish habitat that  
17 the Highly Migratory Species has and updates every  
18 five years as I recall? This would give you  
19 obviously some guidance as to where the fish are  
20 located. Is that, are they -- is this data being  
21 taken into consideration?

22 MR. HOOKER: Yes, absolutely. All the

1 EFH layers, regardless if it's coming from a  
2 council or from the -- or from NMFS for EFH are  
3 considered.

4 MR. SCHALIT: Thanks. Okay, so that's  
5 a good answer.

6 MR. BROOKS: Thanks, and just -- just  
7 so you know David, maybe you were not at the  
8 meeting. I know Brian has been here at least once  
9 for a very long conversation, and I can't recall  
10 if there was a second as well.

11 MR. HOOKER: Yeah, and I'm, you know,  
12 more than happy to come. It's at the discretion  
13 of the AP, so if the AP would like me here, I'll  
14 come.

15 MR. BROOKS: Thanks. Thank you, Brian.  
16 All right. Let's go into the room. Let's go first  
17 to Charlie, then Dewey and then Jeff, and then we'll  
18 move on from there. So Charlie, you're up.

19 MR. BERGMANN: Thank you Brian, for the  
20 presentation. I've got two questions, or one  
21 question and a statement, and it pertains to the  
22 Gulf of Mexico.

1           The floating rigs and over half the rigs  
2 or turbines set up so they're proposing out there  
3 will be in the deeper water and will be floating,  
4 from what I understand. How much cable will be  
5 exposed in the water column of those floating rigs,  
6 and what environmental effects do those cables  
7 create?

8           MR. HOOKER: Now that's a great  
9 question, and I think you know at this point where  
10 we are in the planning process, we haven't even  
11 identified if we're going to move forward with deep  
12 water sites in the Gulf of Mexico. There may be  
13 entities or groups that have expressed interest  
14 that, you know, in floating. But ultimately we  
15 won't get to that point until I, that construction  
16 and operations plan is actually submitted.

17           So once we actually identify a lessee,  
18 they have time to evaluate the site and then  
19 eventually they submit a construction operations  
20 plan. It's not until that time that we actually  
21 review, you know, what is actually being proposed.  
22 So like how many turbines, what type of, you know,

1 floating or dynamic cabling system will be in  
2 place.

3           So all that is, won't be known until,  
4 you know, pretty far down the path. Generally  
5 speaking, you're correct that the -- what we term  
6 "inter-ray cables" and a floating design don't go  
7 down to the seabed. They are floating between the  
8 turbines, and to some depth where an offshore  
9 substation might be, and then likely from that  
10 offshore substation to shore, it will take a more  
11 traditional transmission route and be buried from  
12 the substation to the shore.

13           But at this time, we don't have an  
14 estimate on, you know, the number of lease areas,  
15 the number of projects, the number of turbines. I  
16 can say that the number of turbines is actually  
17 beginning to decrease a little bit because the size  
18 of the generators are getting larger. And so  
19 they're able to meet their electricity power  
20 purchase agreements or demands of the state with  
21 fewer turbines, because the turbines are larger.

22           As far as environmental effects go, as



1 I mentioned we do -- we have done a lot of studies  
2 on both direct current and alternating current  
3 cables, to look at E and F. To date again, all the  
4 studies to date, you know, most animals are able  
5 to detect magnetic fields, but there doesn't seem,  
6 appear in any cases to be any type of barrier to  
7 animal movement across them.

8 I think that's, that's -- again,  
9 there's probably a lot more if you go into different  
10 effects with cables that are floating, but I guess  
11 bottom line is there will be an environmental  
12 assessment at the time we would get a project that  
13 will actually evaluate that.

14 MR. BERGMANN: And one other thing. The  
15 depth that you're -- of range, the area in the Gulf.  
16 You say it's going out to 400 meters?

17 MR. HOOKER: Correct. That's the -- the  
18 call area is out to 400 meters. Whether or not they  
19 actually elect to lease any areas out in the deep  
20 water remains to be determined.

21 MR. BERGMANN: Okay. Well, I brought  
22 this up in one of the meetings or one of the phone

1 calls. There are cases of pelagic longline vessels  
2 that are fishing in the Gulf of Mexico, and as Alan  
3 pointed out, as the water column moves, that line  
4 moves. And if the loop current pushes up in the  
5 western part of that area and it will create a  
6 problem if boats are fishing in just arbitrarily  
7 if they're at 200 meters.

8 That line's still going to float up into  
9 that area and be problematic. I know there was some  
10 mention about the height from the wind turbine  
11 itself or the blades to the sea surface. Was it  
12 55 feet?

13 MR. HOOKER: I think it's something like  
14 that, yeah.

15 MR. BERGMANN: That can be problematic  
16 on some of these bigger boats with their antenna  
17 structures and stuff like that. The commercial  
18 boats are not going to be able to get around those  
19 rigs with that type of scenario without something  
20 really bad happening.

21 MR. HOOKER: Yeah. No, I think and I  
22 didn't really have a chance to respond to Mr. Weiss,

1 but I think there definitely are some challenges  
2 with, you know, the way that the pelagic longline  
3 operates, and not being able to identify, you know,  
4 potentially specific locations being in the  
5 dynamic.

6 And then, you know, my response at this  
7 point is that we, the first, the steps that we're  
8 at right now is, is there any commercial interest  
9 in those areas at all, and then if there are, then  
10 we can proceed with a, okay, which areas, you know,  
11 have the least amount of impact. We recognize that  
12 all these areas, including in-shore areas, overlap  
13 with fisheries.

14 And the pelagic longline challenges are  
15 new, in that we haven't really leased deep water  
16 sites yet. So we're definitely open to trying to  
17 figure out what can be done. If there's anything  
18 that in the design or the location that can minimize  
19 that, you know, that's the kind of thing we want  
20 to hear in the comment period, and hopefully I  
21 think, you know, during the comments that were  
22 already received on the Gulf.

1           So I don't, I don't have a solution yet,  
2           but I'm all ears on what if anything can be done  
3           on the siting and design to minimize those effects.

4           MR. BROOKS: Thanks. Go ahead, Charlie.  
5           Brian, just a quick follow-up questions which I'm  
6           not sure whether you can answer or not or know. But  
7           if in looking at Sections E and F and thinking about  
8           how in other areas you've moved from a call to an  
9           actual leased area, what is -- is there sort of a  
10          percentage shrinkage that one would see from what  
11          you see, sort of the -- as sort of the large crude  
12          first cut to a final leased area?

13          MR. HOOKER: Yeah. I mean we, our rule  
14          of thumb is that a viable size is about 80,000 acres  
15          to support like an 800 megawatt facility. So that's  
16          a lot less than 2.9 million acres, and so it really  
17          depends on again what are the goals of adjacent  
18          states, because again there's -- the states are  
19          saying hey we need, we want more areas where we can  
20          buy offshore wind power. What are the goals that  
21          we're trying to meet, you know, from a megawatt  
22          perspective? What is the commercial interest in

1 the area, and then we begin to shrink down.

2 That's exactly the case that happened  
3 in the New York Bight. I think, you know, we go  
4 down into, you know, they're not going to be large  
5 contiguous pieces like this. They will again,  
6 probably be in that, you know, 80,000 acre range  
7 for each individual one, and depending on again,  
8 the interest and our goals with meeting state  
9 demands, the number of facilities, of lease areas  
10 will be a portion of these call areas.

11 MR. BROOKS: Great, thanks. Let's go  
12 to Dewey and then over to Jeff.

13 MR. HEMILRIGHT: Thank you for your  
14 presentation. December, probably the 7th is the  
15 first I've ever heard or seen these call areas, and  
16 even though you may have been before HMS before,  
17 there's never been nothing showing these  
18 particularly Central Atlantic call areas by  
19 design. I serve as a Mid-Atlantic Council for North  
20 Carolina and liaison to the South Atlantic Council,  
21 and it's never come across this until December  
22 about 7th, when I was made aware of it by email,

1 these particular areas, and I'll focus on E and F.

2 Also, when y'all went out for public  
3 comment or meetings in that time, the pelagic  
4 longline industry wasn't even included until some  
5 emails were sent to make y'all aware that the U.S.  
6 pelagic longline fleet even existed in this area.  
7 And you've talked about going out, you know, to see  
8 if there's an interest in these areas first, and  
9 then you go from there.

10 Well, you know maybe one of the things  
11 you should have looked at first was the U.S.  
12 pelagic, U.S. interest of fishing in these areas.  
13 Pelagic longline and floating windmills do not  
14 co-exist together, period. I don't see it, how it  
15 exists, and what's particularly frustrating is if  
16 in these areas windmills were to be put up, floating  
17 or otherwise out there with pelagic longline fish,  
18 it's going to really financially hurt folks and not  
19 only that, it's also going to reduce our seafood  
20 production in the United States.

21 And so what happens when the U.S.  
22 seafood production happens in the United States?

1 We get more imports, because presently now the  
2 imports that come in here don't have to meet the  
3 same standards by which U.S. fishermen fish by. So  
4 therefore, we could be opening ourselves up to more  
5 turtle interactions, all other different things  
6 that these countries presently do that don't have  
7 to use the same gear.

8 It is to the 60 or so longline boats left  
9 and a few of us that are right here in these areas  
10 in E and F, it's particularly troubling that  
11 potentially our livelihood could be gone. And when  
12 you talk about, you know, people talk about  
13 compensation, is that compensation for the life of  
14 20 years or so potential impacts?

15 I mean it really needs to incumbent upon  
16 BOEM, when they look at these stuff future, you  
17 should be going to National Marine Fisheries  
18 Service or the Councils to see hey, in these areas,  
19 what areas are fishing taking place? Not after  
20 you've already went out to see how much money you're  
21 going to get for these areas or potential, how  
22 interest is.

1                   But how about the people here in the  
2 United States, the seafood we produce and it's  
3 coming out of these areas? So I would really hope  
4 -- I've probably got a lot of other questions, but  
5 I'll stop while I'm ahead or my talking. These  
6 areas are not conducive for pelagic longline and  
7 these wind areas. I see no way for that to happen.

8                   MR. BROOKS: Thanks, Dewey.

9                   MR. HOOKER: I think my only, you know,  
10 my primary response there is I think your time line  
11 was right. I think December is right around the  
12 time when we first went out to the public with at  
13 that time there was a pre-call areas. And we have,  
14 we have task forces that are set up to look at these.  
15 They're intergovernmental with federal and state  
16 representatives. In this case it's a regional task  
17 force.

18                   We get information from all those state  
19 and federal partners, and Mr. Curtis is here, you  
20 know, to my right and they're working on HMS logbook  
21 data to get that to us in a better format that we  
22 could use in our planning process. But that's



1 continuing to make an ongoing project so that we  
2 can have, you know, the best available data that  
3 we can get in evaluating these areas.

4 So again I, you know, thank you for the  
5 comment and I know that from a pelagic longline  
6 perspective, this does present challenges.

7 MR. BROOKS: Thanks. Jeff Oden.

8 MR. ODEN: Thanks Brian, and ditto what  
9 both Alan and Dewey had to say. As a pelagic  
10 longliner, I stand to be one of the displaced. But  
11 recently I read a book, it's called the "Gulf Stream  
12 Chronicles," an interesting book from a boater's  
13 perspective, and a month ago I believe I read in,  
14 you know, PBS had an issue when New Mexico I believe  
15 where 187 eagles were killed and the wind farm was  
16 fined \$5 million to pay for it.

17 But what confidence, secondly back to  
18 the book. Anyway, in the Gulf Stream Chronicles,  
19 it spoke -- it was from a boater's perspective, and  
20 it spoke of even NORAD, for instance, picking  
21 massive migrations of birds in the Atlantic flyway,  
22 and right where these wind farms are going to be.

1       What confidence do you have that this is not going  
2       to be the next DDT?

3               MR. HOOKER: Avian strikes is something  
4       that we'd look at. We've actually worked with a  
5       different part of NOAA on modeling, you know, where  
6       the highest densities of birds are. For our  
7       in-shore areas, they're generally you know,  
8       offshore of that in-shore flyway.

9               Obviously there's another one around  
10       the shelf break, and as you can see from this map,  
11       we did try to avoid the shelf break itself where  
12       the highest upwelling, upwelling is, and we  
13       actually moved some areas at the request of the Fish  
14       and Wildlife Service that overlap with some  
15       endangered birds.

16              So we not only look at where the birds  
17       are, but the flight height of those birds, the wind  
18       tip speed of the different turbines what -- those  
19       early models on land had a much faster rotational  
20       speed than these larger turbines that are spinning  
21       at a slower rate.

22              But all the said, it is definitely part

1 of the environmental review that we do for -- will  
2 do for each one -- well, we have done for the  
3 projects that we've permitted, and we will be doing  
4 for any future projects, so yeah. The experience  
5 on land is definitely informing what we do  
6 offshore.

7 MR. ODEN: Can you tell me what the wind  
8 turbines on those turbines tips, the larger ones,  
9 offshore ones are?

10 MR. HOOKER: I'd have to get back to you  
11 on that. I know we have, it is published, what that  
12 -- the blade tip speed is. We do have that  
13 information. I just don't remember off the top of  
14 my head.

15 MR. ODEN: It's something like 150 mile  
16 an hour on the land-based ones, so you're telling  
17 me it's less than that or --

18 MR. HOOKER: What I'm saying --

19 (Simultaneous speaking.)

20 MR. HOOKER: The tip speed -- yeah, I  
21 will get back to you. But the tip speed is different  
22 than like the hub speed, and I think that's what

1 I was trying to get at. The whole windswept area  
2 has a different dynamic than what's on the  
3 shore-based facilities, the older shore-based  
4 facilities.

5 MR. BROOKS: Thanks. Let me bring in  
6 a couple of other sectors. Let go to, over to John,  
7 then over to Jeff Kneebone, and then we'll round  
8 it out.

9 MR. DEPERSENAIRE: Yeah thanks. I  
10 appreciate the presentation. Just from a  
11 recreational perspective, I think we've been  
12 extremely frustrated with the lack of interest in  
13 gathering real empirical information about how the  
14 recreational sector moves in and around these  
15 areas, and it's particularly poignant, you know,  
16 being at an HMS meeting and looking at all these  
17 lease areas, how they fall in between some of our  
18 prime fishing grounds and ports, and so we're going  
19 to have to transit through this.

20 You know, and I think it's important too  
21 to kind of be sympathetic to the industry, both  
22 commercial and recreational, just looking at all

1 this area. The extreme burden that we have, trying  
2 to keep up with each individual lease area and  
3 project and where they are in the permitting  
4 process, it's just an extreme challenge, you know.

5 I wish BOEM had taken more initiative  
6 to kind of look out for the interest of our sector  
7 or at least force the developers to look out, or  
8 do more things to make sure that they're addressing  
9 our concerns, because I just -- I think that's a  
10 failure quite frankly.

11 But I do have a question. I'm  
12 interested, and this is the first time I've heard  
13 this. I'm interested about that study development  
14 plan that you mentioned. How does that work? How  
15 do we, how do we influence the research priorities?  
16 How do we actually submit proposals to do research?  
17 Could you give me more information on that?

18 MR. HOOKER: Sure, and that might be  
19 easier to follow up with something I can send to  
20 the whole AP. There's, there is a link on our  
21 website. It's -- the Environmental Studies Program  
22 usually publishes, well always publishes every

1 winter, and it's around the December timeframe, a  
2 notice to stakeholders where they're soliciting  
3 ideas for the upcoming studies development plan.

4 And so I think you have to be receiving  
5 note to stakeholders, and so I encourage everyone  
6 to click the Note to Stakeholders, you know, sign  
7 up on the BOEM website. But also you could check  
8 on there. We always post all the Note to  
9 Stakeholders, and then it's just submitted via  
10 email what the study ideas are and that then goes  
11 into the BOEM review process to look at what we want  
12 to prioritize and what we want to find in that next  
13 cycle.

14 MR. DEPERSENAIRE: Thanks, appreciate  
15 that.

16 MR. BROOKS: Great.

17 MR. HOOKER: And real briefly, I did  
18 want to mention that, you know, we recognize that  
19 it is a challenge. It's a challenge for all ocean  
20 users to be able to follow the process both from,  
21 you know, the pre-leasing, where we are now with  
22 some of these areas, to post-lease and active

1 construction operations, plan development. You  
2 know, we try to do our best as an agency. We work  
3 with the lessees to, you know, to -- we have  
4 measures where they have to have fisheries  
5 communications plans in place.

6 We actually for the New York Bight,  
7 actually added new terms of the lease that require  
8 some type of, you know, coordinated approach and  
9 reporting back to BOEM how that interaction is  
10 going. So as now part of their reporting  
11 requirements back to us, they're reporting back,  
12 you know, annually, you know, how that  
13 interaction's occurring, because previously it was  
14 just the requirement for the Fisheries  
15 Communication Plan, but they didn't have to report  
16 like on the progress of the execution of that  
17 Fisheries Communication Plan.

18 Now on the new leases and I think all  
19 leases going forward, they'll have a provision of  
20 reporting back to us how that engagement is going.  
21 But I do recognize that it's a challenge for  
22 everyone.

1 MR. BROOKS: Thanks. Jeff Kneebone.

2 DR. KNEEBONE: Hi Brian, thanks for the  
3 great presentation. I'll just say as a comment that  
4 it's nice to see that we're learning from some of  
5 the mistakes of New England and seem to be  
6 addressing some of the concerns, and it's -- but  
7 the process is improving.

8 But I'll ask a question. Can you update  
9 me on what's the maximum depth now for the  
10 monopiles? Like is there a transition zone between  
11 when monopiles become irrelevant and you have no  
12 alternative to floating? Thank you very much.

13 MR. HOOKER: Yeah. I'm not the  
14 engineer, but it's -- I think it's somewhere  
15 between like 60 meters and 100 meters is when, you  
16 know, you have to have it deep enough. It has to  
17 be, you know, you can go directly from, you know,  
18 like 61, and all of the sudden you move to floating.  
19 It has, I think it has to be another 100 meter depth  
20 range, and then again the depth for, you know, fixed  
21 is around that 60.

22 But you know, facilities and



1 foundations are getting stronger and wider, and  
2 they can go I think deeper than that, but not too  
3 much deeper. So if you want something specific,  
4 I'm going to have to get back to our engineers and  
5 see where that cutoff is. But there is a gap between  
6 the deepest fixed platform and the shallowest  
7 floating.

8 MR. BROOKS: Thanks. I've got about  
9 five people and we've got about ten minutes. Rick,  
10 we've not heard from you all day. Why don't you  
11 jump in?

12 MR. WEBER: Thank you. Brian, my core  
13 comments, I've made them and I'm going to keep  
14 making them. I'm terrified that these things that  
15 we see as permeable fences get turned into solid  
16 walls at some point because of some form of  
17 exclusion zone. What is driving me insane on this  
18 process is it's never the right time to discuss.  
19 The right people are never in the room.

20 When you get a question, it's we can't  
21 discuss that until there's a COP. By the time  
22 there's a COP, we're three or four years down the

1 path, and then it's we've been working on this for  
2 four years. It's just, it's maddening. It feels  
3 like it is designed to move forward almost  
4 regardless of comment or concerns, and I don't even  
5 know who I'm upset with.

6 It is just so large and has taken on a  
7 life of its own that I don't know when's the right  
8 time to address these various concerns, because  
9 when we ask about, will we be able to pass through  
10 -- well, really that's going to be a Coast Guard  
11 and Homeland Security issue that we'll deal with  
12 sometime after there's a problem, and it's too  
13 late.

14 Supporting the longliners through all  
15 of this, and what I wrote here was everything seems  
16 to be not yet knowable or not under my control, like  
17 oh that's a very serious concern, but it's not  
18 something that I'm going to control in the long run.  
19 It's just the whole process is trying -- it just  
20 escapes us. Every time we try to make a comment,  
21 it's not the right time or not the right people.

22 I think saying that the longlines are

1 a challenge is a massive understatement. It is not  
2 a challenge. What they are saying is that it is  
3 incompatible. It's not we'll have to work that out.  
4 It's just flat incompatible to put something that's  
5 free-floating next to something that is anchored.

6 So the one thing you said that caught  
7 my attention was that you consulted with Fish and  
8 Wildlife, who because an animal might go away asked  
9 you to remove areas. There are 60 longliners that  
10 might go away. Was NMFS given the same opportunity  
11 to pull areas and say this will destroy an asset  
12 of the United States? Are these 60 people being  
13 given the same opportunity as the wildlife?

14 MR. HOOKER: Yeah. I mean yes, I will  
15 say that was absolutely considered and we have  
16 removed areas for fishery in the movement from the  
17 pre-call to the call. Again, the pelagic longline  
18 information, it did as Mr. Hemilright mentioned,  
19 it did come in later in the process, and where we  
20 are now is as you said, there is no area that we  
21 could identify to say let's remove it. It's either  
22 kind of all or nothing.

1           So the decision at that time was, you  
2 know, let's continue to talk and investigate  
3 further. Now the answer at the end of the day may  
4 still be all or nothing, but is there, is there --  
5 we'll look and see what the comments are and the  
6 call, and we'll make additional removals at that  
7 time. But and I can't pre-suppose if that, if the  
8 answer is okay, the whole area is incompatible so  
9 therefore it comes off, or that there's an attempt  
10 to minimize to the maximum extent practicable what  
11 that impact is.

12           But definitely there is area removed  
13 due to fishing. There were more of the in-shore  
14 areas.

15           MR. BROOKS: Rick, I'll let you be brief  
16 on your response.

17           MR. WEBER: My response is only to  
18 express sympathy, Brian. I know you're only the  
19 point of the spear. The frustration is real. My  
20 frustration is not with you, as I said. It's with  
21 the entire process, the process is so large. So  
22 thank you for coming, thank you for enduring this

1 and please do come back.

2 (Laughter.)

3 MR. BROOKS: Okay. Let's go to -- I've  
4 got Marty, then Bob, then Mike, then Charlie. And  
5 then we need to get to a break. And we've got about  
6 five, six, seven minutes. So, Marty.

7 MR. SCANLON: Well, my first question  
8 is what's the cost or value of these individual  
9 leases, so that everybody can hear for themselves?  
10 That's my first question.

11 MR. HOOKER: That's a good question. I  
12 don't know. You know, we just had a lease sale off  
13 of North Carolina that was vastly different than  
14 we had for New York Bight. So I think it really  
15 depends on what the market, what lessees feel the  
16 market will bear for the cost of electricity that  
17 they're going to be producing, and the cost of  
18 actually developing the site.

19 So yeah. I don't know what the value  
20 of these would be, and that's why you -- that's why  
21 BOEM has this auction process, because we're -- our  
22 staff chief says that we have to get the best return

1 to the government on the leases. So there's an  
2 auction, and then that's -- the market determines  
3 what the cost is.

4 MR. SCANLON: Well what was the cost of  
5 these two leases?

6 MR. HOOKER: These haven't gone through  
7 the leasing process yet.

8 MR. SCANLON: The cost of the last lease  
9 that was approved?

10 MR. HOOKER: I don't, I remember for the  
11 six leased areas for New York Bight, like I said  
12 it was \$4 billion, 4.37 billion. For the North  
13 Carolina one, I don't remember. I don't have it  
14 in my presentation what the cost was for two leases.  
15 Do you remember?

16 (Off-microphone comment.)

17 MR. HOOKER: 300 million for two leases  
18 off of North Carolina.

19 MR. SCANLON: Now I see where you did  
20 studies, electromagnetic field studies on eels and  
21 lobsters and some other things, but I don't see  
22 where you've done them on HMS. All HMS species,

1 all tuna fish, they migrate under electromagnetic  
2 fields, and there's no study -- like you're talking  
3 about putting the horse before -- the cart before  
4 the horse.

5           You haven't done that study, to see what  
6 the long-term effect is going to be on all of these  
7 tuna fisheries, and here you're moving forward with  
8 this, all right. So what I'm looking at with these  
9 charts here, you've got to understand something.

10 We have been promised the revitalization of the PLL  
11 industry in this country. We've been promised that  
12 since I've sat at this table. I've been promised  
13 that since I've been in the fishery for the past  
14 30 years.

15           Here we are, we're dealing with  
16 full-time closures along the Straits of Florida.  
17 We've got a time area closure in the Charleston  
18 Bump. We just politically got a New England marine  
19 monument, where we lost 4,700 square miles. Each  
20 one of these 80,000 acres that you're talking about  
21 is 125 square miles. This is essentially another  
22 closure to the pelagic longline industry.

1           We cannot survive another closure, and  
2           this is a closure. It's like Rick, I want to thank  
3           him for his support. This is a closure. You can't  
4           put -- we have weather buoys that they stuck at  
5           Block Canyon, which has become a nightmare there.  
6           There's two of them. There's just two of them  
7           sitting there, and it completely disrupts the  
8           entire fleet and the way we have to fish there, and  
9           when the water is set up there, we essentially have  
10          a closure there now.

11                 So I mean, you know, I don't see how you  
12          move forward with this, and I don't how we fight  
13          it, when you're talking \$4.3 billion for a lease,  
14          what's 60 longliners to you guys? I mean we have  
15          basically become enslaved to the political process  
16          in this country, this industry. We have no say in  
17          this. We are actually for sale. Our livelihoods  
18          here are for sale, they're for lease for \$4.3  
19          billion.

20                         How do we compete with that? Are you  
21          going to put the loss of our incomes, to us and to  
22          our families, are you going to put that in the price



1 of the lease? Because it should be, because when  
2 you lease that land out, that's what you're going  
3 to do to us. You're going to put these 60 vessels  
4 and their families, and it's going to affect the  
5 other businesses that depend on us, the dockside  
6 industries. You're going to put us all out of  
7 business.

8 This here is just a political wave for  
9 green, wind energy. That's what this is. It's  
10 shameful.

11 MR. BROOKS: Thanks, Marty. Let me, let  
12 me go to -- I really want to get the last three folks  
13 in. Bob, Mike and Charlie.

14 MR. HUMPHREY: Thank you. Thank you  
15 Brian for your presentation, for being a whipping  
16 boy for your agency. I'm sure you understand these  
17 comments aren't meant directed at you. You didn't  
18 mention much or anything about experimental  
19 arrays, and although ours is rather small in the  
20 grand scheme of things, we have one in Maine.

21 It essentially was a thinly-veiled  
22 effort to avoid some of the regulatory process by

1 calling it experimental. That having been said,  
2 fisheries again, like some of my colleagues  
3 mentioned, was sort of an afterthought, and all the  
4 after we raised enough stink that they said okay,  
5 you guys can come to the table. This is what we're  
6 going to do.

7 But if you have any comments and  
8 obviously we said why didn't you ask us before you  
9 decided this is where it's going? Ask us where it  
10 should go. More editorializing. I'll get to the  
11 point here. We, I'm on the Governor's Energy Office  
12 Fisheries Working Group for Wind Energy, need to  
13 document use and then possibly impact, and we're  
14 really struggling with that.

15 You've heard from the longline fishery.  
16 They have fixed gear. I'm trying to do this for  
17 handgear, rod and reel, harpooners. We have no  
18 eVTRs. We have no documentation of where we're  
19 fishing and what the level of effort is and what  
20 could be lost if these things are built. Do you  
21 have anything specific that we could take to the  
22 table, to demonstrate some level of impact and give

1       them a subjective number?

2                   MR. HOOKER:  I mean my recommendation  
3       and after just working through the Data and  
4       Methodology Working Group for the fisheries  
5       compensation process, is that you know, we work  
6       very closely with the Greater Atlantic Fisheries  
7       Office, with NMFS headquarters and with the  
8       commissions.  I mean all those different entities  
9       may have in some way, shape or form information that  
10      you can help bring to the table to show your effort.

11                   I don't have any more than what those  
12      entities that actually manage the fisheries might  
13      have, but I think when we do publish the fisheries  
14      mitigation guidance, there is an appendix in there  
15      that, you know, I think details a lot of different  
16      information sources that can be used to support,  
17      support a claim.  I don't, it probably doesn't go  
18      as far as you'd like, but I again would encourage  
19      you to reach out to your state and federal managers  
20      and fishery managers and see what information they  
21      have.

22                   But I'm sure you've already done that,

1 but I don't have anything above and beyond that.

2 MR. HUMPHREY: All right. Fair enough,  
3 thank you.

4 MR. BROOKS: Thanks. Bob. Mike.

5 MR. PIERDINOCK: Thank you, nice to see  
6 you again Brian since we met in that dusty old  
7 building in New Bedford six years ago. Fortunately  
8 or unfortunately, I've been involved in the process  
9 since the beginning, and I hear the same  
10 frustrations of many around this table.

11 To address what Bob Humphrey's noted  
12 and some others noted with the frustration of  
13 recreational data or for-hire data and  
14 information, me and others have had to participate  
15 in the process to assess use for compensation. And  
16 what we had to do is to do that at each, each Orsted  
17 or each company that owns it. We have to work with  
18 them directly. It's not through BOEM. It's through  
19 each one of them directly.

20 I have to say that there's a person at  
21 this table that helped provide good research data,  
22 Dr. Kneebone, and the company he worked for, that

1 I think should be done on the entire east coast as  
2 well as in the Gulf, that he went in and looked at  
3 the database to assess recreational use and  
4 for-hire use in every area for pelagics or  
5 groundfish or other, you know, fish within those  
6 areas.

7 He also then got the recreational  
8 community through magazines and so on to  
9 participate in surveys. That then was used as a  
10 baseline to assess use. He's then taken it to the  
11 next step, that he's doing tagging studies to  
12 assess pelagics up at Coxes Ledge, all the way to  
13 Gordon's Gulley down to The Dump to assess the fish  
14 within those areas.

15 I point that out because we took the  
16 inspired Jeff Kneebone's data in comparison with  
17 the data that is the National Marine Fisheries  
18 Service. It's the data on the Atlantic coast of  
19 all recreational use up and down the coast. If you  
20 take that in combination with his work, and then  
21 at a state level where we've got cooperation from  
22 Mass Division of Marine Fisheries, to send out a

1 survey as well as for us to send out the word to  
2 the recreational community and for-hire community  
3 for use, to fill that data and information out.

4 We just filled one out the other day for  
5 turbines, you know, at Coxes Ledge for another  
6 company. But you can take that and it kind of works  
7 with what the percentage economic value would be.  
8 We used that as the basis then for negotiations and  
9 came up with a number that was reasonable to the  
10 Woods Hole group that was working on behalf of them.  
11 Now, I found that very positive, but then the  
12 disconnect is, is that the competition's going to  
13 be during construction.

14 After construction, it's concluding  
15 that there's not going to be, no detrimental impact  
16 after construction, and that's where me and many  
17 others around this table don't necessarily agree  
18 with that. The studies may not necessarily be in  
19 place at this point, to assess whether there will  
20 be a detrimental impact.

21 Because when you come up with a  
22 compensation number, it was reasonable for

1 construction. But after that, it's to zero. So  
2 I want to point that out, because it's very  
3 frustrating. It's very confusing to everybody  
4 because I think they think I've got to go to BOEM  
5 for this compensation issue. But really it's at  
6 each developer's level that reaches out to the  
7 community through the state, and then we've had it  
8 work best for the Massachusetts, or Mass DMF there.  
9 You work with them then to help with that number.  
10 So sorry for that long-winded situation.

11 One thing I want to note. The Gulf of  
12 Maine area, it may be a miss that it didn't get up  
13 there. I also question Slide 9, and maybe it's just  
14 I don't have enough knowledge for Slide 9 and the  
15 Gulf of Mexico. The proposed areas there, where  
16 do the bluefin breeding grounds, as well as the  
17 suspected yellowfin tuna breeding area in the Gulf  
18 of Maine, where do they fall within the proposed  
19 wind turbine areas? Do they fall within these  
20 areas?

21 MR. BROOKS: And let me ask whoever's  
22 going to jump in now. We need to be pushing on,

1 so a quick answer --

2 MR. PIERDINOCK: And that's it, because  
3 if it's within that area, then there's a concern.

4 MR. BROOKS: Anybody able to respond to  
5 that?

6 MR. HOOKER: I'll have someone from the  
7 Gulf of Mexico Office get back to you. I'm sure  
8 that was it, one of the layers that went into it,  
9 but I don't know off the top of my head.

10 MR. PIERDINOCK: Well, it's evident why  
11 there would be a concern to place them there, and  
12 whether they'd have an impact ultimately on either  
13 reproduction or, you know, whether they'll die,  
14 whether they'll live or so on. So that's why I  
15 present the question, okay.

16 MR. BROOKS: Thanks. Charlie, the last  
17 word here.

18 MR. BERGMANN: Okay, I'll be quick. I  
19 believe there's a Fishermen's Fund for gear  
20 interactions or gear loss. Is that going to fall  
21 into play with the wind turbines as well?

22 MR. HOOKER: So the Fisheries



1 Contingency Fund, which NOAA administers, was  
2 authorized under the Outer Continental Shelf Lands  
3 Act, but unfortunately it doesn't cover  
4 alternative uses. It only covers the oil and gas  
5 program. So again, with one of the purposes of the  
6 guidance document that we're developing is I think  
7 to address that to some extent.

8 As Mike just said, it's instructions  
9 for the lessees to develop, you know, kind of an  
10 equitable process across the board. So it's not  
11 just if you happen to be from Massachusetts you're  
12 getting one deal; if you're from Rhode Island,  
13 you're getting another, and from New York another.  
14 But the short answer to your question is that no,  
15 the Fisheries Contingency Fund does not apply to  
16 the renewable energy program, only to the oil and  
17 gas program.

18 But I know if you're interested, I think  
19 there are probably several federal legislators,  
20 representatives in Congress and the Senate who'd  
21 love to hear from you if you want to advocate for  
22 a new statutory authorities.

1 MR. BROOKS: Brian, last quick question  
2 form the chat from Evan Hipsley. Army Corps of  
3 Engineers certifies, certifies offshore  
4 aquiculture sites. Is it similar for these?

5 MR. HOOKER: So the Corps of Engineers  
6 is what we call a co-action agency on our, all of  
7 our environmental reviews. They do issue a permit  
8 for these, but BOEM is the lead permitting agency  
9 for the actions.

10 So yes, the Corps of Engineers does have  
11 permitting authorities in it, but BOEM is the lead  
12 agency. But we'll work very closely with the Corps  
13 to ensure all their actions, all their permit  
14 issuances are covered in our environmental  
15 analyses.

16 MR. BROOKS: Great. Thanks, Brian.  
17 Thank you so much for coming here. These are always  
18 good and lively conversations, and they're really  
19 important. There's a lot of issues that got raised.

20 The two headlines for me are sort of  
21 front and center, the message of incompatibility  
22 with the pelagic longline fishery, and obviously

1 lots of comments around that, and that a number of  
2 that were really to me around the message to BOEM  
3 around how it communicates and what their process  
4 is. It needs to be better, it needs to be sooner,  
5 it needs to be clearer and that, sort of as Rick  
6 said, it's never the right time to engage a  
7 question.

8 I think to the extent these are intended  
9 to get that flow of conversation both ways,  
10 whatever you can do to share those messages back  
11 I'm sure will be appreciated around the table. So  
12 thank you.

13 MR. HOOKER: Not a problem, and I'm  
14 happy to follow up with anybody with any additional  
15 questions you might have, and definitely encourage  
16 everyone to submit a comment on the Atlantic call  
17 area by June 28th. Thank you.

18 MR. BROOKS: Thanks again, Brian. Let's  
19 go to a break. We're a couple of minutes late here,  
20 so we'll trim both the break and we'll trim, be a  
21 little bit off. So let's come back at 25 of. We'll  
22 take a ten minute break. Thanks.

1                   (Whereupon, the above-entitled matter  
2 went off the record at 3:25 p.m. and resumed at 3:35  
3 p.m.)

4                   MR. BROOKS: Okay. Let's get going.  
5 We've got a few things still to cover. I'm going  
6 to hand it off to Randy here to give us a bit of  
7 a presentation on the Electronic Monitoring Cost  
8 Allocation Policy. We'll see what time that  
9 finishes up. We'll either then just sort of roll  
10 into the conversation around HMS permit issuance,  
11 or we'll go to public comment and then double back.  
12 But Randy, over to you.

13                   MR. BLANKINSHIP: Thank you, Bennett.  
14 So I will be talking about electronic monitoring,  
15 and we called this in the agenda, I think, "Cost  
16 Policy" to keep it short. But this specific to the  
17 cost allocation procedure, and this is as much as  
18 anything a presentation that's intended to be a  
19 heads up for facilitating an ongoing discussion in  
20 the coming months and years, as we work towards  
21 implementing this policy that was developed.

22                   And so, specifically, this policy is

1 referred to as a procedure directive. It's  
2 entitled "The Cost Allocation and Electronic  
3 Monitoring Programs for Fairly Managed U.S.  
4 Fisheries." And it is something that we have  
5 guidance from under this procedure directive, that  
6 we will be working towards implementing for  
7 electronic monitoring nationwide, and it certainly  
8 affects our Atlantic HMS management as well for  
9 electronic monitoring.

10 In the presentation, there is a link to  
11 the PDF for this procedure directive. So I  
12 encourage folks that are interested to follow that  
13 link, and you can see and read the procedure for  
14 yourself. The procedure was developed over a  
15 period of time leading up to its release in May of  
16 2019, and it implements the 2019 update of the  
17 Policy Directive on Electronic Technologies and  
18 Fishery-Dependent Data Collection.

19 It establishes a framework for  
20 allocating cost of electronic monitoring programs  
21 between the agency and industry, and it is intended  
22 to -- and it even has some mention in there,

1 recognition of some of the benefits that exist from  
2 an effective electronic monitoring program.

3 Specifically, the procedure specifies  
4 that in instances where federal funds cover initial  
5 start-up of an electronic monitoring program, the  
6 program must be designed to cease, or be adjusted  
7 should federal funds no longer be available, and  
8 to work to develop a transition plan for industry  
9 to cover costs when federal funds are not  
10 available. So for Atlantic HMS, it is the case for  
11 an EM Program that is called the -- that is an  
12 integral part of the individual bluefin quota  
13 program, that costs for that have been covered by  
14 the federal government from inception through  
15 current.

16 There was some discussion earlier today  
17 of course about some of the costs that will be taken  
18 on by industry under Amendment 13 for booms and  
19 grids, so that is beginning to change. But it the  
20 case that under this policy procedure, that the  
21 agency intends to transition costs further towards  
22 being covered by the industry.

1           And a primary part of that under the  
2 cost allocation policy is the principle that NMFS  
3 will not approve a program if the provisions  
4 of -- I'm sorry, if the provisions of a program  
5 create an unfunded or unsustainable cost. Given  
6 limited budgets, as we heard a little bit earlier  
7 at the beginning of the day, it is the case that  
8 costs are limited and it is not a situation where  
9 the federal government will definitely be able to  
10 cover all of the costs of our electronic monitoring  
11 program.

12           So under this cost procedure directive,  
13 there are some specific, some specifications about  
14 how costs can be covered and what costs  
15 specifically are covered or could be covered by  
16 industry and by the government. And so this table  
17 on this slide gives some examples of two types of  
18 cost as specified in the policy procedure.

19           One is sampling cost and the other is  
20 administrative, and I'll talk a little bit more  
21 about the differences between those in the coming  
22 two slides. But related to options for covering

1 these costs, there are several. The procedure  
2 describes for sampling that industry could cover  
3 cost that NOAA Fisheries could cover costs under  
4 models where the fees are collected from industry,  
5 and it gives as an example the North Pacific  
6 landings fee.

7 It also where NOAA Fisheries could  
8 cover costs under the sampling category for some  
9 federal programs. For instance, where electronic  
10 monitoring covers requirements under the  
11 Endangered Species Act or Marine Mammal Protection  
12 Act, or other programs where electronic monitoring  
13 might be required. So the other function that or  
14 category of costs is under administrative, where  
15 NOAA Fisheries would cover those costs, or there's  
16 other options that have been looked at nationally,  
17 that include fees collected from industry for this,  
18 and under administration as well.

19 The example given here is the West Coast  
20 Cost Recovery Program. So specifically about  
21 different categories of costs, for sampling costs  
22 which under this policy procedure would be covered



1 by industry, that includes the hardware of the  
2 systems itself, including cameras, the purchasing  
3 and lease of the equipment, maintenance,  
4 replacement, those types of things, training for  
5 captain and crew, development of vessel monitoring  
6 plans, which we use certainly in the Atlantic HMS  
7 Electronic Monitoring Program.

8 Video data transmission to reviewers,  
9 initial video review and storage, in-service  
10 provider fees and overhead, and these are listed  
11 not to be comprehensive, but really as examples  
12 that may or may not be applicable in the Atlantic  
13 HMS Fisheries. They are provided under the policy  
14 procedure as examples. Similarly, provided under  
15 the policy procedure as examples are examples of  
16 administrative costs covered by NOAA Fisheries,  
17 and those can include program administration  
18 support, services associated with that on the  
19 scientific side of things, on the enforcement side  
20 of things, and on management itself.

21 Reviewing of vessel monitoring plans,  
22 troubleshooting issues managing vessel selection,

1 basically overall administration, certification  
2 of electronic monitoring service providers and  
3 program performance monitoring, as well as data  
4 analysis and storage of federal records, as  
5 examples of some of the things that constitute  
6 administrative costs.

7 So with that introduction, it is once  
8 again intended to at least put this on the table  
9 for the Advisory Panel to be aware of, because the  
10 topic will come up again over the coming months and  
11 years, as we begin to work towards developing a plan  
12 for transition, in full recognition of working also  
13 towards further developing benefits that  
14 electronic monitoring can provide to the industry.

15 And so where some of the context of this  
16 discussion may come up first are in things like  
17 spatial management initiative as we talk about that  
18 coming up over the next several months. With that,  
19 I'd be happy to -- oh, actually I forgot one last  
20 slide.

21 Timing. The policy directive indicates  
22 implementation or development of a transition over

1 a course of about five years, and that we will or  
2 it can be those transition plans reflected in the  
3 Region Electronic Technologies Plan. You might  
4 remember that last year we worked on finalizing the  
5 HMS Electronic Technologies Plan, and Brad McHale  
6 had provided a presentation about that.

7 The plan actually does not yet include  
8 a transition plan, but that would be one area where  
9 we would provide updates related to this. And then  
10 I also provide a link here to other policies that  
11 are relevant electronic technologies that you  
12 might wish to take a look at. Now with that, I'd  
13 be happy to take some questions.

14 MR. BROOKS: Great. Let's see if any  
15 questions for Randy on any of this? And looking  
16 online as well. Okay. If there's nothing on this,  
17 let's just roll forward into a conversation around  
18 HMS permit issuance. Randy.

19 MR. BLANKINSHIP: All right. So we had  
20 a request earlier in the meeting on a sidebar for  
21 some time to talk about permit issuance, and more  
22 specifically the question was coming up related to

1 some difficulties I think that were being  
2 experienced with permit issuance for permits  
3 coming out of the Southeast permits shop, which is  
4 located in the Southeast Regional Office.

5 And so we wanted to at least provide  
6 some time to hear some of those concerns, and get  
7 some specifics about them. Certainly, that would  
8 facilitate us being able to let's say follow up on  
9 those issues if, if that is warranted. And so we  
10 wanted to basically provide some time to talk about  
11 that. The floor is open, intended just to hear what  
12 some of those concerns are, and once again trying  
13 to be as specific as possible.

14 MR. BROOKS: Jeff.

15 MR. ODEN: Thank you. Today I guess I  
16 had a little frustration this morning, you know,  
17 and part of it I think stems from what I had to go  
18 through just trying to get a permit to fish, you  
19 know. Those of us that have limited entry permits,  
20 what we have to go through through the Southeast  
21 Office dysfunction, that wouldn't be strong enough  
22 of a word for that office.

1           I don't mean to throw anybody under the  
2 bus, but there's not a fisherman in the room that  
3 I know of that hasn't had the same experience trying  
4 to get a permit. I recently bought a boat, I say  
5 recently back in July. It took me four months to  
6 get the permit for this said vessel, and two months  
7 later, you know, it's coming up time.

8           I've got two vessels and the  
9 corporation and it's coming. The end of this month  
10 I've got to renew again. So I started two months  
11 I had to renew, and I still haven't got two of those  
12 permits on it, the mahi and anyway, which I can do  
13 it. But the point being you can either do it online  
14 or paper, or used to could, and so many of us are  
15 not very computer savvy.

16           I'm certainly one of them, and you know,  
17 the frustration in trying to go online to get those  
18 permits was unfathomable, especially when you  
19 consider that four months after I finally got those  
20 permits for the other vessel, I've been trying to  
21 renew the permits for the upcoming year. The  
22 previous owner is still listed as the owner of the

1 vessel.

2                   And so online when I do it, it says  
3 "deficiency." And so you try to get up with  
4 somebody in the office. There's one guy in  
5 particular every one of us has had to deal with a  
6 time or two. Dewey, Wimpy in the back, who I think  
7 may speak in public comment on this. Anyway, what  
8 we have to go through is the condescension is just  
9 hard to fathom anyway.

10                   You call the guy up, he answers, you  
11 tell him your question, you wait 30 seconds and he  
12 still hasn't answered. You start wondering whether  
13 or not you need to hang up and redial, and then he  
14 finally chimes in with a rhetorical question. I  
15 mean this is not an isolated incident. I'm not the  
16 only one, I'm sure. Many others would love to come  
17 on here. I know Marty's got, he's had requests  
18 from permittees, you know, in our industry  
19 complaining about the office.

20                   One other thing. It's not, it's not  
21 just the permit process. It's also reporting,  
22 which is part of the permitting process for us. If

1 for instance those in the Northeast that are  
2 non-compliant had to go through this office once,  
3 and endure what we do just to get a permit, you can  
4 believe one thing. They would get that report in.

5 In my case, interestingly enough, we  
6 not only had to report our effort and to get your  
7 permits, it's got to be -- you've got to have every  
8 logbook done on time in a timely fashion, which is  
9 one thing, but on top of that and the agency knows  
10 when we fish because our fish house has to report,  
11 we have to do monthly no fishing forms, which you  
12 see, would think was pretty redundant.

13 I mean if you're not fishing, you know  
14 it by the fact that we haven't sent in a logbook  
15 form, which the fish house is going to report if  
16 we have. So why are we forced to do that. The irony  
17 is my wife, who insisted on being put on my permits  
18 in my corporation the other day, along with myself  
19 got a requirement to send in a no fishing form, my  
20 wife as well, and she's been with me three times  
21 in 45 years.

22 So I mean it's just mind boggling what

1 we have to go through with this office to get a  
2 permit, and any way. So that's my beef, and I'm  
3 sure Marty or Wimpy or somebody else will speak to  
4 it. But the dysfunction in that office, there's  
5 one individual that you always seem to get relief  
6 from, and he's the head individual. He usually  
7 helps you get it done, but those under him are  
8 problematic. That's all I can say. Anyway, thank  
9 you.

10 MR. BROOKS: Thanks. I think Randy's  
11 got a follow-up question or two.

12 MR. BLANKINSHIP: Yeah. So you  
13 mentioned that you were having trouble with the  
14 online aspects for renewal, and I wondered if you  
15 could be specific about what's the issue was that  
16 you're having with that?

17 MR. ODEN: Well, as I mentioned, the  
18 fact that I go, I went on there and even though I  
19 had been issued the permits to this new vessel that  
20 I've purchased, the previous owner is still listed  
21 as the vessel owner. So when I try to go online  
22 to do that, it kicks me out. So I finally ended



1 up going and doing a paper, a paper logbook.

2 I sent that in with my check. Well,  
3 that comes back about two weeks later and it says  
4 "deficiency." So I looked down there and it says  
5 well, the deficiency is they no longer take checks.  
6 So you've got to go online to do this, and it  
7 wouldn't let me do it before. So anyhow, you just  
8 can't make it up. Anyhow, thank you. That's one  
9 of many but --

10 MR. BROOKS: Thanks, Jeff. That sounds  
11 awful. Dewey, and then over to Marty.

12 MR. HEMILRIGHT: I had a little about  
13 this the same kind of scenario, a little bit of the  
14 scenario. I think what's happening between COVID  
15 and the new system that's being implemented down  
16 in SERO of online reporting, there's some stuff  
17 where there's some hiccups.

18 One thing that should be done is a  
19 tutorial, I'm probably not saying it right, video  
20 or something of exactly where somebody very similar  
21 to the way that maybe GARFO did with online on your  
22 app reporting, where there was videos of walking

1 you step by step by step on how to do it. That has  
2 not been done, and to the individual person that  
3 we get down there, I don't know his last name but  
4 his first name's Mike, and he should not be speaking  
5 with the public, period.

6 It has not been very good in our  
7 discussions. He makes you feel like you're about  
8 this big, and I'm sure that he gets cussed out  
9 because of that. I didn't do that, but I'm just  
10 -- he should not be speaking with the public, and  
11 I believe that that staff knows that. But I just,  
12 it took a while where I had to take some permits  
13 off the shelf and go back, go back to longline  
14 fishing. The new methodology online wouldn't work.

15 I happened to get out of the Flintstone  
16 age and got a new iPhone, and I -- you take a picture  
17 and you download it onto the application thing.  
18 Except my new iPhone, didn't know it, it wasn't in  
19 JPEG. And so when I took the picture to download  
20 it, it wouldn't accept it. And so I didn't know  
21 what I was doing and the lady said well, it's got  
22 to be in JPEG. I'm like well what the heck's that?

1 And then so I had to Google to see what that is.

2 But I think between the COVID and this  
3 new online system and some frustrations of getting  
4 stuff worked out, and it is frustrating when it  
5 takes five, six, seven weeks and some different  
6 things and maybe an individual that when you call  
7 down there and if you get him, he's a -- it's  
8 interesting.

9 And so I just think that maybe that's  
10 something that once people get dialed into, because  
11 I'm for doing this stuff online instead of having  
12 to fill out 15 pages and all that other stuff. But  
13 it is difficult, so I think if that, if some type  
14 of video could be done that's very educational on  
15 how to do it, that might help.

16 But then again, this new system, it  
17 seems like when you get to talk, when staff talks  
18 to Kevin, they work through the glitches, and for  
19 my particular case I had to -- I wasn't allowed to  
20 do it. It wouldn't work online so I had to send  
21 in the paper. So hopefully the next year for me  
22 it will go a lot smoother. But that's just kind

1 of some different things that I see happening.

2 MR. BROOKS: Thanks. Thanks, Dewey.

3 You're definitely winning quote of the meeting with  
4 that last one. Marty.

5 (Off-microphone comment.)

6 MR. BROOKS: You did good.

7 MR. SCANLON: I first want to start by,  
8 you know, just stepping back a second, you know,  
9 taking the time which I didn't during the A13  
10 discussion, it's in thanking you Randy and Karyl  
11 and Tom for the extra time that you gave us in  
12 discussing our concerns over A13. We certainly  
13 appreciate that you listened to us, but not only  
14 listened to us but heard what we had to say, and  
15 was as accommodating as possible in, you know, in  
16 your final approach to A13.

17 So thank you very much on behalf of the  
18 Blue Water and the pelagic longline industry for  
19 those considerations. We certainly appreciate it,  
20 and look forward to working with you moving  
21 forward.

22 The other thing I want to echo Mr. Dewey

1 here with the same individual, where I had an issue  
2 last year renewing my permit. The problem I had  
3 was is that my logbooks hadn't been cleared, which  
4 they should have been cleared, they were cleared,  
5 but there was a glitch in the NOAA computer systems,  
6 and it wasn't allowing it to be cleared.

7 You know, went back and forth to the  
8 permit office over it, and I listened to a tongue  
9 lashing from my wife for about a month over it.  
10 After calling up and calling up and it was supposed  
11 to be done and it was supposed to be done, and I  
12 finally get ahold of somebody. It was a very nice  
13 girl, like Dewey says. You get ahold of some  
14 people, they're very, very accommodating.

15 Finally, I had to put the two of them  
16 together so they can resolve the issue, because it  
17 wasn't able to be done electronically. At the end  
18 of the day, my computer, my permits were supposed  
19 to be expedited immediately to get them to me. It  
20 was the -- my permits were overdue. I was going  
21 back to the boat and I needed the permits.

22 Well, a week later my permits still

1 weren't released, you know. My wife's checking on  
2 it every day. Of course she's giving me a hard time  
3 every day, and I call up there and I get this  
4 individual on the phone, and he tells me, well,  
5 listen, the mail don't go out until the end of the  
6 week. That's it, you know. I'm like hey listen,  
7 this is not what I was told and this not my fault.  
8 This is a problem that you have, you know.

9           You can't expedite these permits?  
10 Uh-uh, he wouldn't mail them out until the end of  
11 the week. So I wound up having to leave my house,  
12 go down to the boat and I had to wait for the permits  
13 to be showed up and I had to have the permits faxed  
14 to me, which is really not the way you're supposed  
15 to do it. You're supposed to have the permit itself  
16 on the boat.

17           But you know, I had already been sitting  
18 at the dock for an extra five days waiting for my  
19 permits to be renewed. So you know, and I've had,  
20 like Dewey says, being the president of the Blue  
21 Water, I've had at least six or eight people over  
22 the past three months calling and complaining about

1 this whole process, which is, you know, to me most  
2 of the time --

3 My experience with NMFS and with  
4 everybody in the permit office is they're very  
5 accommodating, extremely accommodating. This is  
6 the first issue that I've ever had with any of them.  
7 So I mean this guy here needs to be dealt with, to  
8 be honest with you. I promised the people that I,  
9 have been calling me and giving me a hard time about  
10 it, aside from my wife, you know.

11 I promised that I would bring that up  
12 at this meeting. I'm glad that Dewey and Jeff had  
13 reminded me of that. One other thing I want to touch  
14 base on since we're on permitting here is that since  
15 I have multi-permits on my boat, I have Northeast  
16 permits on my boat, now I have to fill out what is  
17 called eTrips through SAFIS.

18 Now just so you know that that process  
19 for the longline is -- really need to be looked at.  
20 I mean it may work fine on trip by trip, you know,  
21 every daily type of trip basis, but those forms,  
22 the girls that work in the work portion of it there,

1 the support people, Allison is the one lady's name  
2 and it's her and her daughter that do it, and they  
3 could not be sweeter or more accommodating.

4 Let me tell you something, they've got  
5 the patience of an angel, the two of them. We spent  
6 literally, to get the first three of them done  
7 because when we started doing them, we couldn't get  
8 them done because the system wasn't compatible with  
9 my iPad. So I had wait for them to upgrade all of  
10 that. So now I had become behind like six trips,  
11 and it took me, no exaggeration, two hours of trip  
12 on the phone with them to fight our way through  
13 that, step by step, back and forth, you know.

14 It's not as -- it's very, very difficult  
15 to navigate. So if we're going to move into that  
16 direction, that portion for us, the longliners,  
17 needs to be looked at, simplified and, you know,  
18 and when it's all said and done, if we have to go  
19 to that format, we have to be given some sort of  
20 a cheat sheet to help navigate it, because like I  
21 said it took the two of us or the three of us two  
22 hours at a time to navigate through this thing, to



1 get the information out.

2 So you know, I pretty much have it down  
3 pat now, but I mean it was not very easy to do, and  
4 even now it takes a significant amount of time to  
5 fill out those reports and to email them to SAFIS  
6 here. So I'm just bringing that to your attention,  
7 all right?

8 MR. BROOKS: Thank you. Let me bring  
9 in Amy, and then we'll go online to Jimmy Hull. Amy.

10 MS. DUKES: Thanks, Randy for taking  
11 these comments from the industry. I have a little  
12 experience trying to help South Carolina fishermen  
13 through this portal. One of the largest  
14 disconnects for me is that when a fisherman comes  
15 in to ask for help, he does not or she does not  
16 remember their user name. There is not an option  
17 on the online portal to I forgot my user name, just  
18 I forgot my password.

19 So when we've tended to call and leave  
20 messages, sometimes it does take several days to  
21 get folks back, and then in addition to that, it  
22 would be nice to have a I forgot my user name, so

1 they can send them an email, since there's an email  
2 associated with it. Also I know that there's also  
3 been a disconnect and hopefully this will work  
4 itself out in time, that users have multiple user  
5 accounts and they have to be consolidated.

6 It's bound to happen of course, but  
7 sometimes that can also just be a little bit of a  
8 disconnect too.

9 MR. BROOKS: Thank you. Let's open up  
10 online, Jimmy Hull's line. Jimmy, you're good.

11 MR. HULL: Thank you. Thank you for  
12 taking the comments. You know, for I agree with  
13 everything I've heard, and I've been dealing with  
14 the permits office with four to six different two  
15 permitted vessels for many years, and even when it  
16 was within paper form, it was always a nightmare,  
17 and it was a nightmare that you had to go through  
18 every 12 months when you renew.

19 You're on pins and needles, and you're  
20 trying to get, make sure everything's correct. Now  
21 we're moving into an online system, which we've had  
22 major problems with. You cannot do a transfer

1 online. We found that out. You have to actually  
2 do a paper form, send everything in. They will then  
3 scan it and then they'll put it in an online form  
4 for you and you'd have to have your account set up  
5 so that you can make your payment online.

6 So we learned that you can't do the  
7 transfers online yet because it's just, it just  
8 deficiencies you out and stop you in mid-action.  
9 As far as renewals, you know, it's still  
10 problematic. It still takes a lot of time. The  
11 only good thing about the online is it does retain  
12 a lot of information for you that you don't have  
13 to continue to re-fill out or make copies of your  
14 old paper forms. So there's some efficiency there.

15 In the office, I've never had any  
16 problems with anybody. I've only had people trying  
17 to help. Kevin McIntosh is the lead on that office.  
18 I've had to talk to him every, you know, with those  
19 problems. He cures them. Eventually it gets done.  
20 It does take a lot of time and cost you days fishing.

21 The one way that can help you on your  
22 reporting that we've been doing, you can report no

1 fishing electronically, and it happens instantly.  
2 There's no, you don't have to mail. So you can do  
3 that. If you plan on renewing, you just -- just  
4 report no fishing, because you've got to have the  
5 current month, some type of either no fishing  
6 report or something in the system or they, you'll  
7 have a deficiency.

8 So just look ahead and hit no fishing,  
9 and then when you fish, that will take over the no  
10 fishing report. So there's problems here. It's  
11 part of the hoops and hoops and all the things that  
12 we go through to be food providers for this nation,  
13 and I heard today on and on. I thought that there  
14 was massive issues in the snapper and grouper  
15 fishery, but this looks like it's going to be even  
16 worse in the HMS fishery.

17 So we've got a lot of challenges ahead  
18 of us. Thank you for taking my comments, but we  
19 will never give up. Thank you.

20 MR. BROOKS: Thanks, Jimmy. Jeff and  
21 Amy, your cards are both up. Is that just left over?  
22 No worries. Okay. Anybody else online want to be

1 weighing in?

2 (No response.)

3 MR. BROOKS: Okay. Randy, did you get  
4 the level of specificity that you were hoping for?

5 MR. BLANKINSHIP: Yeah, this helps I  
6 think, and we can carry messages to Southeast and  
7 share what we've heard as well. I had a note here,  
8 and I somewhat know the context of this but not  
9 completely, I'm sorry.

10 MS. WILSON: Sorry. It was shorthand  
11 and trying to get back to mute the person online.  
12 I just wanted to mention that just to be clear for  
13 folks, if you have a GARFO fishing permit, you can  
14 do the no fish electronic submission. That no fish  
15 though, if you also hold Southeast commercial  
16 fishing permits, does not go to them. Can you not  
17 hear?

18 (Off-microphone comment.)

19 MS. WILSON: Okay. So if you have a  
20 Southeast commercial fishing permit, they have a  
21 separate portal that you do the no fish  
22 electronically. But I just want to make it clear,

1 so people don't think you do your EBTR for GARFO  
2 and you do a no fish, and that will cover you for  
3 your Southeast. It will not. You have to go and  
4 do that in a separate place. So just, just to make  
5 sure that distinction is clear. Thank you, Randy.

6  
7 MR. BLANKINSHIP: Great, thanks. That  
8 was Jackie Wilson.

9 MR. SCANLON: And that's in addition to  
10 my paper hogs and everything else that I've got to  
11 do. So that's just another burden on me, you know.  
12 I mean we talk about EMS, VMS, two paper logs, my  
13 state logs, don't forget them. I'm from New York  
14 State. You've got a log for them too, and now I  
15 fill out these eTrips for the Southeast too.

16 MR. BROOKS: Yeah. Let's allow Jeff to  
17 come back in. Jeff.

18 MR. ODEN: My point earlier. If we  
19 haven't fished, it shows up. So why do we have to  
20 12 times a year send in the no fishing forms? I  
21 mean it's redundancy. I mean why?

22 MS. WILSON: It's a compliance. Just

1 to be clear, our office doesn't administer that,  
2 that logbook, okay. That's from the Southeast  
3 Fisheries Science Center. But it's also  
4 compliance.

5 It's similar to the dealer reporting,  
6 where you have a no, a negative report. And so when  
7 we were in compliance for a week in the dealer  
8 context, if we see a positive report for that week,  
9 we assume you've reported what you've purchased.

10 If we see nothing, either you didn't  
11 purchase or you purchased and just didn't submit  
12 a report, and so the negative report in the dealer  
13 context allows us to run the compliance to know oh  
14 okay, they didn't actually buy this week. We're  
15 not missing something. In the Southeast, they have  
16 you do the no fish report.

17 GARFO got rid of that, because they've  
18 had more electronic and they have a more timely way  
19 of reconciling their dealer reports and fishing  
20 reports. The Southeast isn't there yet, and they  
21 still have a no fish report for running compliance,  
22 so that they know only that he did go out fishing,

1 he just didn't submit his logbook.

2 So it's there for a compliance issue.  
3 Doesn't mean it won't change in the future, when  
4 they have a way to do more timely reconciliation,  
5 and they're moving towards going to electronic  
6 reporting for the Southeast logbooks as well. It's  
7 just taking longer. But again, that is through our  
8 Southeast Fisheries Science Center, not through  
9 our office.

10 MR. BROOKS: Thanks, Jackie. Randy, you  
11 had one other get back you wanted to talk to?

12 MR. BLANKINSHIP: Yes. This is going  
13 back to the Amendment 13 discussion earlier today,  
14 and there was a question, I believe it was from  
15 Steve Getto earlier about the ecological effects  
16 analysis related to shifting of quota from Purse  
17 Seine to Angling particularly, and the shift of  
18 harvest of commercial size fish to smaller fish  
19 under the Angling category.

20 And Tom correctly summarized at the end  
21 of his comments the bottom line of that ecological  
22 effects analysis from the FEIS, which is there's



1 not a significant impact or effect of that change  
2 in size selectivity. Most of that relates to the  
3 fact that the amount of quota that ends up being  
4 moved from Purse Seine to Angling is small.

5 It is 2.9 percent, which amounts to  
6 under the current quota amounts to about 6.7 metric  
7 tons. And so if you look at kind of like an  
8 assumption of what average size fish might be from  
9 a commercial fish, the number of commercial fish  
10 to let's say an equivalent weight and number of  
11 smaller size fish, making some assumptions, that  
12 equates from about 30 commercial size fish to about  
13 roughly 150 smaller size fish in the Angling  
14 category if those are 100 pound fish.

15 So that's a big assumption, but that  
16 just reinforces the bottom line, which is there's  
17 not a significant impact of making that change. So  
18 I just wanted to circle back to that, give a little  
19 bit more information, because we had dug into that  
20 a little bit more. So thanks.

21 MR. BROOKS: All right. We're a tiny  
22 drop ahead of schedule here, but I think we can just

1 shift to Public Comment. So let's see who in the  
2 room would like to make any public comment, and if  
3 anyone online, if you want to make public comment,  
4 please just raise your virtual hand or throw  
5 something in the chat so we know.

6 So please come on up to the table and  
7 just a reminder. I'd just ask folks to keep their  
8 comments to no more than three minutes, and just  
9 stay on topic and engage in the same respectful way  
10 everyone around the table has. And if you wouldn't  
11 mind starting with name and affiliation, it would  
12 be great. The last thing is the intent of these  
13 public comment is really to hear your comments and  
14 it's not a Q and A back and forth. You're on.

15 MR. SHIELDS: My name is David Shields.  
16 I'm a pelagic longliner. I'm recently an owner and  
17 an operator, and I just wanted to re-elaborate on  
18 what Dewey and Jeff and Marty has frustrations that  
19 they've been doing. I bought the boat two years  
20 ago, and trying to get the permits and everything  
21 switched over, I had to make my first boat payment  
22 before I was allowed to go fishing.

1           I called numerous times trying to get  
2 things done, and I was told that you have 30 days  
3 to process my request, and it was not going to get  
4 done until then. And then reentering to reapply  
5 for my permits, to renew them this year, I filed  
6 everything online. Everything was taken care of,  
7 and when I called the fourth time to find out what  
8 was going on, the gentleman that I spoke to, I don't  
9 know who it was, within 15 seconds pulled up my  
10 documents, told me that everything was filled out  
11 completely correct, my money was there, and when  
12 the next 14 day period was up, he would process my  
13 permits and send them to me.

14           In which I had to sit at the dock again  
15 and was not allowed to fish, waiting 28 days to get  
16 permits. I just don't understand. If it took him  
17 15 seconds to see that every single thing I had was  
18 taken care of and right, why did we have to wait  
19 14 more days on top of me already waiting 14 days,  
20 and why do I have to sit at the dock and not go out  
21 and make a living? Thank you.

22           MR. BROOKS: Thanks very much. A very

1 specific example. Appreciate it. All right. Any  
2 other members of the public? Glen, come on up. Oh,  
3 okay.

4 (Off-microphone comment.)

5 MR. BROOKS: And again, if you could  
6 please just start with name and any affiliation,  
7 it would be helpful.

8 MR. HOPKINS: Glen Hopkins, pelagic  
9 longliner from North Carolina. I just wanted to  
10 talk about the permit thing again also. I don't  
11 know how long I've had permits. This past year,  
12 2021, I had all my stuff in. I think I had 26 days  
13 I'm thinking. Everything's cleared, 26 days. I'm  
14 like all right, that will be plenty of time to get  
15 my permit back. It might be close.

16 Normally there's two weeks there's --  
17 anyway, long story short, it was seven weeks before  
18 I got my permit. Missed three weeks of fishing and  
19 called them numerous times, where's it at? Oh, I  
20 don't know, you know, this, that and the other. But  
21 I've been told that everything was received. It  
22 was just a backlog and hopefully it was just this

1 past year. But it was a bad situation.

2 MR. BROOKS: Thank you very much. Glen  
3 Delaney.

4 MR. DELANEY: Yeah. I think Matt just  
5 gave me his three minutes and I'll use my three  
6 minutes tomorrow. You can't imagine how difficult  
7 it is for someone like me to sit in the back of the  
8 room for two days and not be able to speak. For  
9 those who know me are probably glad that's the case,  
10 but I'm sorry, I'm going to go over three minutes.  
11 If you want to throw me out, you can do that.  
12 Wouldn't be the first time.

13 I just wanted to make a couple of  
14 comments of advice, if you will, on the wind issue.  
15 I would really encourage all the fisheries to reach  
16 out to NOAA or any other source of your fishing  
17 effort data, ideally if you can get that in catch  
18 per unit effort. But what you need to do is work  
19 with NOAA, particularly I've been working very  
20 closely on behalf of the shrimp industry down in  
21 the Gulf of Mexico with the National Centers for  
22 Coastal and Ocean Science on their spatial mapping

1 efforts.

2 It's a very sophisticated, very high  
3 level expertise. They're collaborating directly  
4 with BOEM in order to map shrimp fishing effort data  
5 and other fisheries as well. But my point is if  
6 you -- you can't just anecdotally say we fish there.

7 You're going to have to produce some  
8 high level spatial mapping to really enter into the  
9 program and have a meaningful impact on not just  
10 sighting decisions up front in the process, but  
11 later on that same information can be used to value  
12 the piece of bottom or water column in terms of  
13 compensation. How do you put a, place a value on  
14 a piece of bottom?

15 That leads me to the second thing is,  
16 as Brian from BOEM correctly stated, they don't  
17 have the current statutory authority to establish  
18 or operate a fishermen's compensation program  
19 related to offshore wind energy development. But  
20 at the same time as the New England experience I  
21 think shows, we can expect individual fisheries to  
22 pursue private negotiations with offshore wind

1 energy companies.

2 I mean that's just a completely  
3 untenable situation for the fisheries to be  
4 expected to do that. It's a guaranteed  
5 insufficient compensation, unfair distribution of  
6 compensation, not going to work. You need a federal  
7 national program, probably implemented by NOAA.

8 I have organized at the very initial  
9 stages, early stages, bicameral, bipartisan group,  
10 a team of members of the House and Senate to begin  
11 and they have begun working on the very early stages  
12 of legislation to amend the Outer Continental Shelf  
13 Lands Act, to establish a program for fishermen's  
14 compensation applicable to offshore wind.

15 If it's something you want to  
16 contribute to, be part of, please let me know.  
17 We're going to be soon at the stage of reaching out  
18 to other members of Congress and reaching out to  
19 other industry leaders. So I'm happy to serve as  
20 the point of contact for that, and get you plugged  
21 into that process. If you're interested in it, I  
22 would encourage that.

1           Moving to a totally different topic, if  
2 you could indulge me, a couple of things on  
3 Amendment 13. I just want to recognize that in my  
4 opinion, despite the fact that we obviously still  
5 have some challenges to work out, and they're  
6 important ones; I don't mean to diminish it,  
7 diminish them, the agency clearly made substantial  
8 efforts to be responsive to the public comments on  
9 the draft Environmental Impact Statement.

10           You know, the final has definitely  
11 responded spot on to some of the issues. There's  
12 some details that need to be worked out. And to  
13 that point, a couple of things you heard, you might  
14 have heard what people didn't like so much, you  
15 know, the out, what I call outboard cameras  
16 associated with safety and cost.

17           Mats and grids on decks, again safety  
18 and cost, and the Gulf five percent threshold  
19 whether that's sufficient. There was some  
20 suggestion that maybe that should be higher, just  
21 to make sure that that stays fluid and operable and  
22 doesn't get frozen.



1           My question -- well, I'm not allowed to  
2 ask a question. But I guess I just raise a  
3 rhetorical question for you Randy and team is, you  
4 know, how and when would these, those particular  
5 items be revised based on actual experience? I mean  
6 they're basically untested, unproven. They're  
7 experiments. You're going to try something that's  
8 not been done before.

9           People have raised concerns that are  
10 valid about them. We kind of have to live with them  
11 to find out what actually happens as a result, and  
12 if there is a need for revision, what is the process  
13 that you have in mind for making those in a timely  
14 fashion? I mean what are we, seven years past  
15 Amendment 7, and we had a three-year review?

16           I mean plan amendments take a heck of  
17 a long time to do. So I don't know if you've built  
18 into this carefully enough any framework-able  
19 provisions or measures that can be more  
20 expeditiously addressed through a framework action  
21 and a plan amendment process? Also, like Amendment  
22 7, is there a review process contemplated like the

1 three-year review of Amendment 7? So there's a  
2 couple of things that please don't answer, because  
3 then I'll get fired for asking a question. But  
4 please think about those questions and we can  
5 discuss them offline.

6 The last thing I'd like to say, thanks  
7 for your indulgence, is you know, as you know, a  
8 major focus of my own over the past couple of  
9 decades at least has been really to advance efforts  
10 to level the playing field for the pelagic longline  
11 fishery, but all U.S. fisheries that are, you know,  
12 unfairly forced to compete against imports of  
13 seafood that are, you know, produced with IUU  
14 fishing, forced labor using substandard bycatch  
15 conservation standards including marine mammal  
16 protection measures.

17 You know, the effective enforcement of  
18 federal statutes and programs such as the High Seas  
19 Driftnet Fishing Moratorium Protection Act, the  
20 Marine Mammal Protection Act, the Seafood Import  
21 Monitoring Program, the Section 307 forced labor  
22 import prohibition. You know, all those, effective

1 enforcement of those are maybe the difference  
2 between fisheries surviving or not.

3 And so I just wanted to emphasize that  
4 we do do work at ICCAT. As you know, most of my  
5 HMS work is dominated by the ICCAT world, and we  
6 do pursue those type of issues within the RFMOs.  
7 But these are all domestic U.S. statutes that are  
8 unilaterally established and implemented and then  
9 enforced.

10 And so I'd just encourage you to, you  
11 know, there's a lot of people in this room whose  
12 livelihoods depend on competing in the U.S.  
13 marketplace and, you know, updates and reports on  
14 that I think would be appreciated. I would  
15 recognize and shout out the agency, particularly  
16 on the implementation of the High Seas Driftnet  
17 Fishing Moratorium Protection Act, which  
18 thankfully most people call the Moratorium  
19 Protection Act.

20 Their most recent 2021 biannual report  
21 was spectacular. I mean you've identified seven  
22 nations for IUU fishing, 29 nations for failure to

1 have comparable bycatch programs in place. That's  
2 unprecedented, a new breakthrough for the  
3 implementation of the program.

4 I had the privilege of helping to draft  
5 the original statute that created those  
6 authorities under the Moratorium Protection Act.  
7 That was in 2006 and '07, and it's taken until now  
8 to really for the agency to regressively implement  
9 and enforce the comparable bycatch measures, half  
10 of that statute, you know, the other half being the  
11 IUU and it's fantastic.

12 So I'm hoping, you know, it's a two-year  
13 process of consultations and all that. But updates  
14 on that and I think it would be encouraging for this  
15 industry to hear about those things that the  
16 agencies are doing to address that side of their  
17 business, because mostly all you talk about here  
18 are the dregs of regulations, and that's necessary  
19 in reality.

20 But there's something you can also  
21 bring to the table and speak to the industry about,  
22 and I will leave it at that. Thank you.

1 MR. BROOKS: Thanks Glen.

2 MR. BLANKINSHIP: Thanks Glen, and  
3 appreciate those comments, and just I know you know  
4 that's how they say it. Just for the kind of benefit  
5 of the larger group, some of the topics and the list  
6 of things that Glen was talking through are  
7 spearheaded by International Affairs, Trade and  
8 Commerce with NOAA Fisheries, and I hear you loud  
9 and clear for the request for potential updates or  
10 reports on those efforts potentially at future AP  
11 meetings I think is what Glen was asking for. So  
12 thanks. That's it.

13 MR. BROOKS: Okay. Are there -- I'm not  
14 seeing any other hands on line or in the room. I  
15 just want to double-check. Any other members of  
16 the public want to make any kind of comments at this  
17 point?

18 Okay. If not, then before we let you  
19 go, let me just one announcement and then just  
20 quickly review the plan for tomorrow. The  
21 announcement is here in Montgomery County, the  
22 community COVID level are updated every Thursday

1 evening at eight o'clock, and that's where they  
2 tell you is it low or medium or high.

3 So today at eight o'clock, we'll find  
4 out what the new level is. It's possible it could  
5 pop up to high. If it does, we'll still meet, no  
6 problem, but there will be a requirement for masks  
7 at that point. That's a, you know, that's sort of  
8 a local governmental requirement for public  
9 gatherings.

10 So we'll find out. We don't know. Are  
11 you planning to send a note out to everybody or  
12 how's that going to work?

13 MR. BLANKINSHIP: No, I don't think we  
14 are, unless Pete tells me different. But I think  
15 what basically is, is that we'll come tomorrow and  
16 be prepared if it happened to increase. It's  
17 currently at medium. Hopefully it stays there or  
18 maybe goes below. But if it happens to go to high,  
19 just be prepared to wear a mask.

20 If you don't happen to have a mask, we  
21 will probably have a few to give you. But we will  
22 still have the meeting tomorrow.

1 MR. BROOKS: Yeah. So all will go  
2 forward. Just have a mask at the ready, and then  
3 again for tomorrow, the plan is we will start  
4 tomorrow at 8:45, to please make note of that. 8:45  
5 we will start up. We'll hear from leadership, so  
6 both Janet Coit and Sam Rauch will be here.

7 Then we'll have a conversation on  
8 equity and environmental justice as it relates to  
9 the HMS Fishery. After a break, we'll take up our  
10 last comment, which will be the last topic, which  
11 will be around shark depredation, and then we'll  
12 have Public Comment again at 11:30, and then we'll  
13 wrap up and get everyone out of here by 12:00. Any  
14 questions or last comments from anybody before we  
15 end for the day? Anybody online, anybody?

16 (No response.)

17 MR. BROOKS: Okay. We'll let you all  
18 go. Thank you for a good conversation today, and  
19 we'll see you tomorrow. Thanks.

20 (Whereupon, the above-entitled matter  
21 went off the record at 4:28 p.m.)  
22

<b>A</b>		
<b>A&amp;M</b> 117:15	<b>achievement</b> 138:7	<b>adjustment</b> 32:2 34:9
<b>a.m</b> 1:12 5:2 56:12,13	<b>achievements</b> 138:11	<b>adjustments</b> 109:14
<b>A13</b> 4:3 10:8 11:10	<b>acre</b> 181:6	<b>administer</b> 51:22 239:1
14:22 228:9,12,16	<b>acres</b> 160:2 162:9	<b>administers</b> 209:1
<b>AA</b> 9:16	180:14,16 199:20	<b>administration</b> 1:1
<b>abandon</b> 95:6	<b>Act</b> 111:21 140:5 157:9	216:18 217:17 218:1
<b>ability</b> 27:6 77:10 85:2	209:3 216:11,12	<b>administrative</b> 16:14
86:10,13 110:5	247:13 250:19,20	35:1 215:20 216:14
<b>able</b> 9:21 13:22 24:19	251:17,19 252:6	217:16 218:6
27:19 69:6 73:15 90:8	<b>action</b> 24:7 32:14,17,22	<b>administratively</b> 55:20
90:20 91:1 103:19	33:3 249:20	<b>adopt</b> 91:8
107:16 128:15,15	<b>actions</b> 59:20 210:9,13	<b>adopted</b> 44:4 103:4
131:11 141:9 150:20	<b>active</b> 20:10,12 31:5,8	123:17
151:21 172:11 176:19	66:9 110:3 146:3,4,6	<b>ADRIANCE</b> 1:15 41:16
177:4 178:18 179:3	155:2 190:22	42:21 43:12,16 44:6
190:20 194:9 208:4	<b>actively</b> 114:8	68:5 128:3
215:9 220:8 229:17	<b>activities</b> 6:4 93:5 94:8	<b>advance</b> 144:3 250:9
245:8	95:20 154:9 155:11	<b>advancing</b> 114:6
<b>above-entitled</b> 56:11	<b>activity</b> 17:9 21:8 49:6,9	<b>advantage</b> 9:18 84:19
142:15 212:1 255:20	<b>actual</b> 150:3 180:9	167:19
<b>absolutely</b> 76:15	249:5	<b>advantageous</b> 100:4
128:11 173:22 195:15	<b>adapt</b> 139:4	<b>advice</b> 245:14
<b>abundance</b> 102:2 134:6	<b>adaptable</b> 105:3	<b>Advisory</b> 1:5 12:21
<b>Academy</b> 67:18 166:5	<b>adapted</b> 44:3	135:2 136:13 218:9
<b>accept</b> 226:20	<b>adaptive</b> 95:22 96:2	<b>advocate</b> 209:21
<b>acceptable</b> 105:21,21	105:5 107:10	<b>Advocates</b> 1:21
<b>access</b> 24:10 35:2	<b>add</b> 12:5 14:10 20:14	<b>Affairs</b> 253:7
67:19 71:12,16,17	38:20 64:5 71:10,17	<b>affect</b> 201:4
85:3 86:3,6,9,13	74:4,17 122:16,18	<b>affiliation</b> 242:11 244:6
111:19 129:20 130:18	126:11 130:18 131:7	<b>afford</b> 85:4
163:16	143:8	<b>afternoon</b> 11:21 93:10
<b>accidental</b> 146:12	<b>added</b> 53:20 122:22	142:12,20 143:6
<b>accommodate</b> 53:22	123:6 127:13 191:7	154:3
<b>accommodating</b>	<b>adding</b> 40:20 42:17	<b>afternoons</b> 93:8,9
228:15 229:14 231:5	70:21 78:19 126:8,9	<b>afterthought</b> 202:3
231:5 232:3	<b>addition</b> 57:22 155:19	<b>age</b> 226:16
<b>accomplish</b> 121:21	233:21 238:9	<b>agencies</b> 119:22
<b>accomplishes</b> 112:5	<b>additional</b> 10:13 17:15	157:15 252:16
<b>account</b> 23:16,20 25:10	28:7 30:17 54:15	<b>agency</b> 6:4 8:3 28:14
30:8 39:2 134:8,12	56:18 103:15 106:2	29:5 52:17 57:2 64:17
235:4	107:8,8 109:1,3	86:9 109:1 137:11
<b>accountability</b> 70:11,14	111:21 112:3 122:19	191:2 201:16 210:6,8
73:16	123:6 144:20 146:14	210:12 213:21 214:21
<b>accounted</b> 42:10 54:18	159:14 160:10 196:6	223:9 248:7 251:15
93:16 95:17 102:4,11	211:14	252:8
132:22	<b>address</b> 34:13 46:21	<b>agency's</b> 65:21 86:17
<b>accounting</b> 23:15 24:4	51:11,13 63:22 88:7	<b>agenda</b> 7:9 12:5,9
114:21	149:4 194:8 204:11	83:21 142:21 143:8
<b>accounts</b> 234:5	209:7 252:16	172:6 212:15
<b>ACCSP</b> 113:19 123:17	<b>addressed</b> 37:9 124:10	<b>ago</b> 68:11 109:7 130:9
<b>accumulate</b> 24:19,22	249:20	132:1 137:7 185:13
<b>accumulation</b> 24:17	<b>addressing</b> 100:4 189:8	204:7 242:20
25:12	192:6	<b>agree</b> 60:5 72:3 206:17
<b>accurate</b> 73:8 100:4,20	<b>adequate</b> 108:2	234:12
<b>accurately</b> 136:4	<b>adjacent</b> 180:17	<b>agreed</b> 69:7
<b>achieve</b> 62:11 99:11	<b>adjourn</b> 143:13	<b>agreeing</b> 99:21
<b>achieved</b> 138:3,6	<b>adjust</b> 133:17 134:12	<b>agreements</b> 176:20
	<b>adjusted</b> 214:6	<b>ahead</b> 38:18 80:12
		97:22 180:4 184:5
		236:8,17 241:22
		<b>ahold</b> 229:12,13
		<b>AI</b> 29:14
		<b>ain't</b> 62:15 141:18
		<b>Alan</b> 2:19 80:9,12,12
		82:17 169:9 178:2
		185:9
		<b>alarm</b> 9:8
		<b>algorithms</b> 29:14
		<b>align</b> 34:20
		<b>aligned</b> 102:21
		<b>Alliance</b> 2:12 164:7
		<b>Allison</b> 232:1
		<b>allocated</b> 19:13 48:15
		65:3
		<b>allocating</b> 213:20
		<b>allocation</b> 4:8 12:4 17:2
		25:8 28:17 30:3,12
		31:21 33:13 44:17
		47:1 49:10,11 67:21
		88:4,6 99:13,14 143:7
		212:8,17 213:2 215:2
		<b>allocations</b> 33:6
		<b>allow</b> 26:18 33:2,11
		35:2,9 95:14 119:12
		125:14 126:3 238:16
		<b>allowable</b> 33:14,17
		<b>allowance</b> 76:9
		<b>allowed</b> 27:1,8 147:9
		227:19 242:22 243:15
		249:1
		<b>allowing</b> 21:21 229:6
		<b>allows</b> 35:4 136:15
		239:13
		<b>alongside</b> 70:8 103:7
		<b>alternating</b> 177:2
		<b>alternative</b> 24:7 76:5,11
		192:12 209:4
		<b>Alternatively</b> 21:7
		<b>alternatives</b> 17:10
		32:15,15 46:1,6,20
		47:5
		<b>amazing</b> 6:21 95:11
		<b>amend</b> 247:12
		<b>amendment</b> 10:6,11
		15:4,7,10,13,20 16:3
		16:18 17:3,5 22:15
		24:8 30:4 39:2,7
		46:20 47:2 57:22
		59:19 65:21 75:22
		77:9 110:2 214:18
		240:13 248:3 249:15
		249:21,21 250:1
		<b>amendments</b> 249:16
		<b>American</b> 1:22 2:1,15
		<b>amount</b> 21:2 22:12,15
		22:17,21,21 24:2,14



- 24:21 25:2,8 26:3,14  
31:12 33:22 34:15  
37:22 38:3 41:1 43:5  
48:2,14,19 53:18,21  
64:21 65:11 95:15  
126:2,13 170:3  
179:11 233:4 241:3
- amounts** 241:5,6  
**ample** 36:3,7 70:8  
**amplify** 126:2  
**Amy** 56:6 57:8,9 103:13  
124:20 132:6 142:4,5  
233:9,9 236:21  
**analyses** 30:17 166:10  
210:15  
**analysis** 30:20 41:22  
102:19 104:1,2,3,4  
107:12 130:11,16  
131:15 218:4 240:16  
240:22  
**analyst** 72:6  
**analyzed** 16:11 17:11  
32:15,20 33:1  
**analyzing** 43:6 47:5  
**anchored** 195:5  
**anecdotally** 246:6  
**angel** 2:20 232:5  
**angle** 28:13 62:7 67:13  
70:3  
**Angler** 111:19  
**anglers** 94:6 128:14,19  
**angling** 16:13 32:5 33:4  
35:8 46:11 49:18  
53:14 54:2 83:16 84:4  
84:14 85:11 88:6  
100:14,15,21 101:6  
101:15 240:17,19  
241:4,13  
**animal** 177:7 195:8  
**animals** 29:12 100:16  
177:4  
**Annapolis** 6:9  
**announced** 35:16  
**announcement** 253:19  
253:21  
**annual** 18:1,11 20:8  
21:1 26:10 46:2  
**annually** 17:6 46:16  
165:19 191:12  
**answer** 10:16 62:5  
71:11 98:11 101:4  
130:6 154:13 157:16  
167:7 168:9 174:5  
180:6 196:3,8 208:1  
209:14 250:2  
**answered** 222:12  
**answers** 222:10  
**ante** 69:3
- antenna** 178:16  
**anticipate** 15:19 28:19  
28:21 83:21 149:11  
150:5 151:5 152:6  
156:21 165:5,7  
**anticipated** 156:21  
162:17  
**anticipating** 148:7  
**anybody** 52:17 75:16  
139:7 208:4 211:14  
221:1 235:16 236:22  
255:14,15,15  
**anymore** 78:16 139:2  
**anyway** 11:9 38:3,14  
185:18 221:12 222:7  
222:9 224:8 244:17  
**AP** 8:15 15:13 83:19  
85:10 89:20 108:21  
124:5,10 136:12  
137:16 172:4 174:13  
174:13 189:20 253:10  
**AP's** 120:16  
**APAIS** 111:18,22 117:3  
121:4  
**apart** 146:13  
**apologies** 13:16  
**apologize** 158:2  
**app** 60:10 117:16 123:7  
139:9 225:22  
**apparently** 87:10  
**appear** 177:6  
**appears** 38:4 105:20  
**appendix** 203:14  
**applicable** 217:12  
247:14  
**applicants** 35:5  
**application** 35:6 61:3  
122:9 226:17  
**applies** 35:18  
**apply** 29:22 52:17  
209:15  
**applying** 20:22 35:1  
**appreciate** 7:12 10:9  
13:18 66:13,17  
153:12 188:10 190:14  
228:13,19 244:1  
253:3  
**appreciated** 7:16 13:20  
211:11 251:14  
**approach** 25:4 26:13  
66:2,14,15,17,19  
67:10 94:2 95:6,7  
99:12 123:5 163:14  
191:8 228:16  
**approaches** 79:20  
**approve** 215:3  
**approved** 155:6,11  
156:3 198:9
- approximately** 16:22  
117:7 119:8  
**April** 158:14  
**Aquarium** 2:9  
**aquiculture** 210:4  
**arbitrarily** 178:6  
**area** 33:7,8,9,11,13  
54:1 62:4 95:5 125:18  
145:12,14 147:14  
158:15 159:5,5,7,8,20  
160:16,22 161:2,7,12  
161:13,21,22 162:7  
162:10,11,15,16  
163:2 169:20,21  
170:1,20 171:7,8,11  
177:15,18 178:5,9  
180:9,12 181:1 182:6  
188:1 189:1,2 195:20  
196:8,12 199:17  
205:4 207:12,17  
208:3 211:17 219:8  
**areas** 15:8 33:5,12  
71:16 94:18 97:21  
98:9 107:15 109:17  
125:7,10 126:1  
146:21 155:15 158:18  
159:16,19,22 161:13  
162:18 163:13 168:12  
169:12,14,15 170:2,7  
170:10,12,16 171:3  
176:14 177:19 179:9  
179:10,12,12 180:8  
180:19 181:9,10,15  
181:18 182:1,8,12,16  
183:9,18,19,21 184:3  
184:6,7,13 185:3  
186:7,13 188:15,17  
190:22 195:9,11,16  
196:14 198:11 205:6  
205:14 207:15,19,20  
**Arguably** 76:9  
**Army** 210:2  
**arrays** 201:19  
**artificial** 72:14,15  
117:16  
**aside** 19:19 30:7 84:18  
95:18 129:9 231:10  
**asked** 167:22 195:8  
**asking** 250:3 253:11  
**aspect** 16:16 18:6,18  
19:8,17 22:1 29:9  
60:5,10  
**aspects** 8:16 16:9 24:5  
224:14  
**assess** 121:3 204:15  
205:3,10,12,13  
206:19  
**assessing** 123:22
- assessment** 90:2 91:20  
102:1,6 122:15,16  
133:15 135:1,12  
137:9 159:10 166:8  
177:12  
**assessments** 8:11  
120:18 121:19 166:11  
**asset** 195:11  
**assigned** 72:21 93:2  
**assignment** 93:4 95:10  
95:19 122:21  
**assignments** 119:16  
**assistance** 72:15  
**associated** 24:9,12  
32:21 34:7 43:6 48:16  
48:18 49:20 217:18  
234:2 248:16  
**association** 1:22 2:1,14  
2:16 22:4 43:4  
**assume** 101:21 239:9  
**assumes** 94:12  
**assuming** 133:2  
**assumption** 241:8,15  
**assumptions** 131:21  
241:11  
**Atlantic** 1:5,18 3:2,4,5,6  
3:7,8,9,10,11,12,13  
3:14,15 5:20 16:12  
21:15 22:3,6,6,7  
23:16 41:2 44:19 48:3  
92:1 108:6,9,18 109:5  
110:18 111:10,12  
112:1,15,18 113:11  
117:2 121:6 122:3  
140:7 146:19 149:3  
154:17,18 155:22  
157:22 158:13 159:22  
160:11 164:17 165:3  
165:4 168:11 181:18  
181:20 185:21 203:6  
205:18 211:16 213:8  
214:10 217:6,12  
**atlas** 162:22  
**ATMOSPHERIC** 1:1  
**ATR** 111:3  
**attached** 172:5  
**attempt** 196:9  
**attempting** 138:18  
**attend** 136:14  
**attending** 172:20  
**attention** 116:17 124:6  
195:7 233:6  
**auction** 157:21,22  
158:8 197:21 198:2  
**authorities** 209:22  
210:11 252:6  
**authority** 27:22 246:17  
**authorization** 66:20

**authorized** 209:2  
**authorizes** 20:3  
**authorizing** 19:18  
**availability** 142:22  
**available** 28:15 35:19  
 39:4 60:14 67:21  
 134:11 139:10,17  
 141:7,10,14 157:3  
 160:17 164:18 166:9  
 185:2 214:7,10

**Avenue** 1:12  
**average** 42:8 133:12  
 241:8

**Avian** 186:3  
**avidity** 131:16  
**avoid** 69:4 186:11  
 201:22

**aware** 9:12 14:5 110:8  
 134:22 151:10 152:5  
 172:20,22 181:22  
 182:5 218:9

**awesome** 7:6  
**awful** 225:11

## B

**B** 21:7 39:22 40:1  
**B3** 76:5,11

**back** 7:5 11:21 13:9  
 30:3 31:20 36:9 37:15  
 44:9 47:7 55:17 56:4  
 56:5,7,9 57:7 58:17  
 59:3 62:19 64:4,7,12  
 65:16,18 73:21,21  
 76:7 78:8 82:21 84:16  
 86:16 87:17 89:19  
 91:10 92:1 103:13  
 105:15 118:18 124:21  
 128:5 132:5 137:19  
 143:5 144:12,18  
 149:13 153:7 158:1  
 163:6 168:12 169:14  
 185:17 187:10,21  
 191:9,11,11,20 193:4  
 197:1 208:7 211:10  
 211:21 212:11 221:5  
 222:6 225:3 226:13  
 226:13 228:8 229:7  
 229:21 232:13 233:21  
 237:11 238:17 240:11  
 240:13 241:18 242:14  
 244:15 245:7

**backlog** 244:22  
**bad** 178:20 245:1  
**bag** 50:19  
**Banks** 82:13,14  
**barrier** 177:6  
**barriers** 67:3  
**base** 149:15 231:14

**based** 15:2 16:22 17:8  
 17:13,14,16 18:7  
 20:20 21:5 22:14,16  
 25:4 28:9 30:16 40:7  
 41:21 42:4,8 43:3  
 48:2,15 60:19 96:8  
 104:4 107:12 148:17  
 149:16 151:21 154:7  
 170:13 249:5

**baseline** 90:2 166:14  
 205:10  
**basically** 18:14,19 19:2  
 19:7,11 23:4 26:6,9

26:21 27:17 30:5 31:9  
 31:16 37:17,19 38:11  
 38:12 42:5,11,20 43:5  
 47:3 48:14 91:7 109:5  
 109:20 116:9 126:14  
 130:20 131:22 135:7  
 160:3 161:22 168:2  
 170:11 200:15 218:1  
 220:10 249:6 254:15

**basis** 17:12 18:1 25:13  
 41:20 46:16 206:8  
 231:21

**bath** 169:18

**Bay** 2:7

**bear** 197:16

**beautiful** 6:18

**becoming** 97:13

**Bedford** 204:7

**beef** 224:2

**began** 115:17 123:22

**beginning** 66:10 96:4  
 109:10 157:20 176:17  
 204:9 214:19 215:7

**begins** 120:9

**begun** 247:11

**behalf** 206:10 228:17  
 245:20

**behavior** 60:9

**believe** 50:1 53:10  
 85:16 97:11 100:2  
 185:13,14 208:19  
 223:4 226:11 240:14

**benchmark** 106:3

**benchmarking** 91:6

**beneficial** 127:12

**benefit** 173:4 253:4

**benefits** 214:1 218:13  
**Bennett** 1:12 15:1 64:8  
 65:19 75:20 212:13

**BERGMANN** 1:16 83:3  
 148:14 174:19 177:14  
 177:21 178:15 208:18

**best** 6:14 13:12 32:17  
 41:14 45:7 75:5 87:20  
 124:11 126:14 139:17

141:7,10,14 153:21  
 154:13 166:8 185:2  
 191:2 197:22 207:8  
**better** 17:18,20 19:1

28:11,13 46:15 52:8  
 62:8 67:13 70:3 86:3  
 86:18 129:1 138:17  
 168:3 184:21 211:4

**beyond** 69:10 70:15  
 101:10 127:14 204:1

**biannual** 251:20

**bias** 93:18 94:16 133:9  
 133:20

**biased** 131:11

**bicameral** 247:9

**bids** 158:6

**big** 7:19 39:8 86:20  
 99:8 226:8 241:15

**bigeye** 72:12 99:7  
 101:12

**bigeyes** 81:3

**bigger** 104:15,20  
 178:16

**biggest** 8:7 125:6  
**Bight** 145:18 146:19,20  
 156:19 157:20 159:18  
 181:3 191:6 197:14  
 198:11

**Bight-lease** 155:3

**Bill** 149:17

**billfish** 1:16 101:9  
 109:15 115:19 131:8

**billing** 26:12

**billion** 158:7 198:12,12  
 200:13,19

**binning** 18:19

**biological** 63:3,17  
 119:12,13 164:5,10

**Biology** 154:4

**bipartisan** 247:9

**birds** 185:21 186:6,15  
 186:16,17

**bit** 7:19 12:8 13:8 41:4  
 42:17,19 86:3,12 88:6  
 91:10 92:13 122:10  
 130:4 134:18 142:19  
 144:5 168:2,7 171:9  
 171:15 176:17 211:21  
 212:6 215:6,20  
 225:13 234:7 241:19  
 241:20

**blade** 187:12

**blades** 178:11

**BLANKINSHIP** 3:2 5:6  
 38:17,19 50:3,12 51:1  
 52:14 212:13 219:19  
 224:12 237:5 238:7  
 240:12 253:2 254:13

**Block** 155:19 200:5

**blocks** 160:3,4,5  
**blue** 2:19 33:8 228:18  
 230:20

**bluefin** 1:22 2:7,15 16:3  
 16:5,8 19:11,13 23:9  
 23:20 25:10 26:5,19  
 27:2,3 29:22 30:5  
 31:21 33:21 35:4,12  
 42:9,9,13 44:17,19,22  
 49:5 55:4 58:7 59:9  
 59:10 66:2 68:13  
 71:16 75:1 82:5,7  
 84:9 99:6,7 101:8  
 114:10 119:14 130:1  
 130:14 131:8 135:1  
 207:16 214:12

**bluefins** 81:6

**board** 21:16 26:21  
 164:11 209:10

**boat** 28:21 61:4,5,13  
 69:13,18,21 74:20  
 80:22 81:1,10 83:10  
 85:5 86:22 129:21  
 221:4 229:21 230:12  
 230:16 231:15,16  
 242:19,21

**boater's** 185:12,19

**boats** 51:7 60:20,21,22  
 61:2 74:20 84:20 85:1  
 86:19,20 112:15  
 170:12,18,19 178:6  
 178:16,18 183:8  
**Bob** 2:6 37:1,2 128:1  
 129:3 197:4 201:13  
 204:4,11

**BOEM** 12:1 143:4  
 153:13 157:14,16  
 164:21 167:18 173:10  
 183:16 189:5 190:7  
 190:11 191:9 197:21  
 204:18 207:4 210:8  
 210:11 211:2 246:4  
 246:16

**BOEM's** 165:16

**boggling** 74:4 223:22

**Bonanza** 2:7

**book** 185:11,12,18  
**boom** 28:12 60:19 61:7  
 61:16,18 62:6,11  
 67:10,12 70:1 74:5,17  
 80:15 81:11,11 86:16  
 88:22

**booms** 28:1 67:5,7 69:8  
 80:21 214:18

**boot** 37:4

**bootstrap** 130:11  
**borne** 29:17

**boss** 5:17  
**bottleneck** 97:13  
**bottom** 26:6 71:13  
 136:8,8 157:3 162:20  
 167:6 168:5 169:18  
 177:11 240:21 241:16  
 246:12,14  
**bought** 221:4 242:19  
**bounce** 13:6  
**bounced** 145:7  
**bounces** 145:8  
**bouncing** 13:9  
**bound** 2:10 234:6  
**boundary** 161:16  
**box** 73:11,12  
**boy** 201:16  
**Brad** 3:11 10:7 34:14  
 58:14 60:13 63:7  
 219:5  
**Brad's** 58:20  
**braking** 22:8  
**Branch** 3:3,6  
**break** 11:18 36:8,10  
 53:6 54:7 56:2,4,9  
 58:15 62:20 102:8  
 142:5,11,12 143:5  
 169:15 170:2 186:10  
 186:11 197:5 211:19  
 211:20,22 255:9  
**breakdown** 37:16 49:22  
**breakdowns** 50:4  
**breaks** 38:8 146:13  
 170:15  
**breakthrough** 252:2  
**breakup** 53:13  
**breeding** 207:16,17  
**BREWSTER-GEISZ** 3:3  
**Brian** 3:17 136:19 143:4  
 153:13,14,20 154:4  
 156:8 162:2 167:11  
 167:17 168:5 169:11  
 172:18 174:8,15,19  
 180:5 185:8 192:2  
 193:12 196:18 201:15  
 204:6 210:1,16  
 211:18 246:16  
**Brian's** 153:18 172:5  
**brief** 143:9 154:21  
 196:15  
**briefly** 7:18 16:10 72:3  
 165:16 190:17  
**bring** 7:17 41:4 44:8  
 78:17 87:6 102:20  
 124:6 188:5 203:10  
 231:11 233:8 252:21  
**bringing** 70:20 84:16  
 233:6  
**broader** 137:15

**broken** 102:22  
**Brooks** 1:12 5:3 10:21  
 11:2 14:18 36:5 37:12  
 38:16,18 39:10 41:11  
 43:10,14 44:5,7,14  
 45:14,19 47:6,17,20  
 49:14 53:5 54:5 55:22  
 56:14 58:12,16 60:3  
 61:9 62:17 63:10 64:3  
 65:15 68:3,18 71:22  
 73:19 75:14 78:8 80:8  
 82:17 83:1,13 85:13  
 87:22 98:12 100:7  
 101:4,18 102:12  
 103:1,10 105:10  
 107:19 124:13,17  
 126:20 127:22 129:3  
 129:10 132:4 134:1  
 134:13 137:3,18  
 139:5 140:3,13 141:3  
 142:1,18 143:20  
 144:4 148:9 150:6  
 152:19,22 153:3,6,11  
 153:17 154:2 156:8  
 162:2,5 167:11 169:9  
 172:1,9,15 174:6,15  
 180:4 181:11 184:8  
 185:7 188:5 190:16  
 192:1 193:8 196:15  
 197:3 201:11 204:4  
 207:21 208:4,16  
 210:1,16 211:18  
 212:4 219:14 220:14  
 224:10 225:10 228:2  
 228:6 233:8 234:9  
 236:20 237:3 238:16  
 240:10 241:21 243:22  
 244:5 245:2 253:1,13  
 255:1,17  
**brought** 104:10 151:9  
 177:21  
**budget** 7:22 8:2,13  
 28:16  
**budgets** 8:22,22 139:22  
 140:1 215:6  
**buffer** 42:18  
**build** 38:20 70:14 73:11  
 86:6  
**Builder** 160:14  
**building** 204:7  
**built** 168:10 202:20  
 249:17  
**bulk** 163:19  
**bullet** 138:1  
**bump** 103:11 199:18  
**bunch** 172:16  
**buoys** 200:4  
**burden** 27:17 28:19

113:16 128:14 138:15  
 189:1 238:11  
**burdensome** 58:8  
**Bureau** 3:17 154:6  
**buried** 176:11  
**burning** 136:2 142:4  
**bus** 74:9,12 75:7,17  
 221:2  
**business** 201:7 252:17  
**businesses** 9:3 201:5  
**butcher** 72:21  
**buy** 24:11 79:3 171:13  
 180:20 239:14  
**bycatch** 250:14 252:1,9

### C

**cable** 175:4  
**cables** 169:2 175:6  
 176:6 177:3,10  
**cabling** 176:1  
**calamitous** 135:9  
**calculate** 26:11  
**calculated** 21:17  
**calculation** 22:15 39:7  
**calculations** 40:1  
**calendar** 42:16  
**calibrate** 91:6 121:16  
**calibration** 90:5 96:21  
 102:9,15,16,18,19  
 103:8,16 106:1  
**call** 13:16 75:1 88:12  
 154:18 158:14,16,19  
 158:20 159:2,4,22  
 160:16,20 161:7,16  
 162:7 168:11,12  
 177:18 180:8 181:10  
 181:15,18 195:17  
 196:6 210:6 211:16  
 222:10 227:6 230:3  
 233:19 248:15 251:18  
**called** 160:14 185:11  
 212:15 214:11 231:17  
 243:1,7 244:19  
**calling** 110:3 146:8  
 153:11 202:1 229:10  
 229:10 230:22 231:9  
**calls** 152:2 178:1  
**camera** 13:17 28:2,6,7  
 28:8,11 61:13 62:6  
 67:13 74:4,17 80:15  
 81:11 82:1 83:8 87:3  
**camera's** 70:4 87:4  
**cameras** 6:21 13:18  
 74:22 86:19 217:2  
 248:15  
**Canyon** 169:21,22  
 170:1 200:5  
**cap** 24:13,21 77:10,11

77:13,16 78:3  
**capability** 34:9  
**Cape** 145:11  
**capped** 48:19  
**capping** 25:8  
**captain** 217:5  
**Captains** 2:14  
**capture** 130:2 131:19  
**captured** 112:22 114:4  
 124:19 131:21  
**capturing** 118:2  
**card** 82:20 103:22  
 104:6 115:15,21  
 116:3,8  
**cards** 103:18 120:20  
 124:18 172:16 236:21  
**care** 243:6,18  
**carefully** 80:20 249:18  
**Caribbean** 109:18  
 119:20 120:3  
**Carolina** 2:12 111:14  
 116:5 139:16 181:20  
 197:13 198:13,18  
 233:12 244:9  
**carpet** 87:12,15,19  
**carries** 129:14  
**carry** 237:6  
**cart** 199:3  
**Casco** 2:7  
**case** 21:1 27:3 77:16  
 86:4 139:1 159:1  
 181:2 184:16 214:10  
 214:20 215:7 223:5  
 227:19 245:9  
**cases** 26:14 27:18  
 32:13,17 62:5,5 84:6  
 99:9 109:11 177:6  
 178:1  
**catch** 22:9 42:9 51:15  
 54:20 66:2 77:13,15  
 77:17 82:12 103:17  
 103:22 104:5 110:22  
 112:12 113:19 114:3  
 114:14,21 115:1,9,15  
 115:18,21 116:1,3,8  
 116:16 118:12 120:20  
 120:20 123:11,13  
 129:18 130:21 131:7  
 131:9 132:15 133:7  
 133:11,12,21 138:13  
 140:22 141:22 245:17  
**catches** 55:13  
**catching** 49:5 82:5  
**categories** 18:20 30:1  
 30:15,16,19 33:1  
 34:12,16 35:5 38:11  
 39:3 46:8 53:12 57:21  
 74:7 92:8,9,14 116:11

216:21  
**category** 16:12,13,13  
 26:19 30:8,10,14,18  
 31:1,13,22,22 32:4,5  
 32:12,19 33:4,14,16  
 33:19,20 34:2,21 35:2  
 37:18 39:5 46:7,11,22  
 49:18 50:9,17 51:7  
 52:6 54:2,14 64:11,17  
 64:18 65:3,12 68:9  
 70:13 74:19 78:12  
 83:16 84:4,14 85:12  
 88:6 92:9,11,15 93:20  
 101:6 113:12 119:3  
 216:8,14 240:19  
 241:14  
**catenary** 169:2  
**caught** 26:20 54:13  
 75:1 81:7 82:1 85:22  
 120:8 135:21 167:15  
 195:6  
**cause** 42:7 114:19  
**causing** 115:7  
**caution** 79:16  
**cease** 214:6  
**cells** 90:9  
**census** 55:1  
**center** 119:22 137:10  
 167:18 210:21 239:3  
 240:8  
**centered** 88:11  
**Centers** 245:21  
**Central** 154:18 158:12  
 159:22 160:11 168:11  
 181:18  
**centrally** 79:12  
**certain** 18:5 19:2 95:15  
 96:16 135:14 170:16  
 170:16  
**certainly** 5:9 10:18  
 213:7 217:6 220:7  
 221:16 228:12,19  
**certification** 90:4,14,15  
 91:12 97:17,19 98:2,7  
 106:21 218:1  
**certified** 91:18,21 92:8  
 96:14 98:1  
**certifies** 210:3,3  
**certify** 97:22  
**cetera** 72:11,12,16  
**chafing** 147:8  
**CHAIBONGSAI** 1:16  
 53:9  
**chain** 152:4  
**challenge** 8:19 9:12  
 99:8 189:4 190:19,19  
 191:21 195:1,2  
**challenges** 97:5 179:1

179:14 185:6 236:17  
 248:5  
**chance** 41:14 118:17  
 167:17 178:22  
**change** 30:2 32:2 33:14  
 33:17 34:2,5,21 35:3  
 35:5,11 38:6 39:9  
 50:9 57:20 58:3 76:10  
 106:16 141:8 142:21  
 148:20 151:7 214:19  
 240:3 241:1,17  
**changed** 50:20  
**changes** 16:7,10,11  
 31:20 35:9 37:17  
 57:12 80:17 95:21  
 99:9 101:20 102:4,7  
 109:7,20 110:9  
 132:12 144:11 145:10  
 151:12 152:10,10  
**changing** 31:9 38:9  
 133:9  
**characteristics** 72:8  
**characterized** 93:22  
**Charleston** 199:17  
**Charlie** 1:16 73:22  
 82:20 83:2,13 124:20  
 148:12 149:5 174:17  
 174:18 180:4 197:4  
 201:13 208:16  
**chart** 37:6  
**charter** 35:8 85:4  
 112:15 116:5 125:16  
**charter/headboat** 33:1  
 51:8 52:7 110:21  
 113:9 116:19 119:2  
 121:10 127:18,21  
 138:16  
**charter/headboats**  
 119:6  
**Charterboat** 2:14  
**Charters** 2:6,11  
**charts** 199:9  
**chat** 39:11,15 78:10,14  
 210:2 242:5  
**cheat** 232:20  
**check** 190:7 225:2  
**checking** 130:11 230:1  
**checks** 225:5  
**chief** 3:2,3,6 197:22  
**chimes** 222:14  
**choose** 95:8  
**chosen** 112:2  
**Christine** 2:8 53:7 54:5  
**Chronicles** 185:12,18  
**chunk** 20:13 36:7 39:8  
**chunks** 13:5  
**circle** 70:7 147:2  
 241:18

**circumstance** 45:11  
**City** 2:14  
**claim** 203:17  
**clarification** 27:21 46:5  
 57:11,20 80:5  
**clarifications** 54:10  
**clarifies** 26:22 38:15  
**clarify** 63:11 72:2 77:8  
 164:3  
**clarifying** 36:13,15 37:4  
 37:13 39:18 41:7,17  
 43:16 45:16,20 47:7  
 47:18 53:11  
**class** 54:3  
**classes** 54:3  
**classified** 134:9  
**Clay** 98:20  
**clean** 72:18,21 87:11,14  
 87:14,16  
**clear** 26:22 102:19  
 237:12,22 238:5  
 239:1 253:9  
**cleared** 229:3,4,4,6  
 244:13  
**clearer** 211:5  
**clearly** 248:7  
**click** 190:6  
**Cliff** 3:10 89:7 101:5  
 103:1 105:12 107:21  
 108:3,6 124:13 125:1  
 126:21 128:6 129:5  
 134:16 137:3,18  
 142:10  
**climate** 8:15  
**climatic** 106:14  
**close** 39:16 55:19 94:22  
 136:8 156:7,11  
 244:15  
**closely** 31:2 78:1 104:2  
 104:8 203:6 210:12  
 245:20  
**closer** 15:3 30:21 52:22  
 87:3 116:13 156:9  
**closure** 34:22 199:17  
 199:22 200:1,2,3,10  
**closures** 199:16  
**cluster** 92:18 93:2 94:2  
**clusters** 92:17,18,19  
**co-action** 210:6  
**co-exist** 182:14  
**coast** 80:6 110:8,18  
 146:19 194:10 205:1  
 205:18,19 216:19  
**Coastal** 110:14 146:20  
 245:22  
**coastlines** 97:5  
**COCKRELL** 3:5  
**codified** 45:4

**coding** 158:9  
**COFFEY** 1:17  
**Coit** 9:16 255:6  
**collaborating** 246:3  
**Collaborative** 164:8  
**colleagues** 202:2  
**collect** 8:10 120:22  
 121:20 123:8 126:2  
 127:8  
**collected** 147:22 216:4  
 216:17  
**collecting** 101:13  
 119:14 122:7 126:16  
 133:5 135:20  
**collection** 118:1,11  
 120:4 124:4 125:14  
 126:5 136:16 213:18  
**collections** 108:17  
 109:2 110:10 111:11  
 112:17 116:22  
**collects** 101:9,11  
**color** 158:9  
**COLSON** 1:18  
**column** 38:7,21,22  
 155:5 175:5 178:3  
 246:12  
**combination** 88:16  
 205:20  
**combine** 105:2  
**combined** 34:3,6  
**combining** 114:21  
 115:15  
**come** 6:10,17 7:13 9:13  
 11:21 36:9 42:2 43:18  
 44:9 47:7 56:4,5,7  
 59:22 62:19 64:4,6  
 65:15 70:7 73:21 76:7  
 97:15 98:3,14 103:12  
 117:5 118:19 124:21  
 126:9,21 127:18  
 132:5 137:19 143:5  
 149:6 150:2 153:14  
 169:10 171:17 174:12  
 174:14 181:21 183:2  
 195:19 197:1 202:5  
 206:21 211:21 218:10  
 218:16 222:16 238:17  
 242:6 244:2 254:15  
**comes** 64:20 80:3 99:4  
 104:18,21 134:15  
 196:9 225:3 233:14  
**comfortable** 14:6  
**coming** 31:3 36:1 106:8  
 107:2 110:2,15 121:8  
 129:8 130:8,20  
 140:10 151:2 160:21  
 174:1 184:3 196:22  
 210:17 212:20 215:21

218:10,18 219:22  
220:3 221:7,9  
**comment** 4:11 5:11  
12:11 17:15 18:21  
19:20 30:17 36:17  
40:14 47:19 58:2,19  
60:5,17 63:9 68:4  
80:2,6,9 82:22 84:4  
85:16 104:10,22  
129:6 134:3,10  
143:11 148:1 150:15  
158:22 159:1,12  
160:9,21 161:8,19  
165:6,7 179:20 182:3  
185:5 192:3 194:4,20  
198:16 211:16 212:11  
222:7 228:5 237:18  
242:1,2,3,13 244:4  
255:10,12  
**comments** 5:15 15:16  
36:18 37:10 41:18  
56:8 65:20 73:20  
80:14 82:19 88:3,5,5  
88:7,10,13 124:22  
148:2,4,10 151:1,17  
153:4 156:14 163:12  
163:20 179:21 193:13  
196:5 201:17 202:7  
211:1 233:11 234:12  
236:18 240:21 242:8  
242:13 245:14 248:8  
253:3,16 255:14  
**Commerce** 1:1 253:8  
**commercial** 63:5 77:4  
113:4,13 119:5 122:4  
125:16 138:15,18  
155:2,9,17 163:10  
178:17 179:8 180:22  
188:22 237:15,20  
240:18 241:9,9,12  
**commercially** 119:4,7  
**Commission** 1:18 2:8  
**commissions** 203:8  
**committed** 114:6  
**committee** 6:9 135:3  
136:14,20 166:4  
**committees** 136:21  
**common** 91:8  
**communicate** 55:20  
**communicated** 66:16  
**communicates** 211:3  
**communication** 26:12  
191:15,17  
**communications** 191:5  
**community** 205:8 206:2  
206:2 207:7 253:22  
**companies** 158:1 247:1  
**company** 1:19 204:17

204:22 206:6  
**comparable** 252:1,9  
**compare** 96:6,9  
**compared** 79:21  
**compares** 104:5  
**comparing** 79:17 80:6  
**comparison** 83:5,9  
205:16  
**comparisons** 83:7  
**compatible** 232:8  
**compelling** 66:3  
**compensation** 163:18  
163:20 164:1 183:13  
183:13 203:5 204:15  
206:22 207:5 246:13  
246:18 247:5,6,14  
**compensatory** 164:19  
**compete** 200:20 250:12  
**competing** 251:12  
**competition's** 206:12  
**competitive** 158:6,7  
**complaining** 222:19  
230:22  
**complete** 89:21 90:20  
91:1 96:13 139:1  
160:22  
**completed** 90:10  
154:21 155:1,18  
**completely** 134:19  
135:5 171:1 200:7  
237:9 243:11 247:2  
**complex** 17:22 94:1,11  
**compliance** 123:13  
238:22 239:4,7,13,21  
240:2  
**complicated** 118:4  
**component** 18:4 105:2  
107:9  
**components** 94:11  
105:4 107:10 150:17  
150:21  
**composition** 129:18  
**comprehensive** 44:16  
108:16 217:11  
**computer** 11:18 72:7  
76:21 107:5 221:15  
229:5,18  
**con** 122:13  
**conceivably** 25:3  
**concept** 104:21  
**concern** 23:2 27:6 29:1  
121:18 122:18 130:9  
130:15 134:5 194:17  
208:3,11  
**concerned** 18:2 86:20  
**concerning** 46:10  
133:14  
**concerns** 55:12 69:9

159:15 189:9 192:6  
194:4,8 220:6,12  
228:12 249:9  
**ConCiencia** 1:19  
**concludes** 35:13  
**concluding** 206:14  
**conclusion** 130:21  
132:1  
**condescension** 222:8  
**condition** 105:6,7  
**conditions** 20:2 23:21  
77:12 95:21  
**conductive** 184:6  
**conduct** 104:3 108:16  
**conducted** 96:6 130:11  
**conducting** 103:7  
**conducts** 123:22  
**confidence** 185:17  
186:1  
**configuration** 61:7  
148:20 149:8  
**configured** 86:19  
**confirm** 107:3  
**confirmed** 76:18 91:4  
96:8  
**conflicting** 115:12  
**confounded** 141:13  
**confounding** 134:16  
**confusing** 35:7 104:12  
207:3  
**congratulations** 47:11  
47:12 76:1  
**Congress** 8:1,6 209:20  
247:18  
**conjunction** 62:2  
**connect** 142:10  
**Connecticut** 90:21  
**conscious** 126:18  
**consensus** 145:15  
146:10 147:11  
**Conservacion** 1:19  
**conservation** 2:8 66:3  
250:15  
**consider** 45:4 120:11  
123:10 221:19  
**consideration** 137:14  
151:14 155:16 173:21  
**considerations** 228:19  
**considered** 46:1,18  
49:7 63:5,18 64:18  
65:12 118:15 174:3  
195:15  
**considering** 113:6  
115:21 120:5 122:2  
**consistency** 6:2 103:20  
**consistent** 112:12  
**consolidated** 234:5  
**constant** 72:20,22

**constituents** 9:22  
**constitute** 218:5  
**constrained** 23:5  
**constraints** 28:16  
**construction** 155:6,7  
156:6,14 175:15,19  
191:1 206:13,14,16  
207:1  
**consultants** 96:8  
**consultations** 157:9,9  
252:13  
**consulted** 195:7  
**contact** 14:19 60:11  
247:20  
**contacting** 152:15  
**contemplated** 249:22  
**context** 34:14 218:15  
237:8 239:8,13  
**contiguous** 181:5  
**Continental** 209:2  
247:12  
**Contingency** 209:1,15  
**continually** 70:14 71:5  
71:6,8  
**continue** 9:7 13:10,12  
14:8 66:6 106:13  
111:8 118:8 119:17  
131:10 139:4 196:2  
235:13  
**continued** 5:11 123:12  
**continuing** 27:11 115:3  
185:1  
**continuity** 102:5  
**contractor** 123:21  
**contrast** 17:3 22:12  
**contribute** 247:16  
**contributing** 38:13  
**control** 122:11 194:16  
194:18  
**controlling** 82:9  
**conundrum** 59:11  
**convened** 166:4  
**convening** 147:18  
**conversation** 10:5,12  
11:4,22 12:18,20 13:2  
14:1,4 27:5 36:12  
53:2 56:21 89:2,4  
97:18 108:3 135:8  
136:9 143:9 167:20  
174:9 211:9 212:10  
219:17 255:7,18  
**conversations** 7:14  
14:8 101:22 102:3  
210:18  
**convert** 38:10  
**COOPER** 3:6  
**cooperation** 205:21  
**cooperative** 60:8

**coordinated** 191:8  
**coordination** 6:8 29:4  
**COP** 193:21,22  
**copies** 235:13  
**COPs** 155:8  
**core** 193:12  
**corollary** 25:7  
**corporation** 221:9  
 223:18  
**Corps** 210:2,5,10,12  
**correct** 48:4,5 49:6,11  
 49:12 51:1 57:14,15  
 79:6 176:5 177:17  
 234:20 243:11  
**corrected** 74:7  
**correctly** 50:9,11  
 105:14 148:16 240:20  
 246:16  
**cost** 4:8 12:4 25:21  
 26:1,3,9,10,16 28:17  
 28:18 29:17 70:22  
 72:13 143:7 197:8,16  
 197:17 198:3,4,8,14  
 212:7,15,17 213:2,20  
 215:2,5,12,18,19  
 216:3,20 235:20  
 248:16,18  
**cost-benefit** 84:8  
**cost-effective** 62:12  
**costs** 26:13 62:14  
 214:9,13,17,21 215:8  
 215:10,14,14 216:1,3  
 216:8,14,15,21,21  
 217:16 218:6  
**cottage** 63:19  
**council** 2:4 6:8 113:1  
 116:5 173:3 174:2  
 181:19,20  
**councils** 6:2 15:15  
 172:21 173:5 183:18  
**count** 18:8,11 49:5,10  
 55:4  
**counting** 63:7  
**countries** 183:6  
**country** 6:2 75:6 199:11  
 200:16  
**counts** 82:15  
**County** 253:21  
**couple** 7:22 9:15 11:13  
 12:15 36:21 59:21  
 65:20 81:4 82:18  
 100:8,9 103:11 126:7  
 137:6 166:18 188:6  
 211:19 245:13 248:2  
 248:13 250:2,8  
**course** 5:18 7:9 10:12  
 32:18 45:9 75:18  
 96:16 170:18 214:17

219:1 230:2 234:6  
**cover** 154:17 170:3  
 209:3 212:5 214:4,9  
 215:10 216:2,3,8,15  
 238:2  
**coverage** 93:13 99:10  
**covered** 210:14 214:13  
 214:22 215:14,15,15  
 216:22 217:16  
**covering** 14:13,16  
 215:22  
**covers** 111:7,12 209:4  
 216:10  
**COVID** 225:14 227:2  
 253:22  
**Coxes** 205:12 206:5  
**CPF** 2:11  
**Craig** 3:5 14:4 52:21  
**crazy** 140:18  
**CREAR** 3:7  
**create** 66:20 93:13,18  
 115:8 175:7 178:5  
 215:5  
**created** 252:5  
**creates** 91:15 99:8  
**Creel** 112:10 128:11  
**crew** 70:1 83:7 217:5  
**crimps** 147:8  
**criteria** 152:11  
**critical** 67:1 91:21  
**criticism** 93:20  
**criticized** 93:10,17  
 94:15,19  
**critique** 98:17  
**crude** 180:11  
**cumulative** 78:11  
**cures** 235:19  
**curious** 41:19 102:2  
 129:16  
**currency** 91:8  
**current** 9:6 15:4 17:4  
 21:6 26:22 27:22 28:8  
 35:9 47:3 53:17 89:18  
 92:10,16 93:11,22  
 94:22 97:7 144:11  
 148:5 152:4 177:2,2  
 178:4 214:15 236:5  
 241:6 246:17  
**currently** 24:7 27:15  
 34:1 89:15 90:6,11  
 92:20 93:7 94:11  
 119:20 120:8 127:2  
 127:11 156:3 158:22  
 161:11 166:16 254:17  
**cursor** 162:3  
**Curtis** 3:8 184:19  
**cussed** 226:8  
**custom** 19:14

**customize** 62:14  
**customized** 18:22  
 28:20 29:8 62:10,14  
 66:15  
**cut** 180:12  
**cutoff** 193:5  
**cutting** 31:12 39:12,13  
**CVOW** 155:12  
**cycle** 190:13

---

**D**


---

**D** 4:1  
**DAA** 10:2  
**daggone** 74:12 75:11  
**daily** 231:21  
**damage** 109:20  
**damn** 69:21  
**DAN** 3:7  
**danger** 87:5  
**dangerous** 69:13  
**DANIEL** 1:17  
**dartboard** 42:1  
**darts** 42:1,4 68:7  
**dashboard** 157:6  
**data** 8:10 11:14 27:18  
 40:7 52:8 62:2 64:12  
 67:20 80:12 89:4 91:6  
 91:20 96:1,19,20,22  
 97:1 101:10,10,11,14  
 101:22 102:5,16  
 103:20 104:1 106:2,6  
 107:2,8,11,13 108:11  
 108:17 109:2,6 110:9  
 110:15 111:11 112:16  
 114:4,9,21 115:8  
 116:22 117:19,21  
 118:1,11 120:4,19,22  
 121:16,19,20,22  
 122:7,11,14 123:7  
 124:4,8,9 125:14,17  
 126:2,5,13 127:8,13  
 127:19,20 129:8  
 130:3,7,7,16 131:2,9  
 133:6 134:11 135:4  
 135:20 136:5,16  
 138:13,21 139:17  
 140:10,21 164:17  
 173:20 184:21 185:2  
 203:3 204:13,13,21  
 205:16,17,18 206:3  
 213:18 217:8 218:3  
 245:17 246:4  
**database** 205:3  
**date** 34:22 161:9 167:1  
 177:3,4  
**dated** 106:12  
**dates** 157:11  
**daughter** 232:2  
**David** 2:15 36:20 44:8  
 44:14 45:14,15 46:4  
 56:6 62:19,22 98:14  
 100:7 134:1,13 137:3  
 172:15 174:7 242:15  
**day** 5:7 7:15 11:9 12:22  
 18:8,10 38:4 40:10  
 75:2 83:8 154:8  
 193:10 196:3 206:4  
 215:7 223:18 229:18  
 230:2,3 243:12  
 255:15  
**days** 7:13 35:10 40:20  
 57:22 58:9 137:1,17  
 230:18 233:20 235:20  
 243:2,15,19,19  
 244:12,13 245:8  
**DDT** 186:2  
**de** 19:18 65:12  
**dead** 25:17 30:9 57:13  
 68:14,17  
**deadline** 35:22 98:6  
**deafening** 135:7  
**deal** 61:10 70:21 112:9  
 129:18 130:5 194:11  
 209:12 222:5  
**dealer** 25:14,16,19  
 239:5,7,12,19  
**dealers** 57:12 151:8,18  
**dealing** 16:16 81:20  
 115:5,11 199:15  
 234:13  
**deals** 5:22  
**dealt** 102:8 129:16  
 231:7  
**debt** 69:2  
**decade** 46:12  
**decades** 250:9  
**December** 55:16  
 144:12 181:14,21  
 184:11 190:1  
**decide** 43:20 95:7  
 97:14  
**decided** 159:1 202:9  
**decision** 30:21 46:18  
 63:5 196:1  
**decisions** 246:10  
**deck** 29:10,12 70:16  
 71:5,6 72:18,20 81:17  
 83:8 87:13 88:8,21  
**decks** 248:17  
**declines** 23:3  
**decrease** 40:21 176:17  
**decreasing** 8:22  
**deep** 109:16 162:14  
 168:14 169:15 175:11  
 177:19 179:15 192:16  
**deeper** 175:3 193:2,3

**deepest** 193:6  
**deeply** 100:1  
**default** 34:1,8 77:10,17  
 78:4  
**Defense** 2:19  
**defer** 50:2  
**deference** 30:6  
**deficiencies** 235:8  
**deficiency** 222:3 225:4  
 225:5 236:7  
**defined** 16:19 92:18  
**definitely** 11:19 100:3  
 120:15 126:21 127:12  
 129:5 137:14 151:19  
 179:1,16 186:22  
 187:5 196:12 211:15  
 215:9 228:3 248:10  
**degree** 135:14  
**DEIS** 165:11  
**Delaney** 245:3,4  
**Delaware** 91:2 166:16  
**delay** 10:19 96:17  
 106:21 172:14  
**delayed** 150:16  
**delaying** 96:21 97:2,17  
**delays** 96:19  
**delineating** 160:16  
**demands** 176:20 181:9  
**demonstrate** 202:22  
**denied** 71:13,18  
**Denit** 5:14  
**DENNIT** 6:12  
**densities** 186:6  
**Department** 1:1,15 2:4  
 2:18,20  
**departures** 92:9,15  
**depend** 24:1 201:5  
 251:12  
**dependent** 135:15,16  
 136:5  
**depending** 28:21 72:12  
 93:5 94:7 95:20 105:6  
 181:7  
**depends** 168:9 180:17  
 197:15  
**DEPERSENAIRE** 1:19  
 83:14 84:2 129:11  
 131:13 188:9 190:14  
**depicted** 33:9  
**deployed** 93:9  
**depredation** 110:7  
 122:6,8,10,18 123:2,9  
 124:12 126:10,16  
 255:11  
**deprived** 46:14  
**depth** 168:9 176:8  
 177:15 192:9,19,20  
**describes** 216:2

**deserves** 77:2  
**design** 89:21 90:1,3,3  
 91:5,9,9,11 92:11,12  
 93:21,22 94:9,11,18  
 94:19 95:1 96:4,14  
 97:8,11,20,22 98:1,4  
 98:8,9 101:21 103:21  
 107:1,3,5,17 110:12  
 163:15 176:6 179:18  
 180:3 181:19  
**designated** 17:14 22:2  
 22:5,7,13,21 24:3  
 66:14 77:15 112:11  
**designation** 161:2  
**designations** 22:3,11  
**designed** 112:8 127:4  
 128:9 133:7,22 194:3  
 214:6  
**desired** 18:10  
**despite** 248:4  
**destroy** 195:11  
**detailed** 15:8 121:20  
 123:8  
**details** 15:7 52:1 88:14  
 154:15 203:15 248:12  
**detect** 177:5  
**determination** 17:16  
 18:9,12 20:9 25:3  
 31:6  
**determine** 17:7,22  
 28:17 133:6 144:21  
**determined** 32:17  
 177:20  
**determines** 198:2  
**determining** 17:12 18:7  
 81:9  
**detrimental** 206:15,20  
**develop** 60:13 90:2  
 115:1 116:2 163:9  
 166:2 209:9 214:8  
**developed** 45:4 108:18  
 212:21 213:14  
**developer's** 207:6  
**developers** 189:7  
**developing** 114:13  
 117:16,19 159:5  
 164:21 197:18 209:6  
 218:11,13  
**development** 19:21  
 29:13 72:13 122:8  
 125:20 155:9 164:19  
 165:17,18 189:13  
 190:3 191:1 217:5  
 218:22 246:19  
**developments** 124:4  
**deviation** 105:22  
**device** 28:12 62:7  
**devices** 28:2

**Dewey** 2:3 13:13,13  
 37:2 39:18,19 41:11  
 58:16 60:3,4 61:9  
 62:17 79:11 132:6  
 137:21 140:3 174:17  
 181:12 184:8 185:9  
 222:6 225:11 228:2  
 228:22 229:13 230:20  
 231:12 242:18  
**Dewey's** 71:11  
**diagonal** 90:9  
**dialed** 227:10  
**diameter** 147:4  
**die** 208:13  
**dies** 68:13  
**differ** 16:1  
**difference** 48:10,11,12  
 48:13 117:11 130:21  
 251:1  
**differences** 215:21  
**different** 5:12 6:1 7:17  
 11:13 17:1 18:19  
 32:20 49:16,19 53:15  
 61:3 69:21 76:15,15  
 77:2 79:19 107:4  
 122:7 130:22 132:19  
 149:9,20 150:4,20  
 160:15 164:9 168:21  
 169:5 177:9 183:5  
 186:5,18 187:21  
 188:2 197:13 203:8  
 203:15 216:21 227:5  
 228:1 234:14 248:1  
 254:14  
**differently** 77:3  
**difficult** 79:9 121:21  
 227:13 232:14 245:6  
**difficulties** 220:1  
**difficulty** 126:9  
**dig** 164:16  
**diminish** 248:6,7  
**direct** 53:3 177:2  
**directed** 8:5 30:15  
 201:17  
**direction** 232:16  
**directions** 95:2  
**directive** 32:12 213:1,5  
 213:11,17 215:12  
 218:21  
**directly** 19:3 20:20 70:7  
 169:1 192:17 204:18  
 204:19 246:3  
**Director** 5:15  
**disappointing** 68:9  
 77:6  
**disastrous** 81:14  
**discard** 117:21  
**discarded** 117:7

**discards** 25:16,18 30:9  
 57:13 68:17 101:8  
 127:5  
**disconnect** 206:12  
 234:3,8  
**disconnects** 233:14  
**discontinuation** 30:13  
**discontinued** 109:19  
**discretion** 174:12  
**discuss** 37:16 84:12  
 193:18,21 250:5  
**discussed** 50:13 68:21  
 83:19 170:11  
**discussing** 101:16  
 228:12  
**discussion** 5:9,12  
 14:16 36:4,17 56:18  
 71:19 82:4 84:10,16  
 85:7,9 88:1 124:2  
 129:15 136:14,15  
 138:4 163:21 212:19  
 214:16 218:16 228:10  
 240:13  
**discussions** 8:15 15:13  
 115:4,10 119:22  
 226:7  
**disk** 59:3  
**disparity** 37:11,17 74:2  
**displaced** 185:10  
**disruptive** 171:20  
**disrupts** 200:7  
**distance** 97:6  
**distinction** 238:5  
**distinguish** 119:3  
**distribute** 23:7  
**distributed** 16:17 17:11  
**distribution** 16:7 99:6  
 99:11,20 247:5  
**distributions** 47:4  
**ditto** 185:8  
**dive** 14:16 15:8  
**diversity** 7:16 17:21  
**divided** 20:19 60:7  
**division** 1:21 2:12 3:2,3  
 3:4,5,6,7,8,9,10,11,12  
 3:13,14,15 5:21,21  
 6:3 108:7 113:2 173:1  
 173:2 205:22  
**divisions** 47:1  
**divvied** 53:16  
**DMF** 207:8  
**DNER** 1:20  
**DNR** 115:20  
**dock** 82:2 129:19,19,20  
 131:17 230:18 243:14  
 243:20  
**dockets** 130:8  
**docks** 130:19 131:1

**dockside** 99:14,15  
111:18 121:2 122:20  
123:15,18,22 131:12  
201:5  
**document** 202:13 209:6  
**documentation** 202:18  
**documented** 58:3  
**documents** 243:10  
**doing** 13:19 20:18  
39:22 45:11 75:6  
90:17 103:18 107:11  
114:3 137:6 156:4  
187:3 205:11 225:1  
226:21 227:11 232:7  
235:22 242:19 252:16  
**dolphin** 18:2,3  
**dolphins** 144:13  
**domestic** 5:21 49:22  
50:7 251:7  
**domestically** 50:21  
**dominated** 251:5  
**double** 212:11  
**double-check** 253:15  
**DoubleTree** 1:11  
**doubt** 172:22  
**download** 226:17,19  
**Dr** 64:8 89:14 101:19  
102:14 103:21 106:19  
125:3 130:6 132:10  
134:4 192:2 204:22  
**draft** 15:11 156:11,22  
165:6,7 248:9 252:4  
**drafted** 148:6  
**drafting** 137:8  
**draw** 94:2  
**drawn** 94:5  
**dregs** 252:18  
**dress** 72:19  
**Driftnet** 250:19 251:16  
**drive** 30:21  
**drives** 27:14,16,18  
129:18  
**driving** 58:1 193:17  
**drop** 109:16 241:22  
**dropdown** 157:15  
**dropped** 86:4  
**dual** 113:2  
**DUBECK** 3:9  
**due** 45:5 109:20 118:15  
196:13  
**dug** 241:19  
**DUKES** 57:10,16,19  
103:15 233:10  
**Dump** 205:13  
**duplicate** 116:9,15  
**duplicative** 116:2  
138:14  
**duration** 93:7

**DUSTIN** 1:18  
**dusty** 204:6  
**dynamic** 17:2,6,13,16  
20:9 21:21 22:10,11  
23:10 25:2 31:6 58:20  
58:21 59:11 66:19  
79:18 99:12 176:1  
179:5 188:2

**dynamics** 31:10  
**dysfunction** 220:21  
224:4

---

## E

---

**E** 4:1 168:14,14 169:14  
170:2 177:3 180:7  
182:1 183:10  
**eagles** 185:15  
**earlier** 52:4 68:4 80:14  
84:4 109:10 120:8,8  
123:12 139:21 214:16  
215:6 219:20 238:18  
240:13,15  
**early** 120:12 148:8  
186:19 247:9,11  
**ears** 180:2  
**easier** 13:8 121:1  
189:19  
**easiest** 155:21  
**easily** 81:4  
**east** 80:6 146:19 205:1  
**eastern** 76:20  
**Eastport** 99:16  
**easy** 79:12 83:9 132:20  
151:11 233:3  
**eat** 17:19  
**EBTR** 238:1  
**echo** 80:14 228:22  
**ecological** 240:15,21  
**economic** 26:1,2,15  
206:7  
**economically** 67:2  
**eddies** 170:16  
**editorializing** 202:10  
**EDT** 1:12  
**educational** 227:14  
**eels** 167:2,3 198:20  
**EEZ** 146:18  
**effect** 24:4 55:8 199:6  
241:1  
**effective** 9:6 67:12  
214:2 250:17,22  
**effects** 175:6 176:22  
177:10 180:3 240:15  
240:22  
**efficiency** 122:20  
123:14,20 128:18  
235:14  
**efficient** 9:5 92:21

**effort** 17:12,21 22:9,18  
23:3 25:2,5 41:22  
43:6 101:13 102:15  
103:5 110:13 114:14  
115:9 120:22 131:4,6  
132:17 133:3,12  
137:5 139:11 146:14  
201:22 202:19 203:10  
223:6 245:17,18  
246:4

**efforts** 60:13 123:12  
246:1 248:8 250:9  
253:10

**EFH** 174:1,2

**eight** 93:6 94:8 230:21  
254:1,3

**EIS** 56:19 57:1

**either** 18:21 22:5 29:10  
72:6 102:3 111:16  
153:4 195:21 208:12  
212:9 221:13 236:5  
239:10

**elaborate** 60:13 92:13

**elect** 177:19

**electricity** 176:19  
197:16

**electromagnetic** 167:1  
198:20 199:1

**electronic** 4:8 12:4

27:12 29:6 35:18,21  
51:3,20 72:5 112:16  
113:3,5 115:21  
118:14 121:8 143:6  
212:7,14 213:2,7,9,17  
213:20 214:2,5  
215:10 216:9,12  
217:7 218:2,14 219:3  
219:5,11 237:14  
239:18 240:5

**electronically** 111:2  
229:17 236:1 237:22

**element** 85:6

**elements** 114:9 122:11  
134:16 138:13 144:9  
144:10 145:9 147:16

**eligible** 85:22

**eliminate** 57:13,14

**elimination** 47:13

**EM** 27:14 29:9 67:5  
214:11

**email** 14:3 136:20  
181:22 190:10 233:5  
234:1,1

**emails** 182:5

**emerging** 124:10

**emphasize** 251:3

**Empire** 156:19

**empirical** 188:13

**EMS** 238:12

**encompass** 125:8

**encounter** 92:21 94:5

**encountered** 114:15

**encourage** 190:5

203:18 211:15 213:12  
245:15 247:22 251:10

**encouraging** 252:14

**endangered** 157:8

186:15 216:11

**ended** 224:22

**endorsement** 119:9

138:16

**endorsements** 119:5

**ends** 241:3

**endure** 223:3

**endures** 74:3

**enduring** 196:22

**energy** 3:17 154:5,6  
158:8 159:6,18 161:2  
161:13 162:18 201:9  
202:11,12 209:16  
246:19 247:1

**enforce** 252:9

**enforced** 251:9

**enforcement** 78:22

217:19 250:17 251:1

**enforcement-wise** 80:4

**engage** 9:18 211:6

242:9

**engaged** 129:21

**engagement** 191:20

**engineer** 192:14

**engineers** 193:4 210:3  
210:5,10

**England** 2:9 33:10

106:15 120:14 125:19

166:15,22 192:5

199:18 246:20

**enslaved** 200:15

**ensure** 99:10 173:7

210:13

**entail** 20:6

**enter** 25:19 60:6 246:8

**entering** 110:11

**entire** 79:13 161:22

196:21 200:8 205:1

**entirely** 24:1 136:5

**entities** 158:10 173:12

175:13 203:8,12

**entitled** 213:2

**entity** 24:14,22 25:8

48:15

**entrants** 19:19 21:22

67:4,4

**entry** 220:19

**environment** 9:6

**environmental** 2:5,19



11:11 15:5,11,18 21:3  
 43:9 85:8 156:11,22  
 159:9 163:17 164:2,5  
 165:12,16 175:6  
 176:22 177:11 187:1  
 189:21 210:7,14  
 248:9 255:8  
**equal** 94:12 98:21  
**equally** 104:19  
**equates** 241:12  
**equipment** 28:20 217:3  
**equitable** 74:21 209:10  
**equity** 88:20 255:8  
**equivalent** 19:11  
 241:10  
**Erin** 3:18 143:2,14,15  
 143:17 144:4 148:9  
 148:14 150:11 153:6  
**error** 35:11  
**errors** 58:7  
**escapes** 194:20  
**especially** 66:8 73:16  
 75:9 110:6 116:18  
 118:3 221:18  
**ESPINOZA** 1:19  
**essential** 91:20 157:10  
 173:16  
**essentially** 32:8 79:14  
 112:4 135:18 199:21  
 200:9 201:21  
**establish** 68:21 91:17  
 120:2 246:17 247:13  
**established** 251:8  
**establishes** 213:19  
**establishing** 138:15  
**estimate** 112:21 133:7  
 141:1,22 176:14  
**estimated** 89:21 96:5  
**estimates** 90:5 91:7,7  
 96:10 102:21,21  
 112:12 114:14,17  
 115:1,12 131:11  
 133:10,21 135:17  
 136:6 140:11  
**estimating** 102:1 107:9  
**estimation** 92:12 93:17  
 93:19,21 94:10,10,14  
 95:17 107:17 127:5  
**et** 72:10,12,16  
**et cetera** 55:21  
**eTrips** 113:19 114:1,4  
 116:1 138:14 231:17  
 238:15  
**European** 44:20  
**evaluate** 131:10 175:18  
 177:13  
**evaluating** 115:14  
 117:5 119:10 123:14

161:11 185:3  
**Evan** 2:5 167:22 168:6  
 210:2  
**evening** 12:14 254:1  
**event** 86:14 95:13  
**events** 91:1 99:11  
 122:6,10 123:9  
**eventually** 121:12  
 175:19 235:19  
**everybody** 5:7 6:15  
 10:19 13:15 14:7  
 70:12 104:18 142:14  
 153:10 160:8 197:9  
 207:3 231:4 254:11  
**everything's** 234:20  
 244:13  
**evident** 208:10  
**evolve** 139:4  
**evolving** 138:21,22  
**eVTR** 114:10  
**eVTRs** 202:18  
**ex-vessel** 26:5,8  
**exactly** 8:6 32:9 46:5  
 73:10,10 133:5 134:6  
 181:2 225:20  
**exaggeration** 232:11  
**examination** 108:16  
**example** 18:1 20:8,15  
 21:13 22:19 40:13,16  
 79:10 137:1 159:17  
 168:10 216:5,19  
 244:1  
**examples** 92:17 215:17  
 217:11,14,15,15  
 218:5  
**exceed** 145:8,21 147:4  
 147:5  
**exceeded** 145:6  
**exceeds** 70:12 87:6  
**excellent** 47:11  
**exception** 45:1 110:21  
 147:13,14  
**excessive** 24:16  
**exchange** 136:15  
**excited** 6:7  
**exciting** 8:2 11:6  
**excluding** 112:19  
**exclusion** 193:17  
**exclusive** 162:11  
**exclusively** 128:17  
**excuse** 16:12 31:19  
 42:9 133:20 152:17  
**executed** 155:4 158:5  
**execution** 191:16  
**exemplifies** 126:1  
**exempt** 121:11  
**exercise** 39:1 79:16  
**exist** 214:1

**existed** 182:6  
**existing** 92:11 104:1  
 122:17 126:12  
**exists** 182:15  
**expand** 116:18 120:6  
 121:1,2,9 127:17  
**expanded** 112:6  
**expanding** 109:16  
 111:10 113:7,11  
 116:22 118:12 119:18  
 120:11 123:10  
**expansion** 111:16  
 115:15 120:17,17  
**expansive** 169:17  
**expect** 150:13 151:20  
 168:17 246:21  
**expected** 247:4  
**expedite** 230:9  
**expedited** 229:19  
**expeditiously** 249:20  
**expendable** 126:15  
**expensive** 67:11  
**experience** 123:2,9  
 133:6,8 134:9 160:14  
 187:4 221:3 231:3  
 233:12 246:20 249:5  
**experienced** 132:19  
 220:2  
**experiencing** 135:5  
**experimental** 201:18  
 202:1  
**experimenting** 11:5  
**experiments** 249:7  
**expertise** 246:3  
**expires** 25:11  
**explaining** 43:8  
**explore** 125:13  
**exposed** 175:5  
**express** 65:20 196:18  
**expressed** 29:1 175:13  
**extend** 69:10  
**extended** 69:12  
**extending** 109:11  
**extensive** 10:10  
**extent** 87:21 196:10  
 209:7 211:8  
**external** 52:16 96:7  
 137:11  
**extra** 153:7 228:11  
 230:18  
**extreme** 125:12 126:1  
 189:1,4  
**extremely** 69:13 188:12  
 231:5  
**extremes** 18:21  
**eye** 116:13,14  
**eyeball** 73:9

---

**F**


---

**F** 168:13,14 169:14  
 170:2 177:3 180:7  
 182:1 183:10  
**F/V** 2:10,15  
**face** 69:22  
**faces** 7:6,7 12:15  
**facilitate** 29:11 31:16  
 67:22 220:8  
**facilitating** 1:13 212:19  
**facilities** 181:9 188:3,4  
 192:22  
**facility** 155:9,10 168:10  
 180:15  
**facing** 8:20 69:5  
**fact** 30:3 106:7 115:22  
 223:14 224:18 241:3  
 248:4  
**factor** 96:21 97:2,17  
**factors** 93:18 94:16  
 96:16 102:9  
**failure** 189:10 251:22  
**fair** 131:20 204:2  
**fairly** 36:1 213:3  
**fall** 69:1,2 81:20 83:12  
 83:19,21 85:10 148:8  
 188:17 207:18,19  
 208:20  
**false** 148:18 149:12  
 150:3  
**familiar** 7:6 52:1 65:3  
 159:7  
**families** 200:22 201:4  
**fantastic** 143:22 252:11  
**far** 36:20 70:12,16  
 86:19 87:6 176:4,22  
 203:18 235:9  
**farm** 155:20 185:15  
**farms** 185:22  
**fashion** 223:8 249:14  
**Fast** 157:4  
**faster** 139:10 186:19  
**fathom** 222:9  
**fault** 172:13 230:7  
**faxed** 230:13  
**fear** 59:11  
**feature** 96:3  
**features** 94:9 169:18  
 170:14  
**February** 158:1 160:20  
**fed-state** 161:16  
**federal** 26:11 112:16,17  
 155:17 161:22 184:15  
 184:19 203:19 209:19  
 214:4,7,9,14 215:9  
 216:9 218:4 247:6  
 250:18  
**federally** 110:19

**federally-maintained** 157:5  
**fee** 216:6  
**feedback** 10:10,13  
 52:22 65:22 158:21  
 163:14 166:7  
**feel** 77:19 142:10 168:7  
 197:15 226:7  
**feels** 194:2  
**fees** 216:4,17 217:10  
**feet** 87:1 178:12  
**FEIS** 4:3 14:22 63:20  
 240:22  
**felt** 18:22 47:14  
**fences** 193:15  
**FERRER** 1:20  
**fewer** 176:21  
**fiberglass** 61:1,5 87:13  
**field** 90:3 106:3 171:19  
 198:20 250:10  
**fields** 167:1 170:22  
 177:5 199:2  
**fight** 200:12 232:12  
**figure** 15:7 32:10  
 125:12 179:17  
**file** 90:15  
**filed** 98:2,3 243:5  
**fill** 106:9 206:3 227:12  
 231:16 233:5 238:15  
**filled** 206:4 243:10  
**final** 11:11 15:5,17,19  
 15:21,22 20:6 21:3  
 34:5 40:18 43:8 57:1  
 85:14 90:11 110:11  
 143:1 148:5 150:22  
 151:3,14,20,21 152:8  
 159:13 161:3 165:8  
 180:12 228:16 248:10  
**finalized** 19:18 56:20  
 80:16  
**finalizing** 17:15 19:15  
 23:1,13 24:6,13 27:13  
 30:17 32:12,22 33:3,4  
 33:15,18 219:4  
**finally** 9:21 119:10  
 221:19 222:14 224:22  
 229:12,15  
**financial** 163:17,20,22  
**financially** 182:18  
**find** 64:12 165:14  
 190:12 243:7 249:11  
 254:3,10  
**finding** 131:4,5  
**fine** 12:10 45:15 79:7  
 231:20  
**fined** 185:16  
**finish** 47:7 76:2 80:10  
 132:6

**finishes** 212:9  
**fins** 72:10  
**Finstem** 152:2  
**fire** 126:7  
**fired** 250:3  
**first** 9:16 16:16 21:9,11  
 30:2 42:2,15,15 54:9  
 54:11 60:5 68:19  
 80:21 83:15 88:11  
 89:5,12 92:9,15,17  
 104:9 108:17 128:6  
 129:13 142:22 148:12  
 155:16 158:20 174:16  
 179:7 180:12 181:15  
 182:8,11 184:12  
 189:12 197:7,10  
 218:16 226:4 228:7  
 231:6 232:6 242:21  
 245:12  
**firsthand** 80:2  
**fish** 2:8 3:3 21:10 28:4  
 29:15 34:4,6,8,10  
 35:15 50:16,16 51:16  
 52:15,20 63:4,4,16,19  
 68:14 70:6,9,18,20  
 72:7,18,19,19,20,22  
 73:1,6,7,15 75:11  
 76:17,20,21 81:2,4,9  
 81:9,12,21,22 82:2,11  
 82:14 83:6 87:12,14  
 87:16,19 98:21 99:19  
 106:7 111:21 115:6  
 117:17 118:6 119:4  
 121:22 123:2 128:22  
 135:21 138:18 139:15  
 140:5 157:10 166:14  
 170:12,13,17 171:8  
 171:22 173:16,19  
 182:17 183:3 186:13  
 195:7 199:1 200:8  
 205:5,13 220:18  
 223:10,10,15 236:9  
 237:14,14,21 238:2  
 239:16,21 240:18,18  
 241:8,9,9,11,12,13,14  
 243:15 246:6  
**fished** 21:15 132:16  
 238:19  
**fisheries** 1:4,18,21 2:13  
 2:17 4:2 5:16,20,21  
 7:21 8:21 32:16 35:20  
 85:3 109:10,16 117:1  
 118:2,5 119:21  
 125:15,16,17 137:9  
 163:6,11 164:13,18  
 171:6 179:13 183:17  
 191:4,14,17 199:7  
 202:2,12 203:4,6,12

203:13 205:17,22  
 208:22 209:15 213:4  
 216:3,7,15 217:13,16  
 239:3 240:8 245:15  
 246:5,21 247:3  
 250:11 251:2 253:8  
**fisheries'** 164:4  
**fisherman** 221:2 233:14  
**fishermen** 55:12 66:9  
 132:14,18,19 133:8  
 145:14 151:18,20  
 183:3 233:12  
**fishermen's** 208:19  
 246:18 247:13  
**fishery** 2:3 5:22 16:3,6  
 16:6,12 18:4 20:17,22  
 23:9 34:19 40:2,11  
 60:7 64:19 67:2,4,6  
 71:15 74:7,10 75:5  
 77:4 84:17,21 110:1,4  
 110:6 111:11 118:18  
 127:6 128:12 129:21  
 132:13 133:13 138:21  
 144:15 145:1,5  
 147:20,21 149:7  
 170:4,9,9,11 171:2,4  
 171:21 195:16 199:13  
 202:15 203:20 210:22  
 236:15,16 250:11  
 255:9  
**Fishery-Dependent**  
 213:18  
**fishes** 139:7,7  
**fishing** 2:9,11,19 17:8  
 17:12 21:8 22:17 23:3  
 23:18 25:2,5 42:5,6  
 43:5,6 49:8 59:3,13  
 72:4 77:1 82:2,9,10  
 82:15 83:17 93:5 94:7  
 95:20 99:10 103:5  
 105:6 110:13 112:4  
 119:7 125:9 127:9  
 131:1 133:3 140:8  
 146:20 170:18,19  
 178:2,6 182:12  
 183:19 188:18 196:13  
 202:19 223:11,13,19  
 226:14 235:20 236:1  
 236:4,5,8,10 237:13  
 237:16,20 238:20  
 239:19,22 242:22  
 244:18 245:16 246:4  
 250:14,19 251:17,22  
**fit** 12:9 54:4  
**fits** 50:20  
**five** 23:14 25:1 36:18  
 41:21 48:1 64:22  
 76:12 77:12 78:6 86:5

86:6 98:13 109:7  
 125:22 173:18 193:9  
 197:6 219:1 227:5  
 230:18 248:18  
**five-percent** 85:17  
**fix** 95:9 139:19,20  
**fixed** 22:12 38:3 105:2  
 168:18 192:20 193:6  
 202:16  
**flat** 8:22 195:4  
**fleet** 16:17 17:21 28:10  
 30:6 48:3 79:10,13,13  
 79:18,21 80:7,7 87:5  
 127:18,21 150:8  
 182:6 200:8  
**fleets** 79:17  
**flesh** 46:20  
**flexibility** 25:10 34:7,13  
 34:18 93:15 95:15,16  
**flexible** 25:21,22 26:17  
 95:5,19 97:7 104:22  
 107:10  
**flexibly** 44:3  
**flight** 186:17  
**Flintstone** 226:15  
**float** 178:8  
**floating** 168:15,19,19  
 169:4 175:1,3,5,14  
 176:1,6,7 177:10  
 182:13,16 192:12,18  
 193:7  
**floor** 168:20 220:11  
**Florida** 2:8 82:13 99:17  
 118:10 146:19 199:16  
**flow** 211:9  
**fluid** 60:9 248:21  
**Fly** 2:9,9  
**flyway** 185:21 186:8  
**focus** 8:15 36:12  
 108:13 124:14 164:12  
 182:1 250:8  
**focused** 11:4 14:7 16:3  
 44:11 88:21 100:10  
 132:8 164:3,17  
**focusing** 11:10 88:13  
**fold** 78:15  
**folks** 10:17 11:16 13:11  
 13:16 17:18 18:1 29:1  
 35:14 36:19,21 39:11  
 42:1 44:11 51:22  
 55:20 56:7 60:11,15  
 62:18 66:16 88:14  
 100:10 101:22 124:17  
 125:1 132:5 137:16  
 148:17 149:1,3 152:3  
 152:6 172:9 182:18  
 201:12 213:12 233:21  
 237:13 242:7

**follow** 14:1 74:2 161:4  
189:19 190:20 211:14  
213:12 220:8  
**follow-up** 26:13 27:4  
131:14 140:15 180:5  
224:11  
**following** 135:12  
156:16,18  
**food** 11:17 236:12  
**foot** 60:21 61:1,1,4,4,5  
87:4  
**footing** 75:13  
**footprint** 69:10,13  
**for-hire** 110:17,19  
112:16,17,22 113:21  
114:12 116:4,10  
119:3 204:13 205:4  
206:2  
**fora** 173:10  
**force** 58:2 147:3 149:19  
160:19 184:17 189:7  
**forced** 84:22 223:16  
250:12,14,21  
**forces** 150:1 184:14  
**FORDHAM** 1:21  
**forecasting** 8:17  
**forever** 86:5  
**forget** 238:13  
**forgive** 65:2  
**forgot** 218:19 233:17  
233:18,22  
**Fork** 155:10 156:3  
**form** 87:11,19 193:16  
203:9 210:2 223:15  
223:19 234:16 235:2  
235:3  
**format** 184:21 232:19  
**forms** 147:21 223:11  
231:21 235:14 238:20  
**forth** 13:9 87:17 109:1  
229:7 232:13 242:14  
**Fortunately** 204:7  
**forward** 5:11 7:7 9:21  
10:1,5,11 64:16 65:6  
69:6 71:12 84:11  
89:10 111:9 125:11  
138:8 166:2 175:11  
191:19 194:3 199:7  
200:12 219:17 228:20  
228:21 255:2  
**Fougeres** 3:18 143:3,15  
143:18,22 144:7  
149:5 150:14 151:16  
152:12 153:9  
**found** 131:15 148:4,18  
167:5 206:11 235:1  
**Foundation** 1:16 35:16  
52:16,20

**Foundation's** 106:8  
**foundations** 168:18  
169:8 193:1  
**four** 18:18,20 44:9  
53:15 193:22 194:2  
221:5,19 234:14  
**fourth** 53:19 243:7  
**framework** 20:3 124:11  
131:19 213:19 249:20  
**framework-able** 249:18  
**frankly** 63:21 65:10  
189:10  
**free** 18:10 142:10 168:7  
168:19  
**free-floating** 195:5  
**freely** 93:1  
**frequently** 94:5 104:15  
104:20  
**front** 83:8 167:18  
210:21 246:10  
**frontload** 159:1  
**frozen** 248:22  
**frustrated** 188:12  
**frustrating** 76:3 182:15  
207:3 227:4  
**frustration** 75:15,19  
196:19,20 204:12  
220:16 221:17  
**frustrations** 204:10  
227:3 242:18  
**full** 11:9 20:7 24:4  
27:18 35:3 84:13 90:4  
96:17 218:12  
**full-time** 199:16  
**fully** 46:11 69:19 84:5  
110:12 139:1  
**function** 67:22 84:6  
216:13  
**fund** 2:19 28:18 208:19  
209:1,15  
**fundamental** 135:19  
**funded** 167:5  
**funding** 35:17 51:18  
52:14,18 111:22  
112:3 140:5  
**funds** 28:15 214:4,7,9  
**further** 51:14 73:13  
78:15 87:7 106:1  
159:15,20 196:3  
214:21 218:13  
**future** 19:22 20:5,6  
29:14 34:14 60:6  
68:20 69:6 72:13  
79:17 88:9 101:17  
113:4 115:13 116:17  
117:20 118:22 119:16  
120:11 173:8 183:16  
187:4 240:3 253:10

**FY** 8:1,12

## G

**G** 4:1  
**gaffed** 74:19  
**gap** 130:3 193:5  
**gaps** 93:13 106:10  
124:9 130:7,12  
**GARFO** 114:8 225:21  
237:13 238:1 239:17  
**GARFO's** 114:9  
**gas** 209:4,17  
**gather** 36:21 158:17  
**gathering** 188:13  
**gatherings** 161:9 254:9  
**gear** 26:20,21 27:1,7,9  
27:10 33:15,17 49:8  
54:12 55:2 146:3,3,4  
146:6,12,15,16,18,22  
147:1,8,10 149:6,8,21  
150:18,21 151:21  
152:7 170:6,21 183:7  
202:16 208:19,20  
**gears** 29:21 32:11 33:2  
78:13  
**general** 8:3 16:12 31:22  
32:4,19,22 34:16 35:7  
51:7 52:6 54:14 65:4  
74:7,19 80:5 111:19  
113:12,12 114:19  
122:3,4 155:11  
163:14  
**generally** 8:21 176:4  
186:7  
**generated** 133:16  
**generating** 114:17  
**generators** 176:18  
**genetics** 76:19  
**gentleman** 243:8  
**George** 2:13 47:8,18  
**Georges** 82:13  
**Georgia** 1:12  
**getting** 6:21 8:10 10:19  
13:15 29:19 31:7,11  
31:14 37:19 38:2 46:8  
52:22 62:4 66:9 76:2  
90:13 116:15 119:8  
131:2,9,11 132:2  
138:12 156:5,10  
172:14 173:4,5  
176:18 193:1 209:12  
209:13 227:3  
**Getto** 1:22 62:22 63:1,2  
63:15 240:15  
**giant** 33:21  
**girl** 229:13  
**girls** 231:22  
**GIS** 160:13  
**give** 11:15 54:6 64:3  
85:14 86:3,9,10,12,13  
89:6 108:20 122:10  
151:7 153:7 154:8  
157:15 173:18 189:17  
202:22 212:6 236:19  
241:18 254:21  
**given** 27:17 59:4,5,8,18  
64:1 65:10 67:1 68:16  
69:2 93:4 141:15  
170:13 171:15 195:10  
195:13 215:5 216:19  
232:19  
**gives** 215:17 216:5  
**giving** 29:12 41:13  
144:2 230:2 231:9  
**glad** 68:1 169:13  
231:12 245:9  
**Glen** 244:2,8 245:2  
253:1,2,6,11  
**glitch** 229:5  
**glitches** 227:18  
**Gloucester** 15:2  
**go** 10:14 17:5 32:4  
38:12,18 39:18,21  
43:10 44:7 47:8,15  
50:15 53:6,7 54:6,16  
56:2,9 57:7 59:2,14  
59:15 61:17 62:17,22  
64:5 65:18 71:11  
72:18 73:13,21 78:8  
80:12 81:12 82:19  
85:4 86:16 95:6,7  
97:22 103:14 127:22  
128:1,5,21 137:18  
144:8 148:12 149:13  
155:22 168:12 171:8  
171:12,13,14 172:11  
172:15 174:16,16  
176:6,22 177:9 180:4  
181:3,11 182:9 188:6  
192:17 193:2 195:8  
195:10 197:3 201:12  
202:10 203:17 207:4  
211:19 212:11 220:17  
220:20 221:17 222:8  
223:2 224:1,18,21  
225:6 226:13,13  
227:22 230:5,12  
232:18 233:9 234:17  
236:12 237:16 238:3  
239:22 242:22 243:20  
245:10 253:19 254:18  
255:1,18  
**goal** 62:12 144:17  
146:21 167:14  
**goals** 94:18 108:20  
180:17,20 181:8

**God** 9:10  
**goes** 38:12 81:9 162:7  
 190:10 254:18  
**going** 5:5 7:20,21 9:10  
 12:5,16 14:19,21 15:3  
 16:5 29:21 31:18 36:8  
 36:21 40:10 41:19  
 47:17 51:5,21 55:7,16  
 56:2,16 57:3 59:6,6  
 59:18,22 60:1 61:15  
 61:16,17 63:19 69:14  
 69:16 71:2,4,5,8,14  
 73:3,9,11,12 74:19  
 77:5 80:17 81:22  
 83:11,12,16 87:10,18  
 89:3,5,6 91:8 97:11  
 105:10,11,15 108:7  
 109:21 110:2 115:21  
 116:7,9,10,17 117:4  
 119:17 120:3 128:20  
 132:18 133:12 136:7  
 138:4,8 139:19 140:1  
 140:18,22 141:8,15  
 141:16,17,19,21,21  
 142:1,5,19,22 143:8  
 143:14 144:1,8 149:4  
 153:6 154:9 158:11  
 158:18 159:5,19  
 165:11 167:16 169:6  
 170:17,18 175:11  
 177:16 178:8,18  
 181:4 182:7,18,19  
 183:17,21 185:22  
 186:1 188:18 191:10  
 191:19,20 193:4,13  
 194:10,18 197:17  
 199:6 200:21,22  
 201:2,3,4,6 202:6,9  
 206:12,15 207:22  
 208:20 212:4,5  
 223:15 225:1 229:20  
 232:15 236:15 240:5  
 240:12 243:3,8  
 245:10 246:7 247:6  
 247:17 249:7 254:12  
**GOLDSMITH** 2:1  
**Golet** 2:2 64:5,6,8  
 78:10  
**good** 5:6 11:2 14:8 28:3  
 36:6 44:5 47:10,15  
 58:15 59:18 66:12  
 74:1 88:1 89:2,14  
 90:7 104:7 108:5  
 139:5 142:5 153:10  
 154:3 174:5 197:11  
 204:21 210:18 226:6  
 228:6 234:10 235:11  
 255:18

**Google** 227:1  
**Gordon's** 205:13  
**governance** 120:2  
**governed** 109:22  
**government** 71:4 198:1  
 214:14 215:9,16  
**governmental** 254:8  
**Governor's** 202:11  
**grab** 129:9 132:4  
**grand** 82:13 201:20  
**grant** 35:16  
**grappling** 9:13  
**gratitude** 65:21  
**great** 5:7 6:12,16 7:5,10  
 10:3 13:19 36:5 44:7  
 44:12,15 53:9 57:2,10  
 57:21 58:12 64:9 65:9  
 65:15 67:16,16 72:14  
 74:9 77:6 83:1 98:12  
 125:4 142:6 148:9  
 153:3,17,22 154:2  
 159:17 167:11,12  
 168:8 175:8 181:11  
 190:16 192:3 210:16  
 219:14 238:7 242:12  
**greater** 33:21 111:1  
 129:7 140:12,21  
 203:6  
**greatly** 79:21 128:18  
**green** 33:9 201:9  
**green-stick** 26:20 27:1  
 27:9 54:12 55:2  
**green-sticking** 49:4,9  
**green-sticks** 49:4  
**GREG** 2:4  
**GREGORY** 2:16  
**grid** 29:11 43:17,19,20  
 44:2 78:20,21 79:6  
 80:2,15 81:16  
**grid's** 79:2  
**grids** 29:10 214:19  
 248:17  
**groceries** 171:13  
**grocery** 171:14  
**ground** 12:17 14:13  
 76:16,18  
**groundfish** 205:5  
**grounds** 188:18 207:16  
**groundwork** 19:21 20:4  
**group** 92:18 147:19  
 164:16,20 202:12  
 203:4 206:10 247:9  
 253:5  
**grouper** 236:14  
**groups** 175:13  
**guaranteed** 247:4  
**Guard** 194:10  
**guess** 27:4 64:10,10,12

65:11 84:3 126:14  
 130:3,3 131:13,15,16  
 131:20 132:11 134:4  
 177:10 220:15 249:2  
**guidance** 163:5,9,22  
 164:6,10,21,22 165:1  
 165:6,8,8,9 173:19  
 203:14 209:6 213:5  
**guideline** 50:18  
**guidelines** 52:18 91:17  
**Guides** 2:1  
**Gulf** 1:17 2:2,7 21:14  
 22:3,4,5,9,11,13,15  
 22:18,20,22 23:4,11  
 23:17 24:2,3 33:10  
 41:2,20 42:10 48:1,3  
 53:17 67:6 68:10,13  
 68:14,15 76:4,10,14  
 76:20 77:5,9,14,20  
 82:4,5,12 86:2,6 88:3  
 110:18 112:6,18  
 115:4 121:6 154:12  
 154:14,20 161:5,6  
 174:22 175:12 177:15  
 178:2 179:22 185:11  
 185:18 205:2 207:11  
 207:15,17 208:7  
 245:21 248:18  
**GulfFIN** 123:17  
**Gulley** 205:13  
**gut** 63:22  
**guy** 3:9 72:21 75:12  
 81:8,10,10,12 222:4  
 222:10 231:7  
**guys** 66:6 81:1,18 85:7  
 130:4 131:9 136:11  
 136:18 142:2 200:14  
 202:5

---

**H**


---

**habitat** 157:10 173:16  
**half** 11:15 56:17 117:7  
 153:7 175:1 252:9,10  
**halfway** 101:2  
**hammerhead** 117:10  
 117:12  
**Hampshire** 90:19  
**hand** 5:5 14:14,20  
 62:20 71:3,4 78:16  
 143:14 212:6 242:4  
**handgear** 202:17  
**handle** 136:3 138:17  
**handling** 81:2 147:18  
**hands** 36:20 253:14  
**handy** 172:7  
**hang** 222:13  
**hanging** 11:20  
**hangs** 82:2

**happen** 9:10 25:12  
 59:12,18,21 60:2  
 61:16 69:16 76:6  
 152:6 184:7 209:11  
 234:6 254:20  
**happened** 39:1,7 181:2  
 226:15 254:16  
**happening** 39:8 138:5  
 178:20 225:14 228:1  
**happens** 59:1,2 79:8  
 159:8 182:21,22  
 236:1 249:11 254:18  
**happy** 10:16 78:14  
 98:10,10 157:16  
 167:7,10 174:12  
 211:14 218:19 219:13  
 247:19  
**hard** 13:13,14 23:10  
 27:14,15,18 58:21  
 64:12 95:3 169:17  
 171:15,18 222:9  
 230:2 231:9  
**hardware** 217:1  
**harping** 77:5  
**Harpoon** 16:13 32:7  
 33:13,16,18,20 34:16  
 34:21  
**harpooners** 202:17  
**Harte** 1:17  
**harvest** 44:19,22  
 100:16 115:15 127:5  
 131:8 240:18  
**Hatteras** 145:12  
**haunt** 76:7  
**Hawaii** 28:10 148:17  
 149:7 150:7  
**Hawaiian** 60:19,21  
 79:10 80:7  
**head** 53:7 63:21 70:1  
 84:20 112:15 142:3  
 187:14 208:9 224:6  
**headlines** 210:20  
**headquarters** 152:14  
 152:20 153:1 203:7  
**headquarters-led**  
 152:14 153:1  
**heads** 69:12 149:21,22  
 212:19  
**healthy** 31:16  
**hear** 6:15 7:16 10:18  
 12:1 29:2 41:14 44:13  
 57:2 63:7 67:16 68:1  
 75:15,18 89:5 101:20  
 102:10 143:21 152:18  
 167:17 179:20 197:9  
 204:9 209:21 220:6  
 220:11 237:17 242:13  
 252:15 253:8 255:5

- heard** 8:14 13:11 83:4  
 88:4,18 109:8 139:21  
 181:15 189:12 193:10  
 202:15 215:6 228:14  
 234:13 236:13 237:7  
 248:13,14  
**hearing** 10:13 15:14  
 120:15  
**hearings** 156:13  
**heart** 46:9  
**heartened** 66:18  
**heck** 249:16  
**heck's** 226:22  
**height** 178:10 186:17  
**held** 48:7 157:22  
 158:17 164:15  
**help** 29:13,14 72:11  
 74:12 95:22 106:9  
 117:20 203:10 207:9  
 227:15 232:20 233:12  
 233:15 235:17,21  
**helped** 30:21 204:21  
**helpful** 13:21 57:4  
 100:12 132:8 144:6  
 156:9 244:7  
**helping** 252:4  
**helps** 34:18 224:7  
 237:5  
**Hemilright** 2:3 39:20  
 40:8,18 41:6 58:18  
 60:18 61:12,21 62:13  
 137:22 139:6 140:14  
 141:5 181:13 195:18  
 225:12  
**hesitant** 31:9  
**hey** 45:14 64:8,9 74:22  
 180:19 183:18 230:6  
**Hi** 148:14 192:2  
**hiccups** 225:17  
**high** 15:6 76:10 96:10  
 246:2,8 250:18  
 251:16 254:2,5,18  
**higher** 86:12 248:20  
**highest** 186:6,12  
**highest-grossing** 158:7  
**highlight** 166:13  
**highlights** 12:16  
**highly** 1:5 3:2,4,5,6,7,8  
 3:9,10,11,12,13,14,15  
 7:3 47:12 99:5,5  
 173:1,17  
**Hilton** 1:12  
**HINKS** 2:4  
**hinted** 121:6  
**Hipsley** 2:5 167:22  
 210:2  
**historic** 41:22  
**historical** 22:14 47:4  
 62:2 65:13 84:17 90:5  
 91:7  
**historically** 64:11 84:20  
 109:12  
**history** 50:6,7 65:5  
 158:8  
**hit** 12:16 103:16 236:8  
**HMS** 4:10 5:20 12:6  
 15:2,13 42:1 74:6,10  
 83:19 85:3 92:1,5  
 100:15 101:11 108:6  
 108:9,13,18 109:2,5  
 110:21,22 111:10,12  
 112:12,15,19 113:8  
 113:16,18 114:3,9,20  
 115:1,17,17 116:1,19  
 118:5,12 119:2,13  
 120:20 121:9 123:10  
 123:13 124:5 125:10  
 127:5,6 129:21  
 131:19 135:22 136:12  
 138:12 139:8 143:9  
 167:19 181:16 184:20  
 188:16 198:22,22  
 212:10 213:8 214:10  
 217:6,13 219:5,18  
 236:16 251:5 255:9  
**hogs** 238:10  
**hold** 24:14 237:15  
**holder** 48:17  
**holders** 35:2  
**holding** 48:10,14 81:8  
**holds** 48:17  
**hole** 31:19 37:10  
 206:10  
**Homeland** 194:11  
**honest** 40:12 231:8  
**hook** 148:17,22 149:2,3  
 149:9,14,15 150:7  
**Hooker** 3:17 143:4  
 153:13,16,22 154:3,4  
 156:10 161:20 162:4  
 162:7 168:8 172:13  
 173:22 174:11 175:8  
 177:17 178:13,21  
 180:13 184:9 186:3  
 187:10,18,20 189:18  
 190:17 192:13 195:14  
 197:11 198:6,10,17  
 203:2 208:6,22 210:5  
 211:13  
**hookless** 146:9  
**hooks** 146:3,22 147:2,3  
 149:20 151:6,7,8  
**hoops** 73:14 75:4,8  
 236:11,11  
**hope** 9:17 38:15 117:19  
 140:9 171:2 184:3  
**hopeful** 98:5  
**hopefully** 6:13 11:6  
 76:7 117:18 151:13  
 179:20 227:21 234:3  
 244:22 254:17  
**hoping** 78:4 105:7  
 107:18 237:4 252:12  
**Hopkins** 244:8,8  
**horse** 199:3,4  
**host** 167:5  
**hour** 11:15 56:17 153:7  
 187:16  
**hours** 93:4,6 94:9 95:9  
 95:10 132:16 232:11  
 232:22  
**house** 131:17 223:10  
 223:15 230:11 247:10  
**Household** 110:14  
**how's** 59:17 254:12  
**HQ** 3:3  
**hub** 187:22  
**hues** 72:16  
**huge** 25:2 28:19  
**hugely** 41:3  
**Hull** 2:6,6 100:12,13  
 233:9 234:11  
**Hull's** 234:10  
**human** 72:6  
**HUMPHREY** 2:6 37:3  
 129:4 201:14 204:2  
**Humphrey's** 204:11  
**hundred** 81:4  
**hurdle** 21:22  
**hurricanes** 109:20  
**hurt** 69:15 81:20 182:18  
**Hutt** 3:10 89:7 101:6  
 103:3 108:5,6 124:16  
 127:1 130:17 131:22  
 133:2 137:4 138:10  
 140:4,20 141:20  
**hybrid** 11:6,7 123:5  
**hydrodynamic** 166:21  
**hypothetical** 20:15 40:3  
 40:15,16 42:4,11,12  
 42:20
- 
- I**
- IAC** 136:19  
**IBQ** 16:8,9,15 17:16  
 20:8 21:9 22:2,2,7,13  
 23:5,7,12,16,20 24:3  
 24:5,6,8 25:8 27:11  
 29:20 31:15,17,18  
 49:11 54:19 58:21  
 59:4,14 60:11 66:1  
 69:1,2 76:4 77:15  
 88:8  
**ICCAT** 7:5 30:7 44:20  
 50:18,22 76:22 115:1  
 116:16 135:2 136:2  
 136:13 251:4,5  
**ICCAT-driven** 49:21  
 50:2,4  
**ICCAT-related** 50:7  
**ID** 159:5,8,20  
**idea** 132:16 149:6 150:2  
**ideally** 245:17  
**ideas** 89:9 109:1 165:20  
 190:3,10  
**identification** 25:20  
 117:21 127:10 159:6  
 161:1,14 162:16  
 163:2  
**identified** 92:3 108:22  
 111:6,15 113:14  
 117:2,8,9 119:1  
 175:11 251:21  
**identify** 29:14 72:7,8,11  
 92:6 108:11 113:15  
 119:6 159:14 161:12  
 162:18 175:17 179:3  
 195:21  
**ignores** 94:11  
**II** 2:15  
**imagine** 81:14 171:16  
 171:18 245:6  
**immediately** 229:19  
**impact** 11:11 15:5,11  
 15:18 21:3 41:3 43:9  
 63:3,17 64:2 106:13  
 156:12,22 166:21  
 179:11 196:11 202:13  
 202:22 206:15,20  
 208:12 241:1,17  
 246:9 248:9  
**impacted** 144:22  
**impacts** 125:14 132:14  
 163:6,10 183:14  
**implement** 26:15 79:5  
 96:14 150:13 252:8  
**implementation** 4:5  
 15:20 40:19 57:3  
 61:11 67:8 89:9 92:1  
 92:5 96:17 108:9,10  
 137:5 144:18 150:13  
 150:16 151:6 218:22  
 251:16 252:3  
**implemented** 67:11  
 80:20 83:17 84:1  
 114:9 145:7 225:15  
 247:7 251:8  
**implementing** 25:21  
 146:17 212:21 213:6  
**implements** 213:16  
**import** 250:20,22  
**importance** 31:1

- important** 18:4 22:1  
25:9 67:1 74:14 85:6  
88:12 130:13 166:7  
188:20 210:19 248:6
- importantly** 11:17
- imports** 183:1,2 250:12
- impressive** 7:1
- improve** 28:9 66:6 95:4  
111:22 117:13,20  
118:11 125:13 127:20  
139:4 166:10
- improved** 111:13 117:2
- improvement** 95:11
- improvements** 66:11  
94:17 108:12 109:1  
109:17 123:14,19
- improves** 128:18
- improving** 116:21  
140:9 192:7
- in-season** 34:12
- in-service** 217:9
- in-shore** 179:12 186:7,8  
196:13
- inactive** 16:21 17:5  
31:4,8,11
- Inc.'s** 114:10
- incentive** 84:8
- inception** 214:14
- inch** 63:4,19
- inches** 33:21 63:4,16  
70:5 87:4
- incident** 222:15
- incidental** 16:5 26:5  
54:19 145:5
- include** 18:2 40:9 46:6  
51:6 118:13 131:12  
138:11 146:11,17  
147:2,13 216:17  
217:17 219:7
- included** 31:17 40:10  
52:11 97:4 122:11  
127:2 137:8 138:13  
182:4
- includes** 6:3 102:15  
217:1
- including** 30:15 31:13  
46:7 83:22 112:14  
116:1 137:15 144:9  
147:18 167:1 179:12  
217:2 250:15
- inclusion** 96:4 112:15
- incomes** 200:21
- incompatibility** 210:21
- incompatible** 195:3,4  
196:8
- incorporate** 95:3
- incorporated** 165:10
- increase** 8:7 33:12 37:7  
37:9 59:9 62:7 68:10  
71:16 83:15 84:11  
85:11 112:3 121:1  
126:5 127:16 133:3  
140:2 147:22 254:16
- increased** 8:8 19:13  
22:9 33:11 34:17 46:2  
53:22 111:22 117:3  
119:12 121:4
- increases** 8:4,5
- increasing** 34:15 45:12  
87:5 110:7 111:17  
140:5
- incredible** 66:7
- incredibly** 66:1,22
- incumbent** 183:15
- independent** 166:4
- index** 133:19
- indicated** 92:2
- indicates** 90:10 104:5  
107:5 218:21
- indicating** 102:16
- indices** 102:1 133:15  
134:6
- individual** 16:8 21:4  
24:10,11,18 55:4 69:1  
88:8 125:22 181:7  
189:2 197:8 214:12  
224:5,6 226:2 227:6  
229:1 230:4 246:21
- individuals** 87:6
- indulge** 248:2
- indulgence** 250:7
- industries** 201:6
- industry** 40:4 59:2  
70:22 73:17 74:3,5,9  
74:10 152:3 182:4  
188:21 199:11,22  
200:16 213:21 214:8  
214:18,22 215:16  
216:2,4,17 217:1  
218:14 222:18 228:18  
233:11 245:20 247:19  
252:15,21
- inevitably** 69:15
- inexperienced** 132:13  
132:17,18 133:13
- inextricably** 24:9
- inflation** 9:1
- influence** 189:15
- influencing** 18:16
- influx** 106:17 132:13
- information** 35:14 36:2  
52:9 60:12,14,15  
91:13 103:16 105:16  
123:8 126:16 130:2  
147:22 154:18 157:2  
158:14,16 159:3,4
- 160:10,11,15 161:7  
161:12 162:22 163:1  
163:7,8 164:15,20  
165:2,14 166:9,19  
167:4 172:7 173:5  
184:18 187:13 188:13  
189:17 195:18 203:9  
203:16,20 204:14  
206:3 233:1 235:12  
241:19 246:11
- informing** 187:5
- infrastructure** 157:4
- inherent** 97:5
- initial** 120:18 136:14  
137:8 214:4 217:9  
247:8
- initially** 159:19
- initiative** 114:7 163:4,8  
165:15 189:5 218:17
- initiatives** 154:11
- injury** 145:4 152:11  
163:10
- innovative** 66:1
- input** 5:10,11 7:12  
91:20 106:4 109:3  
158:18 165:19
- insane** 193:17
- inseason** 34:9,18
- inside** 86:21
- insisted** 223:17
- Inspection** 6:5
- inspired** 205:16
- installation** 28:1 29:10
- installed** 29:3
- instance** 27:8 185:20  
216:9 223:1
- instances** 58:3 214:4
- instantly** 236:1
- Institute** 1:17 2:3,7
- instructed** 93:1
- instructions** 209:8
- insufficient** 247:5
- integral** 214:12
- integrate** 115:8
- integrated** 113:18  
114:14
- intelligence** 72:14,15  
117:17
- intended** 54:19 211:8  
212:18 213:21 218:8  
220:11
- intends** 64:17 214:21
- intensive** 129:8
- intent** 242:12
- inter-ray** 176:6
- interact** 149:21
- interaction** 59:10 191:9
- interaction's** 191:13
- interactions** 54:22 55:3  
68:17 183:5 208:20
- intercept** 111:20 127:3  
129:17
- intercepts** 94:6 131:12
- interest** 15:9 45:7 119:7  
167:13 175:13 179:8  
180:22 181:8 182:8  
182:12 183:22 188:12  
189:6
- interested** 35:15,20  
51:12 120:15 136:12  
136:13 160:9 189:12  
189:13 209:18 213:12  
247:21
- interesting** 58:19  
101:20 129:12 134:17  
185:12 227:8
- interestingly** 223:5
- intergovernmental**  
184:15
- internal** 137:10
- International** 1:21  
253:7
- interpreting** 50:11
- interrupt** 146:9
- intervals** 44:2 95:9
- interviewers** 99:15,16
- interviews** 105:16  
128:22
- introduction** 218:7
- investigate** 196:2
- invite** 142:2
- involved** 90:1 123:4  
137:7 204:8
- iPad** 232:9
- iPhone** 226:16,18
- irony** 223:16
- irrelevant** 192:11
- Island** 90:21 155:19  
156:17 209:12
- Islands** 120:1
- isobath** 162:8,13
- isolated** 222:15
- issuance** 4:10 12:6  
143:9 212:10 219:18  
219:21 220:2
- issuances** 210:14
- issue** 46:11 66:10 70:19  
71:7 88:9 99:22 115:5  
117:6 118:4,8 122:5  
129:16 133:14 151:9  
167:12 173:14 185:14  
194:11 207:5 210:7  
224:15 229:1,16  
231:6 240:2 245:14
- issued** 121:17 157:22  
165:8 224:19

**issues** 7:5,19 11:14  
 14:2 29:2 34:14 88:19  
 92:7 106:4 113:2,5  
 114:16,20 115:7  
 118:16 135:16 149:12  
 150:5 152:4 167:17  
 210:19 217:22 220:9  
 236:14 248:11 251:6  
**issuing** 156:11 159:10  
**items** 249:5  
**iterative** 66:5  
**IUU** 250:13 251:22  
 252:11

**J**

**jacket** 169:7  
**Jackie** 3:15 238:8  
 240:10  
**JAMES** 2:6  
**Janet** 9:16,20 255:6  
**January** 15:21 55:15  
**jargon** 104:12,13  
**Jason** 1:15 37:2 41:15  
 43:15 44:5 65:18 68:3  
 68:18 124:20 127:22  
 129:3  
**Jeff** 2:9,10 56:6 57:8  
 58:12 65:18 73:22  
 75:14,19 125:2  
 174:17 181:12 185:7  
 188:7 192:1 205:16  
 220:14 225:10 231:12  
 236:20 238:16,17  
 242:18  
**Jersey** 2:4,18 90:19  
 156:15  
**Jimmy** 100:12 101:4  
 233:9 234:10,10  
 236:20  
**job** 53:9 77:6 88:11  
**John** 1:19 82:20 83:13  
 85:13 124:19 128:1  
 129:10 188:6  
**join** 6:10 91:16,22  
**joining** 6:19  
**joint** 29:5  
**JPEG** 226:19,22  
**JR** 2:5 3:13  
**July** 120:11 221:5  
**jump** 21:22 45:15 58:17  
 62:21 73:14 75:4  
 103:2,13 105:11  
 142:2,4,22 193:11  
 207:22  
**June** 120:9,13 160:21  
 211:17  
**justice** 85:9 255:8  
**juvenile** 99:7

**K**

**Karyl** 3:3 228:10  
**Katie** 2:19 65:16 68:3  
**keep** 13:19 39:12 41:18  
 57:4 64:17 73:3 75:12  
 77:5 87:12 128:3  
 141:17 173:13 189:2  
 193:13 212:16 242:7  
**keeping** 13:17 15:6  
 21:20 116:12,14  
**Kelly** 5:14,15 6:11 7:2  
 10:22 52:13  
**kept** 13:18 47:2  
**KERR** 2:7 101:19  
 132:10 134:4  
**Kevin** 227:18 235:17  
**key** 23:7 62:13 71:15  
 99:16 101:13  
**kick** 156:13  
**kicks** 224:22  
**kill** 82:11  
**killed** 185:15  
**killer** 148:18 149:12  
 150:3  
**kind** 18:20 20:4 23:12  
 34:11 38:20 65:4 69:2  
 78:19 79:11,13 80:1  
 84:22 96:3 99:21,21  
 106:12,17 108:20  
 112:9 114:8 124:22  
 130:20 132:14,22  
 133:3 140:17 145:7  
 155:22 156:1,1  
 158:20 160:13 165:11  
 166:7 167:17 179:19  
 188:21 189:6 195:22  
 206:6 209:9 225:13  
 227:22 241:7 249:10  
 253:4,16  
**KITTLE** 2:8 54:8 55:6  
**Kneebone** 2:9 125:3  
 188:7 192:1,2 204:22  
**Kneebone's** 205:16  
**know** 7:2,11,14 8:1,14  
 8:21 9:16,20 10:2  
 11:5 13:10 23:9 26:12  
 35:7,8 39:4 44:3 45:9  
 46:16 48:9 49:6,10,10  
 49:18 52:6 54:20  
 55:19 56:7,19,22 58:6  
 58:9,21 59:14,17  
 62:21 64:11 65:11  
 68:11 69:3,4,17,20  
 70:11,15 71:1,7 73:3  
 73:7,14,15,18 74:2,3  
 74:4,9,11,13 75:21,21  
 76:1,3,5,7,8,12,13,13  
 76:15,19,22 78:3,21

78:22,22 79:3,5,9,11  
 80:2,3,6 81:2 84:3  
 85:1,7,18,20 86:2,3,6  
 86:13,20,22 88:1  
 90:14 93:3 95:12  
 99:17 100:14,17  
 101:15 103:6 107:19  
 115:8,11 116:15  
 117:12 118:21 120:12  
 121:7 124:3 125:5,7  
 126:21 127:7,13,15  
 127:17 128:19 129:14  
 130:1,2,4,17,19,22  
 132:15,16,17,20,21  
 133:11,16,18 135:4  
 135:21 137:4 138:11  
 138:13,20 139:3  
 140:4,9 141:6 148:21  
 149:4,12 151:5,6,9,10  
 151:11 155:1,22  
 156:1,4 157:6 164:11  
 165:2 167:12 168:3  
 169:1,8 170:1 171:8  
 171:14,17 172:10,19  
 172:22 174:7,8,11  
 175:9,14,21,22 176:4  
 176:14 177:4 178:9  
 179:2,3,6,10,19,21  
 180:6,21 181:3,4,6  
 182:7,10 183:12  
 184:9,20 185:2,4,5,14  
 186:5,7 187:11  
 188:15,20 189:4  
 190:6,18,21 191:2,3,8  
 191:12,12 192:16,17  
 192:17,20,22 194:5,7  
 196:2,18 197:12,12  
 197:19 200:11 203:5  
 203:15 205:5 206:5  
 208:9,13 209:9,18  
 220:16,19 221:3,7,16  
 222:17,18 223:13  
 226:3,18,20 228:8,8  
 228:15 229:7 230:1,6  
 230:8,17,19 231:1,10  
 231:18,20 232:13,17  
 233:2 234:2,12 235:9  
 235:18 237:8 238:11  
 239:13,22 242:5  
 243:9 244:11,20,20  
 245:9 247:16 248:10  
 248:15 249:4,17  
 250:7,7,11,13,17,22  
 251:4,11,13 252:10  
 252:12 253:3,3 254:7  
 254:10  
**knowable** 194:16  
**knowledge** 207:14

**known** 176:3  
**knows** 59:16 223:9  
 226:11  
**Kristy** 152:15,20  
**Kundalini** 152:2

**L**

**LA** 128:11  
**Lab** 67:9  
**labor** 250:14,21  
**Laboratory** 6:6  
**lack** 13:21 16:10 88:19  
 130:7 188:12  
**lacking** 88:16  
**lady** 226:21  
**lady's** 232:1  
**laid** 59:22 66:15  
**land** 23:18 59:13 74:13  
 186:19 187:5 201:2  
**land-based** 156:5  
 187:16  
**landed** 26:7 35:4,12  
 58:7 64:15  
**landing** 73:6  
**landings** 17:14,22  
 23:17 34:15 42:9,12  
 65:2 101:7,8,10  
 115:16 118:20 216:6  
**landings-based** 42:22  
**Lands** 209:2 247:13  
**language** 146:11  
**large** 4:4 20:17 25:4  
 33:22 34:4 54:2 67:3  
 89:6 98:17 99:3,8  
 100:5 102:4 108:14  
 110:6 118:3 119:11  
 120:21 123:15 161:6  
 162:11 170:1 180:11  
 181:4 194:6 196:21  
**large-scale** 102:7  
**largely** 8:5 65:13,20  
 109:6 118:15 137:5  
**larger** 60:22 176:18,21  
 186:20 187:8 253:5  
**largest** 34:4 233:13  
**LARRY** 3:13  
**lashing** 229:9  
**lasted** 135:8  
**lastly** 26:18 34:22 50:19  
 57:19 67:15 165:15  
**late** 93:8 194:13 211:19  
**Laughter** 197:2  
**lay** 19:20 20:1 81:22  
 87:13  
**layers** 160:15 174:1  
 208:8  
**laying** 20:4  
**lead** 154:5 210:8,11

235:17  
**leader** 81:8,12 148:20  
 149:10  
**leaders** 146:3 147:6  
 247:19  
**leadership** 10:7 255:5  
**leading** 213:15  
**leads** 246:15  
**learn** 36:2  
**learned** 235:6  
**learning** 192:4  
**leasable** 31:12  
**lease** 21:9,13 23:6 25:9  
 25:10 31:9 42:19  
 48:19,21 60:16 125:7  
 125:22 155:1 158:8  
 160:4,5 176:14  
 177:19 181:9 188:17  
 189:2 191:7 197:12  
 198:8 200:13,18  
 201:1,2 217:3  
**leased** 30:22 125:19  
 179:15 180:9,12  
 198:11  
**leases** 31:3,4 155:2  
 157:21 158:5,10  
 159:10 191:18,19  
 197:9 198:1,5,14,17  
**leasing** 23:6 31:10,16  
 60:9 67:21 154:20  
 158:11 160:5 165:3  
 198:7  
**leave** 11:7 45:8 97:14  
 106:15 124:14 134:10  
 230:11 233:19 252:22  
**leaving** 145:3  
**led** 28:17  
**Ledge** 205:12 206:5  
**lee** 3:19 89:5,14,15  
 102:14 103:21 106:19  
 130:6 142:11  
**left** 38:22 44:10 45:2  
 82:18 124:18 142:10  
 183:8 236:21  
**leftover** 82:21  
**leg** 168:22  
**legislation** 247:12  
**legislators** 209:19  
**legitimate** 58:6  
**length** 145:18,20,22  
**lessee** 175:17  
**lessees** 163:5 191:3  
 197:15 209:9  
**let's** 36:12,22 39:18  
 43:10 44:7,8 47:6  
 53:5,6 56:9 57:7 63:1  
 64:5 65:15,16 73:20  
 74:21,21 78:8,17 80:8

82:19 83:1 98:13  
 100:3,8 103:10 125:2  
 127:22 132:4 137:18  
 141:3 142:5 148:10  
 153:12 167:21,21  
 174:16,16 181:11  
 195:21 196:2 197:3  
 211:18,21 212:4  
 219:14,17 220:8  
 234:9 238:16 241:10  
 242:1  
**level** 15:6,9 25:6 43:6  
 70:11 73:16 94:22  
 121:20 131:16 133:6  
 133:8 165:1 202:19  
 202:22 205:21 207:6  
 237:4 246:3,8 250:10  
 253:22 254:4  
**levels** 23:3,11  
**liable** 69:14  
**liaison** 181:20  
**liberalizes** 35:10  
**life** 153:7 183:13 194:7  
**lift** 76:12  
**light** 147:7  
**limit** 33:19 34:3,6 50:5  
 50:20  
**limited** 24:10 26:4  
 67:19 215:6,8 220:19  
**Lindgren-Pitman** 2:10  
**line** 26:6 37:1 73:10,11  
 76:2 80:12 85:19,20  
 90:9 96:11 146:9  
 177:11 178:3 184:10  
 234:10 240:21 241:16  
 253:14  
**line's** 178:8  
**lines** 156:21  
**linger** 129:6  
**link** 148:5 157:3,12,14  
 160:10,12 162:20  
 165:14 167:6 189:20  
 213:10,13 219:10  
**links** 160:8 166:18  
**Lisa** 2:7 101:18 102:12  
 132:9 134:2,13,14  
**list** 57:14 96:18 157:15  
 166:2 173:12 253:5  
**listed** 36:2 148:3  
 157:12 217:10 221:22  
 224:20  
**listen** 230:5,6  
**listened** 228:13,14  
 229:8  
**lists** 157:6  
**literally** 232:6  
**little** 7:19 12:8 13:8  
 15:3 23:5 41:4 42:17

42:19 56:17 68:9 70:2  
 85:17 86:3,12 88:6  
 91:10 92:13 107:22  
 112:21 116:13 130:4  
 142:18 144:5 168:1,1  
 169:17 170:2 171:9  
 176:17 211:21 215:6  
 215:20 220:16 225:12  
 225:13 233:11 234:7  
 241:18,20  
**live** 6:16 81:2,20,22  
 208:14 249:10  
**livelihood** 183:11  
**livelihoods** 200:17  
 251:12  
**lively** 210:18  
**living** 243:21  
**lobsters** 167:2 198:21  
**local** 254:8  
**located** 5:20 79:12  
 173:20 220:4  
**location** 51:15 127:8,12  
 127:19 179:18  
**locations** 169:18 179:4  
**log** 238:14  
**logbook** 101:15 110:17  
 110:20 112:16,19  
 113:1,8,11,22 114:12  
 116:6,18 121:9,15  
 122:2 127:17 184:20  
 223:8,14 225:1 239:2  
 240:1  
**logbooks** 121:21 229:3  
 240:6  
**logistics** 29:2  
**logs** 238:12,13  
**long** 10:3 31:4 47:15  
 68:11 83:8 97:5  
 131:18 150:12,15  
 152:15,20 174:9  
 194:18 244:11,17  
 249:17  
**long-finned** 144:13  
 145:2  
**long-term** 25:13 199:6  
**long-winded** 207:10  
**longer** 25:15,18 93:6  
 94:8 95:9 106:15  
 129:6 140:11 141:9  
 158:3 214:7 225:5  
 240:7  
**longline** 4:6 12:2 16:6  
 16:17 26:18,21 27:2,6  
 27:8,10 28:10 30:6,8  
 30:15 31:3 32:6 35:20  
 37:8,18 38:12 39:4  
 40:4 46:7 51:5 52:5  
 52:12 54:12,17 60:20

60:21 67:2 79:10  
 88:15 143:1 144:2,15  
 144:22 145:5,10,16  
 150:8 170:4,8 171:4  
 171:21 178:1 179:2  
 179:14 182:4,6,13,17  
 183:8 184:6 185:5  
 195:17 199:22 202:15  
 210:22 226:13 228:18  
 231:19 250:10  
**longliner** 185:10 242:16  
 244:9  
**longliners** 194:14 195:9  
 200:14 232:16  
**longlines** 51:11 194:22  
**look** 7:7 12:12 30:21  
 61:17 63:20 65:9,13  
 69:6 104:7 113:10  
 119:17 136:21 150:9  
 159:4 165:22 177:3  
 183:16 184:14 186:4  
 186:16 189:6,7  
 190:11 196:5 219:12  
 228:20 236:8 241:7  
**looked** 31:2 100:1  
 128:10 182:11 205:2  
 216:16 225:4 231:19  
 232:17  
**looking** 5:10 9:3,20  
 10:1,5,11 46:22 55:1  
 62:10 64:12 67:16  
 70:13 86:14 99:21  
 102:10 107:14 113:4  
 118:21 125:17 135:19  
 165:19 180:7 188:16  
 188:22 199:8 219:15  
**looks** 37:6 38:1 58:22  
 64:14 169:20 236:15  
**loop** 166:7 178:4  
**lose** 123:3  
**loss** 200:21 208:20  
**lost** 14:18 199:19  
 202:20  
**lot** 5:22 15:7 26:7,8  
 60:6 61:1,3 62:5  
 75:21 79:18,19 84:8  
 96:6 101:9,13 102:18  
 107:3,4 112:2,2  
 117:22 138:4 140:7  
 156:4 161:9 163:1,21  
 166:13 177:1,9  
 180:16 184:4 203:15  
 210:19 227:22 235:10  
 235:12,20 236:17  
 251:11  
**lots** 100:22 164:5 211:1  
**loud** 253:8  
**loudly** 6:14



**Louisiana** 1:15 112:10  
112:13 161:17  
**love** 126:3 209:21  
222:16  
**low** 23:3,11,14 41:20,22  
42:7 85:17 97:6,9  
254:2  
**lower** 76:11  
**lowered** 77:18 78:4,5  
**LPIS** 92:16 93:12,22  
94:22 97:8 104:1  
107:15  
**LPS** 89:15,16,17,21  
92:3,11 101:9 103:7  
109:9,15 110:11  
111:8,12,16 114:17  
114:18 115:12 120:6  
120:9,12 121:12  
122:17 123:6,22  
124:21 125:13,17,21  
126:10 127:2,8,14  
129:5,16 130:10,10  
130:18 134:19 138:8  
138:12 139:13  
**lunch** 11:14 89:11  
108:2 126:22 132:7  
137:20 142:3,8,11

## M

**maddening** 194:2  
**magazines** 205:8  
**magnetic** 177:5  
**Magnuson** 24:15 26:4  
**mahi** 221:12  
**mail** 27:15,19 230:5,10  
236:2  
**mailing** 27:14  
**main** 94:18 101:1  
111:15 113:17 167:14  
**Maine** 2:2,2,7 33:10  
97:3,8,13,15,16 98:2  
98:3 99:16 107:16  
111:12 201:20 207:12  
207:18  
**mainline** 145:17,19,20  
145:22  
**maintain** 25:9 72:22  
81:19 95:22  
**maintained** 71:6 105:8  
**maintaining** 95:12  
**maintenance** 217:3  
**major** 91:1 102:17  
110:9 114:11 120:4  
121:18 122:5 124:4,8  
130:13 138:10 234:22  
250:8  
**making** 5:15 36:13  
80:17 142:21 193:14

241:11,17 249:13  
**mako** 118:16,17 139:15  
**mammal** 216:11 250:15  
250:20  
**manage** 34:12 46:16  
75:5 203:12  
**managed** 173:2 213:3  
**management** 2:4 3:2,4  
3:5,6,7,8,9,10,11,12  
3:13,14,15,18 5:21  
6:1 71:12 82:7 108:6  
110:3 112:9 128:12  
141:2,12 154:6 173:2  
213:8 217:20 218:17  
**manager** 89:15  
**managers** 203:19,20  
**managing** 217:22  
**mandatory** 118:12,19  
130:1  
**manner** 26:17 29:8  
80:19  
**manufacturers** 151:17  
**manufacturing** 150:19  
**map** 70:18 161:15  
186:10 246:4  
**mapping** 245:22 246:8  
**maps** 162:20  
**margins** 109:8  
**marina** 2:18 131:18  
**marine** 1:4,18 2:2,13,16  
67:9 91:13 183:17  
199:18 205:17,22  
216:11 250:15,20  
**MARK** 2:14  
**market** 60:9 67:22  
197:15,16 198:2  
**marketplace** 67:17  
251:13  
**marlin** 130:1  
**MARTIN** 2:15  
**Marty** 47:8,20 49:14  
65:18 68:18 71:22  
73:19 74:2 75:3,9,9  
82:20 85:13 87:22  
148:13 150:9 197:4,6  
201:11 224:3 225:11  
228:4 242:18  
**Marty's** 78:20 222:17  
**Maryland** 1:12 2:20  
91:2 103:17,18  
115:20 116:4 166:17  
**mask** 254:19,20 255:2  
**masks** 254:6  
**Mass** 90:21 91:2 205:22  
207:8  
**Massachusetts** 2:16  
120:10 156:18 207:8  
209:11

**massive** 185:21 195:1  
236:14  
**mat** 29:11 70:16 72:3  
79:3 83:4,5 87:9,11  
87:11,15,16 88:21  
**material** 147:7  
**math** 20:18 37:6 38:13  
40:1  
**mats** 87:10,18 248:17  
**Matt** 245:4  
**matter** 56:11 82:16  
142:15 212:1 255:20  
**maximize** 123:12  
**maximum** 22:20 192:9  
196:10  
**McClellan** 149:18  
**McHale** 3:11 219:5  
**McIntosh** 235:17  
**MCLAUGHLIN** 3:12  
**mean** 26:2 48:9 49:18  
53:14,16,18 55:9 58:5  
61:4 69:17,20,22 70:4  
70:5,10,18,19 71:1  
73:2,4,5,6,7,9,11,12  
73:13,15,17 75:4  
85:17 86:4,8 87:5,7  
127:1,11 130:3  
132:18 133:5,11  
135:15,20 137:13  
138:10,19,22 139:6  
140:15 151:9 162:12  
171:12 180:13 183:15  
195:14 200:11,14  
203:2,8 221:1 222:15  
223:13,22 231:7,20  
233:3 238:12,21,21  
240:3 247:2 248:6  
249:5,14,16 251:21  
**meaning** 8:6 92:21  
138:3  
**meaningful** 64:2 246:9  
**means** 19:8 48:14  
51:13 104:14 141:9  
**meant** 29:3 61:21  
108:10 164:11 201:17  
**measure** 27:13 29:15  
35:1 70:18 72:4  
**measured** 48:18  
**measurements** 150:1  
**measures** 15:22,22  
16:2,14 29:22 32:12  
32:13 35:13 83:18,22  
163:16 191:4 249:19  
250:16 252:9  
**measuring** 17:20 29:10  
29:12 43:17 73:8  
**meat** 10:19  
**mechanism** 22:8 106:9

**mechanisms** 125:13  
**medium** 33:22 34:4  
54:2 254:2,17  
**meet** 9:22 21:10 23:17  
90:8 98:5 176:19  
180:21 183:2 254:5  
**meeting** 1:7 5:8 6:9 7:7  
7:12 9:21 53:2 83:19  
89:20 125:6 136:11  
136:11,22 137:6,13  
137:15 152:13 153:10  
160:19 174:8 181:8  
188:16 219:20 228:3  
231:12 254:22  
**meetings** 158:17  
177:22 182:3 253:11  
**megawatt** 180:15,21  
**member** 83:7  
**members** 1:14 12:10,18  
12:21,22 13:2 18:4  
78:9 85:2 136:20  
143:12 172:4 244:2  
247:10,18 253:15  
**memory** 148:16  
**mend** 125:12  
**mention** 52:19 67:5  
82:3 165:1 173:15  
178:10 190:18 201:18  
213:22 237:12  
**mentioned** 34:14 98:18  
113:17 123:11 126:8  
143:8 156:2 157:19  
158:13 161:3 164:14  
168:11 170:5 177:1  
189:14 195:18 202:3  
224:13,17  
**message** 210:21 211:2  
**messages** 211:10  
233:20 237:6  
**met** 1:11 204:6  
**meter** 162:8,13 192:19  
**meters** 177:16,18 178:7  
192:15,15  
**method** 16:7 17:2,20  
21:20 22:8 28:7 30:3  
38:8,9  
**methodology** 164:18  
203:4 226:14  
**methods** 32:3 51:14  
118:1  
**metric** 30:4 32:2 37:19  
38:9,13,14 39:2 64:15  
78:13 132:17 139:15  
241:6  
**Mexico** 1:17 21:14 22:3  
22:4,6,9,11,13,16,18  
22:20,22 23:4,12,17  
24:2,3 41:2,20 48:1

67:6 68:10,13,14,16  
76:4,10,14,20 77:5,9  
77:14,20 82:5,6,12  
88:4 112:18 121:6  
154:12,14,20 161:5,6  
174:22 175:12 178:2  
185:14 207:15 208:7  
245:21  
**mic** 6:13 39:17 41:13  
107:21  
**MICHAEL** 2:11  
**microphone** 54:9  
**mid-action** 235:8  
**Mid-Atlantic** 2:3 120:9  
145:18 146:20 181:19  
**migrate** 199:1  
**migrations** 185:21  
**migratory** 1:5 3:2,4,5,6  
3:7,8,9,10,11,12,13  
3:14,15 7:3 47:13  
99:5 173:1,17  
**Mike** 47:9 49:14 103:14  
105:10 197:4 201:13  
204:4 209:8 226:4  
**mile** 125:18 146:8 160:4  
160:4 187:15  
**miles** 145:21,22 146:2,5  
161:17 168:4 170:6  
170:21 199:19,21  
**milestone** 157:11  
**MILLER** 75:20 77:22  
**millimeters** 147:5,6  
**million** 160:2 162:9  
180:16 185:16 198:17  
**mind** 57:5 74:3 144:4  
167:18 223:22 242:11  
249:13  
**Mine's** 83:3  
**minimal** 29:17 123:1  
**minimis** 19:18 65:12  
**minimize** 179:18 180:3  
196:10  
**minimum** 21:11 23:17  
23:18 121:14  
**minor** 33:5 109:7  
**minute** 43:11 62:18  
211:22  
**minutes** 7:22 36:9,12  
44:10 82:18 89:12  
98:13 100:10 108:1  
142:8 193:9 197:6  
211:19 242:8 245:5,6  
245:10  
**misleading** 104:12  
**mismatches** 92:12  
93:21 94:15  
**missed** 45:17 109:4  
124:5 244:18

**misses** 93:12  
**missing** 239:15  
**mission** 8:17  
**mistake** 35:6  
**mistakes** 192:5  
**misunderstood** 78:7  
**mitigate** 45:10  
**mitigating** 163:5  
**mitigation** 163:15,15  
164:19 203:14  
**mobile** 113:20 122:9  
**model** 96:5 102:9 134:7  
166:21  
**modeling** 186:5  
**models** 105:17,18  
186:19 216:4  
**Modern** 111:21 140:5  
**modification** 30:9,12  
33:5  
**modifications** 33:2  
57:17 61:8  
**modified** 19:5 58:11  
**modifying** 25:14 32:20  
145:17  
**moment** 9:8 71:21  
**money** 26:8,13 62:15  
139:21 183:20 243:11  
**monitor** 115:3 125:14  
126:3  
**monitoring** 4:8 12:4  
27:12 29:6 51:3,13,20  
72:5 115:10 117:4  
143:7 163:17 164:2,4  
164:5,10,13 212:7,14  
213:3,7,9,20 214:2,5  
215:10 216:10,12  
217:5,7,21 218:2,3,14  
250:21  
**monofilament** 147:7  
**monopiles** 169:7  
192:10,11  
**Montgomery** 253:21  
**month** 20:11 55:18  
120:9 160:22 185:13  
221:9 229:9 236:5  
**monthly** 223:11  
**months** 55:19 120:7  
137:7 212:20 218:10  
218:18 221:5,6,10,19  
230:22 234:18  
**monument** 199:19  
**mooring** 168:21 169:5  
**Moratorium** 250:19  
251:17,18 252:6  
**morning** 5:6 11:2,10,12  
47:10 56:21 65:17  
89:14 93:12 108:5  
220:16

**mortality** 82:9,10,15  
144:17 145:4  
**Mote** 67:9  
**motion** 72:20  
**motivation** 91:12  
**mount** 28:2,11  
**mounted** 28:8 70:4  
**move** 63:6 66:13 67:8  
89:3 93:1 106:14  
162:3 166:1 174:18  
175:11 192:18 194:3  
200:12 232:15  
**moved** 95:19 180:8  
186:13 241:4  
**movement** 177:7  
195:16  
**moves** 178:3,4 188:14  
**moving** 63:17 64:16  
65:6 84:10 89:10  
111:9 125:11 199:7  
228:20 234:21 240:5  
248:1  
**MRIP** 4:5 90:4,14,15  
91:12,12,22 92:8  
96:14 97:17,19 98:1,2  
98:6 103:4 108:8,13  
109:18 110:12 111:19  
114:16 115:6,12  
117:8 119:19 120:3  
122:17 123:6,18  
125:13 127:8,11,13  
130:18 131:6 139:14  
140:6,10  
**MRIP-certified** 98:8  
**multi-day** 40:9  
**multi-permits** 231:15  
**multi-sets** 40:9,20,20  
41:1  
**multi-site** 92:17 93:2  
95:6  
**multi-sites** 92:20  
**multi-stage** 94:1  
**multiple** 27:7 114:15,22  
121:7 160:15 170:19  
234:4  
**mute** 237:11

---

**N**

---

**N** 4:1  
**name** 89:14 154:4  
226:3 232:1 233:16  
233:17,22 242:11,15  
244:6  
**name's** 226:4  
**nation** 45:7 74:14  
236:12  
**national** 1:1,4 6:5 28:16  
35:15 52:15,20 67:18

91:15,16,22 106:7  
165:1 166:2,5 183:17  
205:17 245:21 247:7  
**nationally** 5:22 216:16  
**nations** 44:19,21 136:5  
251:22,22  
**nationwide** 213:7  
**Natural** 1:15 2:20  
**nature** 66:19 81:13  
93:11  
**nautical** 145:21,22  
146:2,5,8 160:3,4  
161:17  
**NAVARRO** 2:9  
**navigate** 232:15,20,22  
**navigation** 163:16  
**near** 29:19 113:4  
**near-term** 136:22  
**necessarily** 61:19 86:8  
121:11 206:17,18  
**necessary** 28:1 77:11  
128:11 252:18  
**need** 8:11 9:8 12:13  
21:9,13 23:10,19 27:3  
29:17 42:10,14 46:16  
48:22 52:6 54:15,21  
57:13,14 58:22 60:1  
60:15 61:18 68:20  
69:11,22 70:6 73:13  
78:1 79:2,3 86:17  
87:6 94:17 96:20 97:1  
97:1 99:18 102:17,17  
102:18,19,20 103:11  
104:13 105:1 106:2,2  
106:5 107:8,11,14  
109:13,18 119:19  
120:6 121:3,14 122:5  
122:14 124:9 125:12  
126:1 135:18 136:2  
147:3 180:19 197:5  
202:12 207:22 222:13  
231:19 245:18 247:6  
248:12 249:12  
**needed** 23:8 86:4 91:11  
102:16,20 103:9  
118:22 120:18 229:21  
**needing** 59:7 88:7  
**needles** 234:19  
**needs** 67:11 68:22  
72:15 100:1 108:11  
109:4,6 124:8 129:5  
135:20 138:21 173:12  
183:15 211:4,4,5  
231:7 232:17  
**negative** 239:6,12  
**neglected** 164:22  
**negotiations** 206:8  
246:22

**neighborhood** 170:21  
**NEPA** 157:8 166:8  
**network** 91:15,16,22  
**never** 181:17,21 193:18  
 193:19 211:6 235:15  
 236:19  
**new** 2:4,9 7:7 11:6  
 12:15 18:6 19:17,19  
 20:9 21:21 23:1 33:10  
 51:3,19 53:12,12 54:1  
 67:4 79:3 83:22 84:12  
 85:11 89:21 90:1,2,3  
 90:19,19,19 91:5,9,11  
 96:14 97:10,20,22  
 98:1,8 102:21 103:5  
 103:21 106:15 107:1  
 109:16 110:12,13,15  
 111:3 120:2,4,7,13  
 125:13,18 140:10  
 150:7 154:11 155:3  
 156:15,19 157:20  
 159:18 166:15,16,21  
 179:15 181:3 185:14  
 191:6,7,18 192:5  
 197:14 198:11 199:18  
 204:7 209:13,22  
 224:19 225:15 226:14  
 226:16,18 227:3,16  
 238:13 246:20 252:2  
 254:4  
**newest** 157:19,21  
**newly** 124:10  
**news** 90:8 104:7  
**NFWF** 52:19  
**nice** 11:3 88:11 192:4  
 204:5 229:12 233:22  
**Nicely** 37:13  
**night** 93:12 110:6 118:3  
**nightmare** 200:5  
 234:16,17  
**nine** 107:15 155:1  
 161:18  
**NMFS** 1:4 3:1,19,20  
 86:13 174:2 195:10  
 203:7 215:2 231:3  
**NOAA** 1:2 3:1,19,20  
 135:20 186:5 209:1  
 216:3,7,15 217:16  
 229:5 245:16,19  
 247:7 253:8  
**NOAA's** 8:16  
**noise** 135:7  
**nomination** 161:7  
**Nominations** 154:19  
 158:14,17 159:3  
**non-compliant** 223:2  
**non-regulatory** 144:10  
 147:16

**NORAD** 185:20  
**Norfolk** 169:22,22  
**Normally** 244:16  
**north** 2:12 33:7,8,8,13  
 53:17 111:14 116:5  
 139:13,16 181:19  
 197:13 198:12,18  
 216:5 244:9  
**Northeast** 146:20 223:1  
 231:15  
**northern** 33:12 53:13  
 53:13  
**notably** 16:7 17:18  
 28:10  
**note** 8:12 32:14 39:10  
 106:5 150:6 154:10  
 190:5,6,8 207:11  
 237:7 254:11 255:4  
**noted** 18:3 51:4 52:4  
 106:2 158:5 204:11  
 204:12  
**notice** 159:11,12,12,13  
 159:21 162:19 165:6  
 190:2  
**noticed** 155:14  
**notices** 26:11 161:4  
**noting** 15:22  
**November** 163:6  
**NSIL** 6:5  
**nuance** 63:22  
**nuances** 31:15  
**number** 16:21 19:2  
 20:21,21 25:20 42:4,6  
 42:8,12 43:3,4 47:22  
 48:6,17 82:10 88:2,13  
 91:11 92:3,14 122:6  
 123:1 128:21 148:2  
 149:22 176:14,15,15  
 176:16 181:9 203:1  
 206:9,22 207:9 211:1  
 241:9,10  
**numbers** 41:4 116:15  
 127:16  
**numerous** 15:16 243:1  
 244:19  
**nylon** 147:7

---

**O**

**o'clock** 142:7,13,19  
 254:1,3  
**objective** 46:21,22 52:4  
**objectives** 136:17  
**obliged** 126:20  
**observe** 79:12  
**observed** 125:21,22  
**observer** 145:13 147:20  
 147:21,21  
**observers** 74:22

**obtain** 60:12 99:20  
**obtaining** 26:12  
**obtains** 28:3  
**obviously** 45:6 68:11  
 80:16 88:13,20  
 129:22 135:20 162:10  
 163:19 167:18 173:19  
 186:9 202:8 210:22  
 248:4  
**occasionally** 114:16  
**occurred** 68:16 159:18  
**occurring** 191:13  
**occurs** 165:21,22  
**ocean** 2:14 3:17 154:6  
 156:12 158:8 165:10  
 169:17 170:4 190:19  
 245:22  
**OCEANIC** 1:1  
**oceanographic** 170:14  
**October** 55:16  
**Oden** 2:10 58:14 74:1  
 185:7,8 187:7,15  
 220:15 224:17 238:18  
**Off-microphone** 40:14  
 47:19 60:17 63:9  
 82:22 161:19 198:16  
 228:5 237:18 244:4  
**office** 3:18,19 4:2 5:16  
 5:17,17,19 7:20 8:20  
 119:21 143:16,16  
 154:5 202:11 203:7  
 208:7 220:4,21,22  
 222:4,19 223:2 224:1  
 224:4 229:8 231:4  
 234:14 235:15,17  
 239:1 240:9  
**official** 91:9 98:1,8  
**officially** 95:13  
**offline** 250:5  
**offshore** 4:7 11:22  
 111:17 112:4,7,11  
 121:4 125:7,15,19  
 126:11,16 140:8  
 142:13 143:3 153:13  
 155:18 160:4 163:9  
 164:7 169:14,21,22  
 176:8,10 180:20  
 186:8 187:6,9 210:3  
 246:19,22 247:14  
**oftentimes** 81:18  
 157:13  
**oh** 9:10 43:14 134:4  
 161:20 162:4 194:17  
 218:19 239:13 244:2  
 244:19  
**oil** 209:4,16  
**okay** 14:11,18 40:8,15  
 42:21 44:7,15 45:6

47:6,17 48:6 49:2,13  
 53:5 54:8,11 55:6  
 62:3,22 63:10 78:18  
 79:1 80:13 83:1 84:2  
 97:15 105:13 116:13  
 136:2 141:3 142:6  
 143:18,22 152:8  
 153:2,9,12,17 154:2,3  
 162:7 169:11 174:4  
 177:21 179:10 196:8  
 197:3 202:4 208:15  
 208:18 212:4 219:16  
 236:22 237:3,19  
 239:2,14 244:3  
 253:13,18 255:17  
**old** 30:7 33:8 91:6  
 102:20 103:7 204:6  
 235:14  
**older** 188:3  
**omnibus** 113:3 118:13  
**once** 36:15 116:18  
 126:14 170:22 174:8  
 175:17 218:7 220:12  
 223:2 227:10  
**One-Stop** 114:7  
**ones** 114:18 166:1  
 187:8,9,16 248:6  
**ongoing** 118:15 138:20  
 154:21 158:12 166:16  
 185:1 212:19  
**online** 6:19 11:18 12:19  
 13:17,22 14:14 36:19  
 36:20,22 39:11 41:13  
 43:10 44:8 56:2,6  
 62:18 64:5,6 67:17,17  
 73:21 78:9,17 80:9  
 98:14 100:8 101:18  
 113:20 128:2 132:5  
 148:11 153:4 160:13  
 167:22 169:9 219:16  
 221:13,17 222:2  
 224:14,21 225:6,16  
 225:21 226:14 227:3  
 227:11,20 233:9,17  
 234:10,21 235:1,3,5,7  
 235:11 236:22 237:11  
 242:3 243:6 255:15  
**open** 35:1 36:16 52:17  
 80:12 118:17 148:10  
 158:22 167:21 179:16  
 220:11 234:9  
**opening** 183:4  
**operable** 248:21  
**operate** 170:9 246:18  
**operates** 179:3  
**operating** 29:7 145:14  
**operations** 155:7,7  
 156:15 175:16,19

191:1  
**operator** 28:18 29:4,6  
 29:18 146:13 242:17  
**opinion** 248:4  
**opinions** 120:16  
**opportunistic** 119:15  
 170:12  
**opportunities** 119:11  
 119:17 159:15  
**opportunity** 9:18 12:22  
 33:11 34:20 35:17  
 46:14 51:18 52:15  
 68:15 70:8 89:17  
 98:22 108:16 151:8  
 158:21 195:10,13  
**opposed** 131:18  
**opposite** 95:2  
**optimal** 62:4  
**option** 122:8 123:4  
 233:16  
**options** 32:16 111:15  
 122:7 215:22 216:16  
**order** 21:10 31:16 39:2  
 95:4 98:22 99:11,19  
 246:4  
**organizations** 148:3  
**organized** 16:1 109:21  
 247:8  
**original** 22:14 66:17  
 90:9 96:11 113:15  
 144:18 252:5  
**Orsted** 204:16  
**outboard** 248:15  
**outcome** 106:16  
**outer** 86:22 209:2  
 247:12  
**outlined** 169:16  
**output** 105:18,19  
**outreach** 51:5,7  
**outside** 47:2 53:2 69:12  
**overall** 22:20 24:3  
 40:17 41:3 46:22 48:2  
 68:17 77:20 218:1  
**overdue** 229:20  
**overhead** 217:10  
**overlap** 179:12 186:14  
**overlapping** 115:6  
 121:15  
**overly** 31:14 58:8  
**overreach** 70:9  
**overview** 167:12  
**owner** 146:13 221:22  
 221:22 224:20,21  
 242:16  
**owns** 204:17

---

**P**


---

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

5:1  
**p.m** 142:16,17 212:2,3  
 255:21  
**Pacific** 216:5  
**page** 37:5 44:17,18  
 60:18 104:14 167:6  
**pages** 227:12  
**paint** 83:10  
**painted** 29:11  
**pandemic** 91:1 133:4  
**Panel** 1:5,11 12:21 13:2  
 78:9 218:9  
**paper** 221:14 225:1,1  
 227:21 234:16 235:2  
 235:14 238:10,12  
**paperwork** 139:11  
**parcel** 128:5  
**parentheses** 155:3  
**parity** 34:11 88:16  
**Parks** 2:17  
**part** 10:10 11:7 42:7  
 84:21 88:10 89:12  
 92:12 104:14 113:7  
 128:5 129:15 135:2  
 139:12 146:22 154:10  
 178:5 186:5,22  
 191:10 214:12 215:1  
 220:17 222:22 236:11  
 247:16  
**partial** 160:3  
**participants** 41:14  
 84:17 148:11  
**participate** 6:22 7:13  
 51:9 52:8 204:14  
 205:9  
**participated** 64:19  
 158:1  
**participation** 34:17  
 121:11 145:13  
**particular** 8:17 10:17  
 43:4 62:3 98:4 99:7  
 100:5 112:1 149:2  
 182:1 222:5 227:19  
 249:4  
**particularly** 12:7 84:19  
 115:4 117:15 118:10  
 121:22 143:10 170:8  
 181:18 182:15 183:10  
 188:15 240:17 245:19  
 251:15  
**parting** 146:12  
**partner** 118:9  
**partners** 137:11 184:19  
**partnership** 91:15  
**party** 116:5  
**Pascagoula** 6:6  
**pass** 194:9  
**passed** 8:1

**password** 233:18  
**pat** 233:3  
**path** 176:4 194:1  
**patience** 232:5  
**pay** 116:17 185:16  
**paying** 28:14  
**payment** 235:5 242:21  
**PBR** 144:17 145:6,8  
**PBS** 185:14  
**PDF** 213:11  
**pelagic** 4:6 12:2 16:6  
 35:19 40:4 51:5 52:5  
 52:12 54:12,16 67:2  
 88:15 101:12 118:13  
 119:11 120:21 123:11  
 143:1 144:2,15,22  
 145:5,10,16 170:4  
 171:4,21 178:1 179:2  
 179:14 182:3,6,12,13  
 182:17 184:6 185:5,9  
 195:17 199:22 210:22  
 228:18 242:16 244:8  
 250:10  
**pelagics** 4:4 89:6 98:17  
 99:4,8 100:5 108:14  
 123:16 205:4,12  
**people** 13:5,7,22 26:12  
 56:1 75:8 84:8 85:3  
 100:8 117:10 123:8  
 124:14 127:9 133:13  
 135:3 137:15 172:2  
 183:12 184:1 193:9  
 193:19 194:21 195:12  
 227:10 229:14 230:21  
 231:8 232:1 235:16  
 238:1 248:14 249:9  
 251:11,18  
**people's** 40:21 126:19  
**percent** 20:19 22:13,19  
 22:22 23:14 24:2,15  
 26:4,7 32:4,5 37:7,8  
 41:1,2,21 48:1,22  
 50:5,10,14,15 74:10  
 76:9,13 77:10,12,17  
 78:6 85:19,19,21 86:2  
 86:5,7,12 95:18 104:6  
 104:6 111:1 119:8  
 141:7 144:17 145:6  
 241:5 248:18  
**percentage** 17:7 19:1,4  
 19:6 21:1,18 25:4  
 30:10 37:17 38:1,4,10  
 47:4 49:21,21 50:21  
 180:10 206:7  
**percentages** 18:20  
 19:14,16 23:14 30:10  
 30:12 31:21 47:1  
 49:17,19

**Perfect** 58:16  
**performance** 164:4,13  
 218:3  
**period** 12:11 20:16,18  
 40:3,7 121:14 148:2  
 158:22 160:21 165:7  
 179:20 182:14 213:15  
 226:5 243:12  
**periods** 32:21 109:14  
**permeable** 193:15  
**permit** 4:10 12:6 24:10  
 24:12 35:2,3,6 48:16  
 48:17 54:15 57:21  
 58:4 59:4 100:15  
 101:2 113:13 116:6  
 119:3 131:19 143:9  
 210:7,13 212:10  
 219:18,21 220:2,18  
 221:4,6 222:21 223:3  
 224:2 229:2,8 230:15  
 231:4 237:13,20  
 244:10,15,18  
**permits** 24:19 25:1,1  
 35:2 48:17 118:5  
 138:16 220:2,3,19  
 221:12,18,20,21  
 223:7,17 224:19  
 226:12 229:18,20,21  
 229:22 230:9,12,13  
 230:19 231:16 234:14  
 237:16 242:20 243:5  
 243:13,16 244:11  
**permitted** 26:19 110:19  
 112:22 113:2,9,16  
 116:19 139:8 187:3  
 234:15  
**permittees** 222:18  
**permitting** 157:6 189:3  
 210:8,11 222:22  
 231:14  
**PERRY** 2:17  
**Perseverance** 2:11  
**person** 6:17 10:1 53:3  
 204:20 226:2 237:11  
**personal** 25:19  
**personalize** 75:17  
**perspective** 72:6  
 180:22 185:6,13,19  
 188:11  
**perspectives** 7:16  
**pertaining** 124:5  
**pertains** 49:3 174:21  
**Pete** 3:6 6:20 14:3,9  
 136:19 254:14  
**Peter** 1:16 47:9 53:7,8  
 142:4,6  
**PGS** 94:4  
**phase** 51:6,10 90:7,7

161:14  
**phone** 152:1 177:22  
 230:4 232:12  
**phonetic** 94:4 152:2,3  
**physically** 168:4  
**pick** 56:4 142:2  
**Pickett** 2:10 78:17,18  
**picking** 185:20  
**picture** 7:19 117:17  
 226:16,19  
**pie** 60:7  
**piece** 28:20 35:14 88:15  
 163:21 164:1 246:12  
 246:14  
**pieces** 181:5  
**PIERDINOCK** 2:11  
 49:15 50:8,19 51:2,19  
 52:3 53:4 105:13  
 204:5 208:2,10  
**piling** 88:19  
**pilot** 90:12,17,18,20  
 91:2,3,4 96:19,22  
 97:4 103:7,18 107:2  
 110:12 144:13 145:1  
 145:4 149:21,22  
**PIN** 25:20 57:14  
**pins** 234:19  
**pivot** 158:11  
**pivoting** 161:5  
**placard** 71:2,4  
**placards** 71:3,3,7  
**place** 77:19 79:15 82:16  
 86:15 106:17 168:20  
 171:11,22 176:2  
 183:19 191:5 206:19  
 208:11 238:4 246:13  
 252:1  
**plan** 4:5 12:3 29:7 85:8  
 89:9 90:9 92:2,5  
 108:9,15,18,22 111:6  
 111:16 113:15 119:2  
 124:7 130:5 137:5,8  
 138:3 143:1 144:3,9  
 144:14,18 145:3,6,11  
 155:11 156:15 160:22  
 165:9,18 166:1  
 175:16,20 189:14  
 190:3 191:1,15,17  
 214:8 218:11 219:3,5  
 219:7,8 236:3 249:16  
 249:21 253:20 255:3  
**planning** 113:2 161:21  
 175:10 184:22 254:11  
**plans** 108:8,10 155:7,8  
 155:8 191:5 217:6,21  
 219:2  
**platform** 81:18 169:2  
 193:6

**platforms** 168:22  
**plausible** 59:12,20  
**play** 62:16 208:21  
**playing** 250:10  
**please** 14:5 39:22 63:12  
 78:16 142:10 197:1  
 242:4,6 244:6 247:16  
 250:2,4 255:4  
**pleased** 5:9,14  
**plenty** 244:14  
**PLL** 49:7,8 199:10  
**plug** 62:15  
**plugged** 105:17 247:20  
**plus** 155:3,4  
**poignant** 188:15  
**point** 29:13 60:10 62:9  
 65:9 77:6 80:18 82:6  
 89:3 101:1,14 107:7  
 111:19 127:7 137:16  
 138:1 141:5 148:16  
 159:14 175:9,15  
 179:7 193:16 196:19  
 202:11 205:15 206:19  
 207:2 221:13 238:18  
 246:5 247:20 248:13  
 253:17 254:7  
**pointed** 178:3  
**pointy-nose** 117:11  
**POLAND** 2:12  
**policies** 219:10  
**policy** 4:9 6:1 12:4  
 28:16 143:7 212:8,16  
 212:21,22 213:17  
 214:20 215:2,18  
 216:22 217:13,15  
 218:21  
**political** 200:15 201:8  
**politically** 199:18  
**pool** 16:19  
**pop** 254:5  
**popping** 125:8  
**popular** 118:10 125:9  
**population** 82:15  
**Porch** 98:20  
**portal** 233:13,17 237:21  
**portion** 17:4 31:4 38:14  
 45:16,19 86:22  
 100:18 146:18 181:10  
 231:22 232:16  
**portions** 146:15  
**ports** 188:18  
**pose** 82:1  
**position** 28:3 72:10  
 173:6  
**positive** 8:3 107:14  
 206:11 239:8  
**possibility** 20:5 113:10  
**possible** 13:22 67:12

87:21 100:11 146:15  
 169:5 220:13 228:15  
 254:4  
**possibly** 60:12 68:20  
 123:6 202:13  
**post** 190:8  
**post-lease** 190:22  
**posted** 163:3  
**potential** 19:21 34:13  
 59:10 93:18 94:16  
 96:19 106:21 109:13  
 116:2 118:12 121:9  
 122:2 123:16 130:7  
 152:10 183:14,21  
 253:9  
**potentially** 34:19 66:20  
 67:7 81:21 120:6  
 147:19 148:8 179:4  
 183:11 253:10  
**pound** 241:14  
**pounds** 21:2,6,14,14  
 42:15 81:5,8 147:4  
**power** 176:19 180:20  
**practicable** 196:10  
**pre-call** 184:13 195:17  
**pre-leasing** 190:21  
**pre-suppose** 196:7  
**precedents** 115:11  
**precise** 114:19  
**precisely** 20:2 169:18  
**precision** 96:10  
**preclude** 18:13 25:5  
**predict** 23:10  
**preliminary** 96:1  
 107:12  
**prepared** 254:16,19  
**present** 1:14 3:1,16  
 81:14 185:6 208:15  
**presentation** 15:6 16:2  
 36:6 37:15 41:9 44:16  
 47:12 49:16 57:11  
 64:9 68:6 78:19 98:16  
 101:17 103:12 106:6  
 111:7 113:18 125:1  
 128:4 129:14 132:11  
 134:17 148:15 153:15  
 153:18 154:11 157:18  
 160:8 167:9 169:12  
 170:5 172:5,19  
 173:10 174:20 181:14  
 188:10 192:3 198:14  
 201:15 212:7,18  
 213:10 219:6  
**presentations** 15:15  
 125:4 129:5,12 172:6  
 172:21 173:7,13  
**presented** 89:19  
**presenting** 76:1 108:7

**presently** 183:1,6  
**president** 230:20  
**President's** 8:13  
**pretty** 15:6 97:9 104:2,8  
 111:7 134:20 162:9  
 172:22 176:4 223:12  
 233:2  
**preventing** 24:16  
**previous** 7:2 8:15 17:8  
 20:10 21:5,8 22:17  
 106:6 109:11 121:17  
 170:5 221:22 224:20  
**previously** 37:18  
 115:18 145:21 191:13  
**price** 200:22  
**primarily** 127:4 144:16  
 144:22 149:17 164:17  
**primary** 108:13 184:10  
 215:1  
**prime** 188:18  
**principle** 215:2  
**prior** 48:3 158:15,18  
 159:2  
**priorities** 89:8 108:22  
 109:4 111:5 120:5  
 124:7 138:2 165:20  
 189:15  
**prioritize** 9:4 190:12  
**priority** 92:4,6 111:7,9  
 111:10 112:5,14  
 113:14 114:13 115:14  
 116:21 119:1  
**private** 129:19 130:8,19  
 131:1 246:22  
**privilege** 67:19 252:4  
**probability** 94:3,12,13  
 96:4 98:19 104:11,17  
**probability-based**  
 92:10,15 105:3  
**probably** 40:17 59:3  
 60:21 68:8 77:4 80:11  
 103:11 108:1 118:19  
 123:1 127:15 167:7  
 177:9 181:6,14 184:4  
 203:17 209:19 225:19  
 245:9 247:7 254:21  
**problem** 17:19 73:6  
 81:15 99:2 100:5  
 144:7 178:6 194:12  
 211:13 229:2 230:8  
 254:6  
**problematic** 25:11  
 88:17 95:14 170:8  
 178:9,15 224:8  
 235:10  
**problems** 66:16 92:7  
 139:18 234:22 235:16  
 235:19 236:10

**procedure** 212:17  
213:1,5,11,13,14  
214:3,20 215:12,18  
216:1,22 217:14,15  
**procedures** 114:21  
**proceed** 179:10  
**process** 10:10 29:5  
51:9 60:20 90:13 94:3  
94:14 97:14,19  
102:14 106:21 107:17  
138:20 152:14 153:1  
156:4 158:12 159:6,8  
159:14 161:1,11  
162:17 163:2 165:4  
175:10 184:22 189:4  
190:11,20 192:7  
193:18 194:19 195:19  
196:21,21 197:21  
198:7 200:15 201:22  
203:5 204:8,15  
209:10 211:3 222:21  
222:22 231:1,18  
243:3,12 246:10  
247:21 249:12,21,22  
252:13  
**produce** 139:15 184:2  
246:7  
**produced** 250:13  
**produces** 96:9  
**producing** 197:17  
**production** 182:20,22  
**productive** 125:9  
170:19  
**productivity** 94:22  
95:13 96:1 97:7,8  
105:8 126:5,6  
**program** 16:8,9,15  
19:22 20:7 22:2,10  
23:4,7,12 24:5 25:22  
26:11,16 27:11 29:9  
31:15,17,17 51:4,20  
66:7,21 72:5,14 82:7  
91:14,22 96:15  
103:22 115:22 120:20  
165:17,17 189:21  
209:5,16,17 214:2,5,6  
214:11,13 215:3,4,11  
216:20 217:7,17  
218:3 246:9,18 247:7  
247:13 250:21 252:3  
**programmatic** 108:12  
**programs** 10:3 67:19  
110:17 113:1 114:22  
116:3 154:5 213:3,20  
216:9,12 250:18  
252:1  
**progress** 89:8 108:21  
111:5 138:11 191:16

**prohibited** 76:22  
**prohibition** 250:22  
**project** 39:17 89:18  
90:7 96:12 99:3  
154:17 155:12,16,18  
156:12,15,16,17,19  
157:7 177:12 185:1  
189:3  
**project-specific** 160:13  
**projects** 96:13 155:22  
156:20 157:5,12,16  
176:15 187:3,4  
**promise** 137:16  
**promised** 199:10,11,12  
231:8,11  
**properly** 99:1  
**proportion** 20:21  
**proportionately** 38:1  
**proposal** 35:22 51:6,10  
52:1 106:8  
**proposals** 35:17 51:10  
52:19 189:16  
**propose** 18:7  
**proposed** 15:12,12  
16:1 17:1,6,13 18:18  
19:9,10,17 20:6 23:1  
24:6 25:15 27:13,21  
28:14 30:14 32:13,22  
33:4,14,17,19 34:3,22  
46:6 101:20 144:8,12  
144:12 145:10 146:11  
146:17 149:8 159:11  
159:12,19,21 161:3  
162:18 175:21 207:15  
207:18  
**proposing** 24:13  
149:15 175:2  
**props** 6:20  
**Protected** 3:18 143:16  
**protection** 2:5 216:11  
250:16,19,20 251:17  
251:19 252:6  
**protective** 77:19  
**protects** 86:2  
**protocol** 44:4  
**protocols** 136:16  
147:19,21  
**provide** 10:9 34:18 52:8  
68:15 84:7 85:2 91:6  
108:11 126:13 140:5  
172:4 204:21 218:14  
219:9,10 220:5,10  
**provided** 30:6 35:3,12  
67:13 111:21 217:13  
217:14 219:6  
**provider** 2:15 217:10  
**providers** 218:2 236:12  
**provides** 34:13 91:19

**provision** 20:3 26:18  
30:7 118:19 191:19  
**provisional** 158:4  
**provisions** 215:3,4  
249:19  
**proviso** 141:1  
**proxy** 77:15  
**PSE** 140:19,21 141:10  
141:15,21  
**PSEs** 112:1 117:3 121:5  
128:20 129:1 139:14  
140:2,9,12 141:6  
**public** 1:7 4:11 12:10  
12:11,19 13:1 15:14  
17:15 18:21 19:20  
23:2 30:16 58:2 85:2  
131:1,18 140:16  
143:11,12 148:1  
150:15 156:13,14  
158:21,21 161:8,9  
165:20 182:2 184:12  
212:11 222:7 226:5  
226:10 242:1,2,3,13  
244:2 248:8 253:16  
254:8 255:12  
**publication** 150:12  
158:16  
**publicly** 67:21 141:15  
157:3  
**publish** 148:7 165:9  
203:13  
**published** 15:18 92:2  
108:19 151:15 154:19  
158:13 160:20 163:7  
166:20 167:3 187:11  
**publishes** 189:22,22  
**publishing** 156:22  
162:22 165:5  
**Puerto** 1:20 120:1  
**pull** 195:11  
**pulled** 243:9  
**pulling** 10:8  
**punch** 137:19  
**punt** 51:21  
**purchase** 24:11,18,19  
24:22 150:20 176:20  
239:11  
**purchased** 224:20  
239:9,11  
**purchasing** 217:2  
**PURMONT** 2:13 47:10  
**purpose** 18:16 57:20  
70:18,20 72:3 73:5  
127:3  
**purposes** 72:4 102:1  
159:10 209:5  
**purpose** 16:11 30:13,18  
31:1,13,22 32:3,6

38:5 46:8 47:13 63:13  
63:15 240:16 241:4  
**pursue** 246:22 251:6  
**push** 141:3 170:16  
**pushed** 84:18  
**pushes** 178:4  
**pushing** 39:12 171:10  
207:22  
**put** 58:22 69:11 71:4  
72:17 74:20 83:10  
87:20 90:2,3 98:19  
100:3 107:1 109:1  
119:5 124:18 128:15  
151:14 160:12 171:19  
173:11 182:16 195:4  
200:4,21,22 201:3,6  
218:8 223:17 229:15  
235:3 246:13  
**putting** 62:6 140:7  
170:7,20,22 171:7  
199:3

---

**Q**


---

**qualifies** 37:3  
**Quantech** 123:21  
**quantification** 132:15  
**quantify** 79:1,9 110:5  
122:6  
**quantifying** 124:12  
128:12  
**quantitative** 122:15,16  
**quarter** 21:12 42:16  
56:9  
**quartiles** 18:19  
**question** 10:22 27:6  
37:5,13 39:13,22 41:7  
42:2 43:17 45:22 46:9  
47:18 49:3,17 51:3  
52:2,11 53:11 54:6  
55:7 63:2,12 64:10  
65:4 69:8 71:11 80:1  
83:15 84:3 106:11  
129:13 131:14 132:11  
132:21 134:9 138:9  
142:9 148:15 152:9  
168:1,2,7,9 173:14  
174:21 175:9 189:11  
192:8 193:20 197:7  
197:10,11 207:13  
208:15 209:14 210:1  
211:7 219:22 222:11  
222:14 224:11 240:14  
249:1,2,3 250:3  
**questions** 10:16 14:7  
14:12 36:3,13,16  
39:19 41:8,8,17 44:11  
45:16,20 47:8 53:6  
54:11 97:15 98:10,13

100:11,22 103:17  
 106:20 107:20 110:4  
 121:17 122:16,19,22  
 124:22 126:8,9,11,12  
 127:2 128:8 131:7  
 137:20 148:10 153:3  
 153:20 154:13 157:17  
 160:7 167:8,10  
 174:20 180:5 184:4  
 211:15 219:13,15  
 250:4 255:14  
**queue** 13:3 41:18 56:1  
 57:7 107:20  
**quick** 9:15 10:21 57:11  
 65:20 83:3 84:3 85:14  
 102:12 142:21 180:5  
 208:1,18 210:1  
**quicker** 128:16  
**quickly** 105:11 130:6  
 136:3 166:12 172:3  
 253:20  
**quiet** 5:4  
**quite** 7:1 152:17 171:15  
 171:20 189:10  
**quo** 22:12 77:21  
**quota** 16:8,16 17:5,11  
 19:18 21:1,4,6 22:5  
 22:16 23:11 24:2  
 25:12 29:22 30:5,7,22  
 31:9,12 37:20,22 38:2  
 38:11 40:21 42:13,19  
 43:5,7,7 45:2,5,8 46:3  
 46:8,12,14,22 47:14  
 49:20 50:14,15 53:14  
 53:18,22 54:4,14,17  
 55:5,12 58:22 59:5,7  
 59:7,15,22 63:3,6,14  
 63:15,16 64:21 65:6  
 66:9 67:17 135:10,13  
 214:12 240:16 241:3  
 241:6  
**quota's** 54:1  
**quotas** 32:21 64:1  
 83:22  
**quote** 23:7 228:3

---

**R**


---

**rabbit** 31:18 37:10  
**rabbits** 95:2  
**radar** 130:15  
**radical** 42:5  
**rail** 28:8 62:4 70:5 87:3  
 87:5  
**RAIMUNDO** 1:19  
**raise** 14:14,14 36:19  
 41:13 78:16 242:4  
 249:2  
**raised** 86:11 202:4

210:19 249:9  
**ran** 36:14 105:17  
**Randy** 3:2 5:5 6:12 7:1  
 14:9 50:2 113:17  
 212:6,12 219:15,18  
 228:10 233:10 237:3  
 238:5 240:10 249:3  
**Randy's** 224:10  
**range** 34:1 88:4 177:15  
 181:6 192:20  
**rare** 95:13  
**rate** 104:5 132:15  
 144:17 186:21  
**rates** 130:21 133:7,11  
**Rauch** 9:16 255:6  
**re-elaborate** 242:17  
**re-fill** 235:13  
**re-going** 119:20  
**re-read** 78:6  
**reach** 203:19 245:15  
**reached** 86:7  
**reaches** 207:6  
**reaching** 152:20 247:17  
 247:18  
**reaction** 64:1 135:2  
**reactions** 57:1  
**read** 78:1 185:11,13  
 213:13  
**readily** 139:10  
**reading** 78:10  
**ready** 156:5 255:2  
**real** 10:19 25:11 28:11  
 43:8 132:21 166:12  
 188:13 190:17 196:19  
**realistic** 87:8  
**reality** 252:19  
**realize** 60:15 72:17  
**realized** 30:22  
**reallocated** 46:8  
**reallocating** 30:14  
**reallocation** 30:18,19  
 31:18 32:3 63:13  
**really** 5:14 6:7,15 7:1  
 7:10,15 10:5,6,8,10  
 10:11 13:14,18,20  
 18:22 36:6 39:17  
 45:10,20 53:10 56:22  
 57:4 59:11,20 64:19  
 66:3,7,11,18 67:13,22  
 68:1 69:10 70:17 78:3  
 84:5 85:1 88:13 89:1  
 95:14 106:19 122:14  
 125:9 128:20 132:2  
 133:9,20 138:22  
 139:22 142:3 155:8  
 156:4,6 162:21 164:3  
 164:16 178:20,22  
 179:15 180:16 182:18

183:15 184:3 194:10  
 197:14 201:12 202:14  
 207:5 210:18 211:2  
 217:11 230:14 231:19  
 242:13 245:15 246:8  
 250:9 252:8  
**reapply** 243:4  
**reason** 18:13 127:3  
**reasonable** 206:9,22  
**reasonably** 13:4  
**reasons** 17:17 134:7  
 135:19  
**recall** 22:1 33:20 173:9  
 173:18 174:9  
**receive** 159:3 173:7  
**received** 66:1 148:2  
 158:10 161:12 163:12  
 173:9 179:22 244:21  
**receiving** 5:10 190:4  
**recognition** 214:1  
 218:12  
**recognize** 105:1 150:17  
 179:11 190:18 191:21  
 248:3 251:15  
**recognized** 92:7  
**recommend** 152:15  
**recommendation**  
 145:15 146:10 203:2  
**recommendations**  
 67:20 108:12 147:11  
 147:12 149:16,17  
 150:3 151:3  
**recommended** 135:10  
 147:17 152:19  
**recommends** 151:22  
**reconciliation** 240:4  
**reconciling** 239:19  
**reconnect** 14:20  
**reconsideration** 171:3  
**reconvene** 142:7  
**record** 56:12 142:16  
 212:2 255:21  
**recording** 14:4  
**records** 218:4  
**recoverable** 26:3,14  
**recovery** 25:22 26:2,10  
 26:16 216:20  
**recreational** 1:21 2:11  
 11:13 51:8 52:7 63:6  
 63:18 77:3 80:11  
 83:18 89:4 91:13  
 108:11,17 109:2,3,5,9  
 110:1,3,9 111:11  
 112:7 113:5 116:22  
 117:21 118:18 124:4  
 124:9 125:9,15 127:6  
 136:6 138:20 163:10  
 188:11,14,22 204:13

205:3,7,19 206:2  
**recreationally** 119:4  
**recruitment** 133:19  
 135:17 136:6  
**red** 112:9  
**red-headed** 74:15  
**REDD** 3:13  
**redesign** 89:18 92:3,6  
 96:13 111:8 134:20  
 138:8,12  
**redial** 222:13  
**reduce** 53:18 77:11  
 113:15 138:14 182:19  
**reduced** 128:13  
**reduces** 27:17  
**reducing** 59:7  
**reduction** 4:6 12:2 42:6  
 66:2 143:1 144:3,14  
 145:11,16 147:12,17  
**reductions** 68:16  
**redundancy** 238:21  
**redundant** 223:12  
**reef** 115:6  
**reel** 202:17  
**reentering** 243:4  
**reestablish** 109:18  
**refer** 154:14 168:13  
**reference** 29:13 134:5  
 165:13  
**referencing** 99:14  
**referred** 213:1  
**referring** 38:21 51:17  
 63:13 99:13 155:12  
**refined** 51:14  
**reflect** 124:8  
**reflected** 94:10 219:2  
**reflective** 39:1 51:15  
**reflects** 30:3 32:1 40:17  
**regard** 44:17 80:14,21  
 81:16 82:4 98:16  
 152:7  
**regarding** 28:17 37:5  
 132:12 135:3 136:16  
 164:2  
**regardless** 26:20 174:1  
 194:4  
**regards** 87:9 99:3  
**region** 12:2,7 53:13  
 108:9 111:12 120:3  
 143:11 219:3  
**regional** 4:5 22:3 89:8  
 108:8,10 119:21  
 143:16 164:7 184:16  
 220:4  
**regions** 109:9  
**register** 26:11 37:11  
**regressively** 252:8  
**regs** 27:22

- regularly** 172:21 173:13  
**regulation** 45:5  
**regulations** 20:3 26:22  
 76:6 84:6,7,12,18,22  
 95:21 146:21 149:6  
 252:18  
**regulations.gov** 148:4  
 160:9  
**regulatory** 6:4 10:2  
 20:4 144:10 145:9  
 201:22  
**reinforces** 241:16  
**reiterate** 7:11  
**related** 35:14 50:17  
 57:2 66:8 125:1  
 146:12 215:22 219:9  
 219:22 240:16 246:19  
**relates** 12:7 143:10  
 241:2 255:8  
**relating** 126:10  
**relation** 128:8  
**relative** 22:17 24:1  
 40:22 53:21 72:10  
 99:18  
**relatively** 33:5 96:10  
 131:16,20  
**relaxation** 23:15 76:4  
**relaxed** 76:6  
**relaxing** 23:21  
**release** 51:15 140:16  
 140:18 141:21,22  
 147:18 213:15  
**released** 15:10,17  
 230:1  
**releasing** 140:11,22  
**relevance** 8:8  
**relevant** 219:11  
**reliable** 141:1  
**relief** 224:5  
**relying** 122:13  
**remaining** 44:9 132:7  
 177:20  
**remember** 98:20  
 187:13 198:10,13,15  
 219:4 233:16  
**remind** 56:18 75:15  
 142:20  
**reminded** 231:13  
**reminder** 242:7  
**removals** 196:6  
**remove** 146:14 148:20  
 195:9,21  
**removed** 195:16 196:12  
**removing** 144:13 145:2  
 145:11  
**renew** 221:10,11,21  
 234:18 243:5  
**renewable** 154:5  
 209:16  
**renewal** 224:14  
**renewals** 235:9  
**renewed** 230:19  
**renewing** 229:2 236:3  
**repeatedly** 109:8  
**replace** 79:2 110:14  
**replaced** 71:8  
**replacement** 217:4  
**report** 25:16 54:21  
 67:18 73:7 100:18,19  
 101:7 113:22 114:2,5  
 115:12 191:15 223:4  
 223:6,10,15 235:22  
 236:4,6,10 239:6,8,12  
 239:12,16,21 251:20  
**reported** 27:4 110:11  
 117:8 123:19 239:9  
**reporting** 25:14,17 52:7  
 55:2 57:12 74:6 100:2  
 100:2 110:17,20  
 111:1,2 112:20 113:1  
 113:3,5,8,11,16,19,22  
 114:3,7,10,12,22  
 115:2,18,22 116:1,3,9  
 116:16,18 118:13,14  
 118:20 120:20 121:8  
 121:9,15 122:3  
 123:11,13,13 127:17  
 138:13,15 140:20  
 191:9,10,11,20  
 222:21 225:16,22  
 235:22 239:5 240:6  
**reports** 64:13 110:7  
 115:9,16,16 116:6,8  
 233:5 239:19,20  
 251:13 253:10  
**represent** 78:13  
**representative** 52:21  
**representatives** 184:16  
 209:20  
**represents** 39:8  
**reproduction** 208:13  
**request** 8:13 35:16  
 51:22 52:18 163:7,7  
 164:15 173:11 186:13  
 219:20 243:3 253:9  
**requests** 58:6 222:17  
**require** 28:1 50:22 74:6  
 99:12 106:1 191:7  
**required** 27:15 100:18  
 100:19 101:1,7  
 110:20 112:19 116:7  
 118:6 150:19,21  
 216:13  
**requirement** 21:11  
 23:18 25:15,18 42:14  
 50:18 113:8 116:19  
 147:10 191:14 223:19  
 254:6,8  
**requirements** 24:16  
 25:15 58:10 101:15  
 145:14 146:17,18  
 147:1,2 150:18 152:7  
 191:11 216:10  
**requires** 116:6  
**research** 1:17 2:2,7  
 28:9 144:21 145:12  
 145:13 147:15 149:17  
 189:15,16 204:21  
**researchers** 117:14  
**Reserve** 32:7  
**reserves** 64:21  
**resolve** 229:16  
**resonates** 98:18  
**resource** 99:13,14  
**Resources** 1:15 2:20  
 3:19 143:16  
**respect** 27:12 32:11  
 33:3 60:5 62:9  
**respectful** 242:9  
**respective** 9:3  
**respond** 72:1 104:9  
 178:22 208:4  
**responded** 248:11  
**response** 11:1 14:17  
 19:20 102:13 153:5  
 179:6 184:10 196:16  
 196:17 237:2 255:16  
**Responsible** 164:6  
**responsive** 88:11 248:8  
**responsiveness** 65:22  
 66:18  
**rest** 10:7 11:12 50:6  
 73:17 103:12 111:11  
 136:1  
**restricting** 58:1  
**restriction** 33:22  
 145:22  
**restrictions** 145:18  
**result** 30:13 31:21  
 69:15 106:3 249:11  
**resulted** 112:11 135:9  
**results** 135:3,15,16  
 166:6  
**resumed** 56:12 142:16  
 212:2  
**resurfaced** 71:6  
**retain** 26:19 27:2  
 235:11  
**retains** 77:10  
**retention** 33:19 34:6  
**rethink** 88:5  
**reticent** 23:6  
**retrieved** 28:4  
**return** 197:22  
**returning** 92:22 93:8  
**review** 148:6 175:21  
 187:1 190:11 217:9  
 249:15,22 250:1  
 253:20  
**reviewed** 166:3  
**reviewers** 217:8  
**Reviewing** 217:21  
**reviews** 165:12 210:7  
**revise** 119:11  
**revised** 249:5  
**revising** 119:2  
**revision** 50:22 83:18  
 249:12  
**revisions** 38:7  
**revisit** 149:13  
**revitalization** 59:1  
 71:14,15,19 88:22  
 199:10  
**Revolution** 156:17  
**RFMOs** 251:6  
**rhetorical** 47:18 222:14  
 249:3  
**Rhode** 90:21 156:17  
 209:12  
**Rick** 2:18 193:9 196:15  
 200:2 211:5  
**Rico** 1:20 120:1  
**rid** 31:7,11 239:17  
**rigging** 86:21  
**right** 5:3 11:2 37:6  
 38:22 40:8 41:12 48:4  
 55:22 56:14,16 58:16  
 61:12 62:20 63:8 64:8  
 69:5 87:21 89:3  
 105:20 117:15 132:4  
 134:16 140:13 142:1  
 142:18 151:4 152:21  
 153:17 156:10 158:9  
 159:21 174:16 179:8  
 183:9 184:11,11,20  
 185:22 193:18,19  
 194:7,21,21 199:8  
 204:2 211:6 219:19  
 225:19 233:7 241:21  
 243:18 244:1,14  
**rigs** 175:1,1,5 178:19  
**risk** 31:14  
**Risso's** 144:13 145:2  
**roadmap** 47:3  
**ROBERT** 2:9  
**robust** 31:17 94:20  
**rod** 202:17  
**RODRIGUEZ** 1:20  
**role** 118:14  
**roll** 212:9 219:17  
**rolling** 81:18 159:20  
**rollover** 45:10



**room** 11:16 12:16 13:20  
36:19,22 44:9 47:7  
53:1 56:1,6 64:7  
65:16 70:13 73:20  
80:10 100:9 132:6  
137:19 153:4 172:17  
174:16 193:19 221:2  
242:2 245:8 251:11  
253:14  
**rotational** 186:19  
**roughly** 37:7 241:13  
**round** 19:12 147:4  
156:13 165:12 188:7  
**rounded** 19:6,7  
**rounding** 19:9 32:9  
**rounds** 32:9  
**route** 176:11  
**rule** 15:12,12,19 16:1  
18:8 57:3 114:19  
121:8 122:1 143:2  
144:8 145:10 146:11  
148:5 149:8 150:12  
150:17,22 151:3,12  
151:14,20,21 180:13  
**rulemaking** 20:6 113:3  
113:7,10 122:1  
**ruler** 73:8  
**rules** 12:17 14:13 20:1  
23:15,21 24:4 35:9  
76:4 91:17  
**run** 13:3 26:10 75:11  
108:1 194:18 239:13  
**running** 55:15 95:2  
239:21

---

**S**

---

**Safe** 64:13 147:18  
**safety** 29:2 69:9 81:14  
88:19 163:16 248:16  
248:17  
**SAFIS** 113:19 114:1  
116:1 138:14 231:17  
233:5  
**sale** 24:6,8 159:11,12  
159:13,21 161:4  
162:18 197:12 200:17  
200:18  
**sales** 155:1,4  
**Saltwater** 2:1  
**Sam** 9:16 10:2 255:6  
**sample** 94:2 95:12 97:1  
**sampled** 98:22  
**samplers** 92:22 93:3,9  
94:8 95:8 104:15,20  
105:5 139:20  
**samples** 94:13 119:13  
128:21  
**sampling** 92:10,16,20

93:6,11,14,15 94:3,21  
95:22 96:3 97:8 98:20  
98:22 99:12 104:11  
105:2,8 111:13,17,22  
112:3,7 117:3 120:6  
121:1,2,4 123:15  
127:15 140:6,8  
215:19 216:2,8,21  
**SAMPSON** 2:14  
**Sarah** 3:12 50:2  
**sat** 199:12  
**satisfy** 21:10 42:14  
**savings** 72:13  
**savvy** 221:15  
**saying** 9:9 10:4 11:7  
38:20 46:13,15 61:5  
79:1 135:17 180:19  
187:18 194:22 195:2  
225:19  
**says** 75:3,11 78:10  
104:4 197:22 222:2  
225:3,4 229:13  
230:20  
**scan** 235:3  
**SCANLON** 2:15 47:21  
48:6,21 49:2,13 68:19  
72:17 85:15 150:10  
151:4 152:8,17,21  
153:2 197:7 198:4,8  
198:19 228:7 238:9  
**scenario** 59:8 69:4  
171:19 178:19 225:13  
225:14  
**scenarios** 59:21 96:18  
106:22 107:4  
**Schalit** 2:15 36:20 44:8  
44:13,15 45:17,22  
46:10 62:20 98:14,15  
134:1,14 172:16,18  
174:4  
**schedule** 56:3 90:11  
241:22  
**scheme** 100:2,3 201:20  
**school** 2:2 50:5,9,14,16  
**school-size** 50:16  
**science** 3:19 67:18  
119:22 130:10 137:10  
141:2,8,10 164:7,8  
239:3 240:8 245:22  
**Sciences** 2:2 166:5  
**scientific** 217:19  
**scientists** 137:9  
**scope** 46:19 47:2  
122:12 144:9,11,14  
145:2 163:8  
**screen** 38:22 143:19,20  
160:1  
**screwing** 13:15

**sea** 2:10 69:9 76:17  
168:20 178:11  
**seabed** 176:7  
**seafood** 2:6 6:5 182:19  
182:22 184:2 250:13  
250:20  
**Seas** 250:18 251:16  
**season** 34:19 83:17  
109:19  
**seats** 5:4 56:15  
**second** 29:9 43:12,16  
55:6 92:11 103:17  
104:22 129:6 138:1  
160:12 174:10 228:8  
246:15  
**secondly** 185:17  
**seconds** 222:11 243:9  
243:17  
**section** 29:21 37:5  
88:15 146:4 250:21  
**sections** 53:15 146:6,7  
180:7  
**sector** 63:6,18 100:14  
100:21 188:14 189:6  
**sectors** 188:6  
**secure** 169:2  
**secured** 168:5,20 169:4  
**Security** 194:11  
**see** 5:7 6:18 7:5,6 11:3  
11:8 14:11 38:7 39:17  
47:15 56:10 61:14  
63:21 70:6,9 73:5  
76:3 78:4,20 79:8  
83:1 86:18 103:20  
106:13 107:22 111:13  
117:2 122:6 124:22  
133:11 137:19 138:4  
138:5 143:19,20  
144:3 156:20 158:9  
161:8 162:5,10  
168:16 169:17 172:11  
180:10,11 182:7,14  
183:18,20 184:7  
186:10 192:4 193:5  
193:15 196:5 198:19  
198:21 199:5 200:11  
203:20 204:5 212:8  
213:13 219:14 223:12  
227:1 228:1 239:8,10  
242:1 243:17 255:19  
**seeing** 39:11 67:14  
109:8,16 120:7 162:3  
162:4 253:14  
**seen** 76:5 106:13 112:6  
132:12 133:4 138:7  
181:15  
**Seine** 16:11 30:13,18  
31:1,13,22 32:3,6

38:5 46:8 47:13 63:14  
63:15 240:17 241:4  
**seize** 23:12  
**select** 157:14 166:1  
**selecting** 110:22  
115:17,19,20  
**selection** 217:22  
**selectivity** 241:2  
**self-reported** 122:14  
123:7  
**self-reporting** 122:9  
**Senate** 209:20 247:10  
**send** 104:15,18,19  
136:20 189:19 205:22  
206:1 223:19 227:20  
234:1 235:2 238:20  
243:13 254:11  
**sense** 26:1,2,15 58:11  
73:4 88:18,22 104:18  
**sent** 182:5 223:14  
225:2  
**separate** 114:3,17  
152:1 237:21 238:4  
**separated** 146:7  
**September** 89:20 161:2  
**series** 102:9,22 121:16  
121:19 130:16 158:17  
**series** 145:4 152:11  
194:17  
**SERO** 225:16  
**serve** 89:15 181:19  
247:19  
**serves** 22:8 148:16  
**service** 1:4 183:18  
186:14 205:18 218:2  
**services** 6:4 217:18  
**session** 41:8  
**set** 6:22 18:8,11,15  
19:19 30:7 49:10  
66:14 71:2 73:12  
95:18 107:15 115:11  
136:10 170:5 175:2  
184:14 200:9 235:4  
**set-aside** 66:20  
**sets** 17:16,18,19 18:8  
18:10,14 19:2 20:14  
20:16,18,21,22 21:16  
21:17 22:18,20 40:9  
41:2,3 42:8,22 43:3  
48:1,2 49:6 54:21  
55:2,3  
**setting** 46:19 49:8  
146:13  
**seven** 89:22 197:6  
227:5 244:17 249:14  
251:21  
**shallowest** 193:6  
**shameful** 201:10

- Shana** 73:22 75:19 77:8  
**shape** 203:9  
**share** 14:7 17:2 18:9,11  
 18:19 19:1,3,10,12,14  
 19:16 20:8,20 22:4  
 24:9,16 57:6 66:15  
 89:9 211:10 237:7  
**shareholder** 21:18  
**shareholder's** 21:21  
**shareholders** 16:19,20  
 16:21 17:7  
**shares** 16:8 17:7,16  
 18:7,16 22:2,21,21  
 24:6,8,11,12,14,18,20  
 24:21 25:3,4,6,12  
 31:7 48:7,14,16,18  
 55:10  
**shark** 1:21 110:1,4  
 117:1,10 122:6,7  
 255:11  
**sharks** 101:13 110:6  
 117:1,7,9 118:3,6,13  
 123:11 139:16  
**sharp** 124:12 142:13  
**sheet** 232:20  
**shelf** 168:17 169:6,15  
 186:10,11 209:2  
 226:13 247:12  
**Shields** 242:15,15  
**shift** 63:14 80:11  
 105:12 106:14 143:3  
 153:12 240:17 242:1  
**shifted** 99:18  
**shifting** 63:3 240:16  
**shifts** 63:12  
**ships** 8:9  
**shocked** 134:18  
**shoot** 14:3  
**shop** 220:3  
**shore** 118:7 176:10,12  
**shore-based** 110:5  
 118:2 188:3,3  
**short** 18:15 74:18 93:4  
 209:14 212:16 244:17  
**short-finned** 145:1,3  
**shorthand** 237:10  
**shots** 69:18  
**shout** 128:7 251:15  
**show** 60:11 99:19 109:9  
 139:11 140:17,18  
 203:10  
**showed** 28:10 135:4  
 230:13  
**showing** 181:17  
**shown** 76:19 97:20  
 160:1  
**shows** 37:16 38:6 39:21  
 61:15 238:19 246:21
- shrimp** 245:20 246:4  
**shrink** 181:1  
**shrinkage** 180:10  
**side** 13:21 28:3 61:13  
 61:15 80:22 81:1  
 164:12 217:19,19  
 252:16  
**sidebar** 53:2 219:20  
**sighting** 246:10  
**sign** 190:6  
**significant** 45:2 123:19  
 233:4 241:1,17  
**significantly** 149:9,14  
**Silver** 1:12,12 5:18 6:18  
**similar** 103:4 210:4  
 225:20 239:5  
**similarly** 29:16 217:14  
**simple** 30:2,9  
**simplification** 39:6  
**simplified** 38:8 232:17  
**simulation** 96:9 107:5  
**simulations** 96:7 107:4  
**Simultaneous** 45:13  
 172:12 187:19  
**single** 92:19 95:7 146:4  
 243:17  
**sit** 72:19 243:14,20  
 245:7  
**site** 92:19 94:1 95:7  
 104:19 175:18 197:18  
**sites** 92:18 93:1 94:4  
 97:6 104:16,20  
 105:15 127:10 168:14  
 168:16 175:12 179:16  
 210:4  
**siting** 163:15 180:3  
**sitting** 52:21 53:1 200:7  
 230:17  
**situation** 6:13 88:7  
 135:10 207:10 215:8  
 245:1 247:3  
**six** 24:2 40:3 44:21 70:5  
 87:4 155:3,5 159:22  
 197:6 198:11 204:7  
 227:5 230:21 232:10  
 234:14  
**size** 34:2 44:1 50:17  
 54:2,3 64:1 72:8,12  
 72:16 79:19 81:21  
 83:5,6,9 97:1 121:22  
 176:17 180:14 240:18  
 241:2,8,11,12,13  
**skates** 167:2  
**skill** 131:16  
**skip** 13:12  
**SKOMAL** 2:16  
**slide** 37:14 39:21 41:19  
 43:17 47:22 49:16  
 104:10 106:1,20  
 124:2,14 157:2 158:3  
 161:10 162:21 169:13  
 207:13,14 215:17  
 218:20  
**slides** 41:17 87:17  
 215:22  
**sliding** 87:12  
**slight** 33:12 34:5  
**slightly** 70:2  
**slip** 83:12  
**sloped** 76:17  
**slower** 186:21  
**slowing** 34:19  
**small** 12:5 18:15 19:10  
 32:2 64:21 65:11  
 201:19 241:4  
**smaller** 19:16 61:7 67:7  
 240:18 241:11,13  
**smashed** 69:22 70:1  
**smooth** 18:20  
**smoother** 227:22  
**snapper** 112:9 236:14  
**social** 85:8  
**sole** 18:15  
**solicit** 109:3 150:14  
 151:1 161:7  
**solicitation** 165:21  
**solicited** 151:17  
**soliciting** 163:13 190:2  
**solid** 193:15  
**solution** 180:1  
**somebody** 59:15 69:14  
 70:2 79:1,6 172:4  
 222:4 224:3 225:20  
 229:12  
**somebody's** 83:12  
**someone's** 131:17  
**something's** 138:6  
**somewhat** 29:16 237:8  
**SONJA** 1:21  
**soon** 11:7 146:15 165:5  
 247:17  
**sooner** 106:15 129:6  
 211:4  
**sophisticated** 246:2  
**sorry** 13:13 45:17 52:22  
 64:6 68:7 134:2  
 152:13 161:20 162:13  
 207:10 215:4 237:9  
 237:10 245:10  
**sort** 12:17 36:15 56:3  
 57:4 68:22 87:15,15  
 88:3,9,16 90:12 180:9  
 180:11,11 202:3  
 210:20 211:5 212:9  
 232:19 254:7  
**sound** 39:12 78:7
- sounds** 78:1 225:10  
**source** 37:16 245:16  
**sources** 166:10 203:16  
**South** 2:18 53:17 112:1  
 117:2 121:5 140:6  
 146:19 155:10 156:2  
 181:20 233:12  
**Southeast** 12:1,7  
 119:21,21 137:9  
 143:10,15 220:3,4,20  
 237:6,15,20 238:3,15  
 239:2,15,20 240:6,8  
**Southern** 33:10 125:18  
 166:15,21  
**space** 64:4  
**sparse** 97:6  
**spatial** 71:12 99:6,11  
 99:20 218:17 245:22  
 246:8  
**spawning** 76:16,18  
**speak** 6:14 9:17 20:4  
 42:18 46:21 54:1,4  
 55:18 136:19 150:22  
 156:9 222:7 224:3  
 245:8 252:21  
**speakers** 39:16 44:10  
 132:8  
**speaking** 45:13 144:5  
 172:12 176:5 187:19  
 226:4,10  
**speaks** 28:7  
**spear** 196:19  
**spearheaded** 253:7  
**special** 19:15 145:12,13  
**species** 1:5 3:2,4,5,6,7  
 3:8,9,10,11,12,13,14  
 3:15 7:3 17:14 18:3  
 26:6 47:13 61:17,17  
 61:19,20 66:14 67:14  
 72:9 82:8 99:5 101:11  
 114:15,18 117:1,8,18  
 117:20 119:13,15,18  
 121:5 123:3 127:5,6  
 129:22 130:13 135:22  
 139:8 144:16,22  
 157:9 167:1 173:2,17  
 198:22 216:11  
**specific** 52:5,12 154:15  
 165:2 179:4 193:3  
 202:21 212:16 215:13  
 220:13 224:15 244:1  
**specifically** 30:20 33:7  
 35:18 51:4 84:15  
 151:16 163:9 212:22  
 214:3 215:15 216:20  
 219:22  
**specifications** 215:13  
**specificity** 237:4

- specifics** 220:7  
**specified** 18:3 215:18  
**specifies** 214:3  
**spectacular** 251:21  
**speculative** 18:14  
**speed** 90:13 167:15  
 186:18,20 187:12,20  
 187:21,22  
**spend** 8:7 11:12 89:11  
**spending** 7:8  
**spent** 232:5  
**spinning** 186:20  
**split** 33:9  
**spoke** 58:14 95:12  
 185:19,20 243:8  
**spoken** 152:5  
**sport** 1:21 82:2  
**Sport-Ventures** 2:6  
**spot** 248:11  
**Spring** 1:12,12 5:18  
 6:18  
**sprung** 110:18  
**square** 125:18 168:4  
 199:19,21  
**squeeze** 83:2  
**stability** 73:1 81:19  
**stabilized** 87:20  
**staff** 3:1 97:19 197:22  
 226:11 227:17  
**stage** 169:16 247:17  
**stages** 247:9,9,11  
**stagnant** 140:1  
**stakeholder** 158:18  
 159:2  
**stakeholders** 190:2,5,6  
 190:9  
**stand** 58:10 185:10  
**standard** 44:4 105:22  
 114:20  
**standardization** 102:10  
**standardized** 17:20  
 29:12 43:18,19,22  
 44:1  
**standards** 91:18 110:15  
 140:10 164:10 183:3  
 250:15  
**standing** 83:7  
**standpoint** 25:22  
**stands** 12:3 91:13  
**staring** 11:18  
**start** 34:22 36:22 37:1  
 41:19 57:8 78:9 90:18  
 98:13 125:2,5 129:6  
 142:12 167:21,22  
 170:22 222:12 228:7  
 244:6 255:3,5  
**start-up** 214:5  
**started** 55:9 106:12  
 114:7 162:12 221:10  
 232:7  
**starting** 16:15,17  
 115:16 120:12,13  
 242:11  
**starts** 90:1 120:10  
 161:17,18  
**state** 97:3,12,14,16  
 98:1,3,4 107:16 112:8  
 112:12 115:6 116:3,8  
 118:6,10 120:20  
 155:20 162:11 176:20  
 181:8 184:15,18  
 203:19 205:21 207:7  
 238:13,14  
**state's** 97:5  
**state-federal** 164:16  
**state-managed** 118:5  
**state-regional-federal**  
 91:14  
**stated** 134:7 246:16  
**statement** 11:12 15:5  
 15:11,18 21:3 43:9  
 156:12 174:21 248:9  
**Statements** 157:1  
**states** 1:18 45:2,3  
 90:19,21 97:21 98:7,9  
 107:1,15 112:2  
 116:10 118:9 120:10  
 120:14 180:18,18  
 182:20,22 184:2  
 195:12  
**static** 16:19  
**statistical** 96:5 104:11  
**statistically** 93:16  
 94:20  
**statistician** 89:16  
 130:10  
**status** 15:4 17:4 22:12  
 77:20 89:18 143:2  
 144:11 148:5  
**statute** 252:5,10  
**statutes** 157:7 250:18  
 251:7  
**statutory** 209:22  
 246:17  
**stay** 39:16 89:13 93:3,6  
 94:8 106:15 242:9  
**stays** 248:21 254:17  
**steel** 60:22 61:4 62:11  
 87:13  
**stems** 220:17  
**step** 31:20 91:10  
 205:11 226:1,1,1  
 232:13,13  
**stepchild** 74:15  
**Stephen** 62:22  
**stepping** 228:8  
**steps** 160:18 179:7  
**Sterling** 154:7  
**Steve** 2:12 240:15  
**Steven** 1:22 62:22  
**stick** 56:3 80:8  
**stink** 202:4  
**stock** 8:11 102:1,5  
 121:19 133:15 137:8  
**stocking** 150:20  
**stocks** 106:14  
**stop** 126:19 184:5  
 235:8  
**storage** 217:9 218:4  
**store** 171:14  
**story** 66:4 244:17  
**straight** 140:1  
**straightening** 147:3  
 149:19 150:1  
**straightforward** 19:8  
**Straits** 82:13 199:16  
**stratified** 94:1  
**stratum** 112:11  
**stream** 116:10 185:11  
 185:18  
**streams** 103:20  
**strength** 149:10,10  
**stress** 125:11  
**strikes** 186:3  
**strive** 129:2  
**strong** 18:22 81:21  
 135:2 149:2 220:21  
**stronger** 149:14 193:1  
**strongly** 47:14  
**structure** 120:2  
**structured** 96:3  
**structures** 168:4 169:3  
 169:7 178:17  
**struggle** 72:22  
**struggling** 202:14  
**stuck** 200:4  
**studies** 1:17 154:21  
 165:16,17,18 166:2,6  
 166:9,12,15,19,22  
 167:5 177:1,4 189:21  
 190:3 198:20,20  
 205:11 206:18  
**study** 103:18 130:20  
 132:1 150:7 165:20  
 165:20 189:13 190:10  
 199:2,5  
**stuff** 80:4 138:4 139:11  
 139:22 178:17 183:16  
 225:16 227:4,11,12  
 244:12  
**sub-73** 63:19  
**sub-category** 49:19  
**subcategory** 53:12  
**subjective** 78:21 79:4  
 203:1  
**subjectivity** 88:20  
**submission** 237:14  
**submit** 114:1 116:7  
 175:19 189:16 211:16  
 239:11 240:1  
**submitted** 175:16 190:9  
**subquota** 32:21  
**subsequent** 15:12  
 18:17 21:17 23:22  
**subsequently** 148:19  
**substandard** 250:14  
**substantial** 17:4 31:3  
 81:21 248:7  
**substantially** 127:19  
 150:4  
**substantively** 30:11  
**substation** 176:9,10,12  
**success** 66:3  
**successfully** 25:17  
**sudden** 9:9 59:5 192:18  
**sufficient** 248:19  
**suggest** 56:2 96:22  
 117:18  
**suggested** 151:2  
**suggesting** 136:7,10  
**suggestion** 136:18  
 248:20  
**suggests** 96:1,20  
**suite** 32:15  
**summarized** 240:20  
**summarizing** 15:3,4,21  
 16:10  
**summer** 15:20 137:13  
 148:7 162:17,19  
 165:9  
**supply** 74:13 151:8  
 152:4  
**support** 8:8 180:15  
 200:3 203:16,17  
 217:18 232:1  
**Supporting** 194:14  
**supportive** 160:11  
**suppose** 44:18  
**supposed** 229:10,11,18  
 230:14,15  
**sure** 6:14 8:9 9:2,11  
 13:10,14 14:15 36:13  
 41:10 42:3 46:5 52:10  
 63:22 67:3,10,20  
 78:13 83:20 106:19  
 107:16 108:2 116:13  
 116:14 121:18 125:3  
 131:10 134:20 135:22  
 144:7 160:6 167:14  
 172:19,22 180:6  
 189:8,18 201:16  
 203:22 208:7 211:11

222:16 224:3 226:8  
234:20 238:5 248:21  
**surface** 87:16 169:4  
178:11  
**surprising** 16:20  
**survey** 4:4 8:9,16 89:7  
98:9,17 99:4,9 100:5  
101:21 103:5,7  
107:10 108:14 109:14  
109:21 110:13,14  
111:18,19,20 119:12  
120:21 121:15 123:16  
123:17,19 124:21  
126:12 127:4 128:13  
131:3,4,6 133:7,21  
134:15 138:8 139:13  
206:1  
**surveyor** 129:20  
**surveyors** 122:20  
**surveys** 90:17 91:4,16  
91:16,19 96:22 102:8  
103:8 106:3 111:17  
112:8,10 114:15,22  
115:6 121:12,19  
122:17,21 123:6,18  
123:22 128:16 129:17  
140:6 205:9  
**survive** 200:1  
**surviving** 251:2  
**suspected** 207:17  
**sustainable** 4:2 5:16,19  
7:20 8:21 75:6  
**sweep** 62:19 129:8  
**sweeter** 232:3  
**swiftly** 36:1  
**swim** 70:6  
**switch** 29:21 128:16  
**switched** 242:21  
**switching** 32:11  
**swordfish** 59:1,2 71:13  
71:17 81:3 101:9  
109:15 113:12 122:4  
130:1  
**sympathetic** 188:21  
**sympathy** 196:18  
**system** 17:1,6,13 20:9  
23:13 31:10 59:14  
111:3 113:19 176:1  
225:15 227:3,16  
232:8 234:21 236:6  
**systems** 113:20 114:10  
114:11 168:21 169:6  
217:2 229:5

---

**T**


---

**T** 2:15  
**table** 12:20 13:6 14:12  
32:1 38:6 45:8,21

62:19 88:14 89:19  
107:20 148:11 167:13  
199:12 202:5,22  
203:10 204:10,21  
206:17 211:11 215:16  
218:8 242:6,10  
252:21  
**tablets** 75:1 123:16,18  
124:1 128:16,17  
**tackle** 2:19 151:7,18  
**tagging** 205:11  
**take** 4:6 7:21 9:18 12:2  
13:5,7 40:19 42:13  
56:15 57:9 60:8 63:5  
73:20 80:9 82:14  
84:19 86:5,15 89:10  
89:22 90:15 102:17  
103:10 117:17 127:15  
137:14 143:1 144:2  
144:14 145:10,16  
147:12,17 153:20  
160:6 167:10,19  
176:10 202:21 205:20  
206:6 211:22 219:12  
219:13 225:5 226:12  
226:16 233:20 235:20  
236:9 249:16 255:9  
**taken** 30:5 40:11 46:18  
54:1 69:18,18,21  
173:21 189:5 194:6  
205:10 214:17 243:6  
243:18 252:7  
**takes** 82:16 227:5 233:4  
235:10  
**talk** 7:22 12:3,6 13:21  
14:21 41:12 80:11  
83:4 89:7 126:4 129:9  
141:19 143:6 160:2  
168:6,6,18 169:13  
183:12,12 196:2  
215:20 218:17 219:21  
220:10 227:17 235:18  
238:12 240:11 244:10  
252:17  
**talked** 182:7  
**talking** 11:13 39:13  
76:14 81:3,4,6,7,17  
84:19 100:14 104:10  
133:2 139:14 152:3  
157:8 168:22 184:5  
199:2,20 200:13  
212:14 253:6  
**talks** 227:17  
**tandem** 165:11  
**tangled** 81:13  
**tape** 75:12  
**target** 84:9 98:6  
**targeted** 54:20

**targeting** 96:13  
**targets** 33:20  
**task** 89:15 160:19  
184:14,16  
**tasks** 89:22 90:10  
**team** 6:20 10:8 75:22  
137:7 145:16 146:8  
146:10 147:12,17  
149:13,16 154:4  
247:10 249:3  
**tech** 14:2  
**technical** 31:15  
**technically** 118:4  
**techniques** 79:20  
**technologies** 35:19,21  
213:17 219:3,5,11  
**technology** 3:20 13:8  
109:17 117:19 138:22  
168:15  
**telemetry** 166:15  
**telephone** 110:14  
120:21 131:3  
**telescopic** 28:12 62:7  
**tell** 58:1 79:6 89:17  
90:16 91:10 117:10  
141:18 187:7 222:11  
232:4 254:2  
**telling** 8:6 97:20 141:14  
171:12 187:16  
**tells** 230:4 254:14  
**temperature** 170:15  
**temporary** 23:15  
**ten** 44:10 50:5,10,14,15  
78:12 85:19,19 86:2  
86:12 87:1 108:1  
130:9 132:1 137:1,17  
142:8 144:17 145:6  
193:9 211:22  
**tended** 233:19  
**tends** 93:8  
**tension** 168:22  
**term** 157:4 159:6 176:5  
**terminal** 146:16,18,22  
147:1,10 149:6  
150:18 152:7  
**terms** 19:6 38:3 44:2  
53:11 72:16 78:22  
79:5,17 84:7 118:1  
149:9 191:7 246:12  
**terrified** 193:14  
**test** 58:10 90:3 97:10  
103:21 107:1 155:12  
**tested** 67:9 97:16,21  
98:7  
**testing** 67:6 90:12,18  
90:20 91:2,3,4 96:19  
97:4 103:8 107:2,8  
110:12

**tests** 149:20  
**Texas** 2:17 111:14  
117:15 161:18  
**thank** 6:10,12 11:3,20  
15:1 17:1 36:4 39:20  
41:9 47:15 49:15 51:2  
51:16 53:4 54:8,9  
56:16 57:10 60:2  
62:16 63:6 65:14,19  
66:8 68:2 71:21 80:13  
82:16 83:14 84:2  
85:12 89:1,16 98:12  
98:15,16 100:6,13  
105:8,13 106:18  
125:3 129:4,11  
134:16 137:3,22  
142:6 144:1 150:10  
153:2,9 169:11,12  
172:8 174:15,19  
181:13 185:4 192:12  
193:12 196:22,22  
200:2 201:14,14  
204:3,5 210:17  
211:12,17 212:13  
220:15 224:8 225:8  
228:17 233:8 234:9  
234:11,11 236:18,19  
238:5 243:21 245:2  
252:22 255:18  
**thanked** 68:6  
**thankful** 10:6  
**thankfully** 251:18  
**thanking** 228:10  
**thanks** 6:17,18 36:5  
38:16 39:10,19 41:11  
41:11,16 43:10,21  
44:13,15 46:3,4 47:6  
49:14 54:5 56:10  
58:15 60:3,4 62:17  
64:3,8,9 65:7,8,15  
68:3,5,17,18 71:22  
73:19,19 74:1 75:14  
75:20,20,22 77:7,8,22  
78:7,8,18 80:7,8  
82:17 83:13 85:13  
87:22 100:7,7 101:3,4  
101:18,19 102:12  
103:1,10,15 105:10  
107:19 109:17,19  
124:13 126:20 127:22  
128:3,6,6,7 129:2,3  
129:10 131:13 132:10  
133:1 134:1,13 137:1  
137:18 140:3 142:13  
143:18 148:9,14  
149:5 153:11 154:1  
167:11 169:9 172:1,9  
172:15,18 174:4,6,15

180:4 181:11 184:8  
 185:7,8 188:5,9  
 190:14 192:1,2 193:8  
 201:11 204:4 208:16  
 210:16 211:18,22  
 224:10 225:10 228:2  
 228:2 233:10 236:20  
 238:7 240:10 241:20  
 243:22 250:6 253:1,2  
 253:12 255:19  
**theirs** 149:13  
**theme** 125:6  
**themes** 8:14  
**theory** 60:19  
**they'd** 54:20 208:12  
**thing** 61:14 70:17,21  
 71:10 78:20,21 79:4,9  
 79:15 81:16 82:3 83:3  
 84:12 85:15 86:16  
 127:7,16 128:10  
 150:11 177:14 179:19  
 195:6 207:11 222:20  
 223:4,9 225:18  
 226:17 228:22 231:13  
 232:22 235:11 242:12  
 243:17 244:10 246:15  
 250:6  
**things** 8:11,18 9:15  
 47:22 59:19,20 60:8  
 75:18 79:19,20 88:3  
 88:18 93:13 95:1  
 113:6 118:2 120:19  
 123:10 150:2 154:16  
 164:12 182:10 183:5  
 189:8 193:14 198:21  
 201:20 202:20 212:5  
 217:4,19,20 218:5,16  
 227:6 228:1 236:11  
 243:2 248:2,13 250:2  
 252:15 253:6  
**think** 5:4 8:7,19 9:11  
 12:9 26:15 37:3 39:15  
 41:16 57:5,21 58:18  
 64:22,22 65:17 66:5,9  
 66:10,15,22 68:6,20  
 68:21 70:9 75:16  
 78:11 80:15 84:5 85:6  
 85:9,18 86:10 88:1,4  
 88:12 98:19 99:2  
 100:13 103:11 108:1  
 115:10 120:16 123:3  
 126:10 128:4,17  
 129:1,7,14 134:7,10  
 135:18 153:6,18  
 155:2 157:19 159:17  
 162:22 163:19 164:22  
 167:14 168:1,13  
 171:2 175:9 177:8

178:13,21 179:1,21  
 181:3 184:9,10,11  
 187:22 188:11,20  
 189:9 190:4 191:18  
 192:14,19 193:2  
 194:22 197:14 203:13  
 203:15 205:1 207:4,4  
 209:6,18 211:8  
 212:15 220:1,17  
 222:6 223:12 224:10  
 225:14 227:2,9,13  
 237:6 238:1 241:22  
 244:12 245:4 246:21  
 250:4 251:14 252:14  
 253:11 254:13,14  
**thinking** 9:5 132:22  
 180:7 244:13  
**thinly-veiled** 201:21  
**third** 16:22 38:7,21 74:4  
 85:20,21 90:12  
 112:21  
**thorough** 91:20  
**thought** 13:4 17:18  
 60:20 65:10 78:11  
 155:21 171:15 236:13  
**thoughts** 10:13 57:2,5  
 61:10 65:5 120:18  
 124:11  
**three** 15:14,15 17:8  
 20:10,13 21:5,8 22:17  
 26:4,7 40:2 41:1  
 47:22 53:16 55:8,9,14  
 55:17 69:21 90:19  
 95:9 107:11 149:2  
 160:3,4 161:17  
 193:22 201:12 223:20  
 230:22 232:6,21  
 242:8 244:18 245:5,5  
 245:10  
**three-year** 20:13,16,17  
 40:6 249:15 250:1  
**threshold** 23:22 41:21  
 43:2 68:22 77:13  
 85:17 86:1,7,11  
 248:18  
**threw** 68:7  
**throw** 39:15 42:3 56:5  
 74:8,11 75:7,16 221:1  
 242:4 245:11  
**throwing** 18:14 42:1  
**thumb** 180:14  
**Thursday** 1:9 253:22  
**ties** 85:7  
**tight** 139:22  
**tighter** 60:8  
**Tim** 2:10 78:17 80:8  
**time** 6:10 7:8,14 10:3,9  
 11:16 12:8 14:7 16:20

20:14 28:15 34:16  
 35:11 36:3,7,8 47:15  
 54:9 58:10,11 59:13  
 69:3 93:10,12,12  
 94:21 95:9,16 96:11  
 97:12 102:9,22  
 107:22 108:3 111:16  
 114:20,20 121:16,18  
 124:20 126:19 130:9  
 130:16 132:2 137:13  
 144:21 145:20 150:19  
 156:21 160:6 162:19  
 167:10 170:10,13  
 175:18,20 176:13  
 177:12 182:3 184:10  
 184:12,13 189:12  
 193:18,21 194:8,20  
 194:21 196:1,7  
 199:17 211:6 212:8  
 213:15 219:21 220:6  
 220:10 221:7 222:6  
 223:8 228:9,11 230:2  
 231:2,9 232:22 233:4  
 234:4 235:10,20  
 243:7 244:14 245:12  
 246:20 249:17  
**time-frame** 96:11  
**timeframe** 151:5 156:6  
 190:1  
**timeline** 55:7 90:8  
**timelines** 151:2  
**timely** 223:8 239:18  
 240:4 249:13  
**times** 16:22 18:5 69:21  
 87:1 98:21 121:7  
 149:2 170:16 171:21  
 223:20 238:20 243:1  
 244:19  
**Timing** 218:21  
**tiny** 241:21  
**tip** 186:18 187:12,20,21  
**tips** 187:8  
**TOBEY** 3:8  
**today** 5:7,12 6:10,16  
 7:9 10:6,12 11:9  
 14:13 76:1 108:7,20  
 139:22 144:1,8  
 167:14 214:16 220:15  
 236:13 240:13 254:3  
 255:18  
**told** 149:1 230:7 243:2  
 243:10 244:21  
**tolerance** 50:13,13  
**Tom** 3:14 10:7 14:21,22  
 15:1 36:5,7,14 38:20  
 39:14 44:15 47:6,10  
 49:15 53:9 54:10  
 57:10 58:19,20 60:3

64:9 65:7 66:15 67:15  
 68:6 72:1 75:21 77:22  
 78:10,18 228:11  
 240:20  
**Tom's** 75:16  
**tomorrow** 9:17 85:8  
 245:6 253:20 254:15  
 254:22 255:3,4,19  
**ton** 32:2  
**tongue** 229:8  
**tons** 30:4 37:19 38:10  
 38:14 39:3 64:16  
 78:13 135:11,13  
 139:15 241:7  
**tool** 34:10,18 60:14  
 67:17 77:16  
**toolbox** 34:10  
**top** 30:5 37:19 38:10  
 63:21 92:3,6 111:9  
 160:10 167:18 187:13  
 208:9 223:9 243:19  
**topic** 12:5 15:8 163:13  
 167:12 218:10 242:9  
 248:1 255:10  
**topics** 5:12 7:17 124:2  
 253:5  
**total** 20:21 40:2,11,16  
 40:21 48:7 50:3,14,15  
 115:1 133:21 145:20  
 155:5 160:1 170:3  
**totaling** 158:6,6  
**totally** 248:1  
**totals** 40:2 78:11  
**touch** 7:18 128:22  
 154:11 165:16 231:13  
**touched** 88:3  
**tough** 11:19  
**tournament** 115:16  
**tournaments** 110:22  
 111:2 115:17,19  
 129:9  
**track** 54:3 104:2,8  
 133:1  
**Trade** 253:7  
**traditional** 169:8  
 176:11  
**training** 217:4  
**transfer** 234:22  
**transfers** 235:7  
**transit** 188:19  
**transiting** 147:13  
**transition** 192:10 214:8  
 214:21 218:12,22  
 219:2,8  
**transitioned** 110:13  
**translate** 19:3  
**translated** 37:21  
**translating** 38:4

**transmission** 176:11  
 217:8  
**transparency** 140:17  
 141:16  
**Trap** 30:16 32:8 64:11  
 64:15 78:12 88:6  
**traveled** 6:17  
**treat** 79:13  
**treated** 74:14 77:3  
**treatment** 19:15  
**tremendous** 170:3  
**trend** 104:7  
**TRIAL** 2:17  
**trigger** 24:1 86:9  
**triggering** 119:15  
**trim** 211:20,20  
**trip** 21:11 27:10,16,19  
 34:3 42:15 114:2  
 231:20,20,21 232:11  
**trips** 27:14,20 112:4,7  
 125:21 127:10,13  
 131:5 140:8 232:10  
**trophy** 33:5,7,8,10,11  
 33:13 53:14,22 68:9  
 118:3  
**trouble** 224:13  
**troubleshooting**  
 217:22  
**troubling** 183:10  
**try** 13:5,14 14:19 17:19  
 41:15 53:5 114:8  
 115:8 165:9 186:11  
 191:2 194:20 222:3  
 224:21 249:7  
**trying** 45:20 72:7 74:8  
 74:11,12 75:11,16,17  
 81:12,19 100:20  
 179:16 180:21 188:1  
 189:1 194:19 202:16  
 220:12,18 221:3,17  
 221:20 233:12 234:20  
 235:16 237:11 242:20  
 243:1  
**tuna** 1:22 2:15 16:4,6  
 19:11 26:5 44:19,22  
 54:21 59:9,11 66:2  
 71:16 82:5,7 101:8,12  
 109:9 113:12 119:14  
 120:7 130:2,14 135:1  
 199:1,7 207:17  
**Tunas** 122:3  
**tuned** 89:13  
**tungsten** 62:11  
**turbine** 178:10 207:19  
**turbines** 155:12 170:7  
 170:22 171:7,11,20  
 175:2,22 176:8,15,16  
 176:21,21 186:18,20

187:8,8 206:5 208:21  
**turn** 6:11  
**turned** 193:15  
**turning** 9:10 137:17  
**turtle** 183:5  
**tutorial** 225:19  
**twist** 23:1  
**two** 11:8 15:13 27:14,20  
 41:2,16 53:6 54:10  
 55:18 57:16 73:20  
 79:17 92:8,8,14 93:4  
 95:1,2 100:8 103:6,20  
 107:12 114:11 116:10  
 128:5 132:4 133:4  
 136:4 139:15 142:7  
 142:12,19 155:6,12  
 168:12 170:3 174:20  
 198:5,14,17 200:6,6  
 210:20 215:17,22  
 221:6,8,10,11 222:6  
 224:11 225:3 229:15  
 232:5,11,21,21  
 234:14 238:12 242:19  
 244:16 245:8  
**two-year** 252:12  
**twofold** 141:11  
**type** 33:15,17 86:16  
 95:13,22 130:11  
 139:9 175:22 177:6  
 178:19 191:8 227:13  
 231:21 236:5 251:6  
**types** 27:7 35:3 130:12  
 169:8 215:17 217:4  
**typically** 170:4,6  
**typo** 168:2

## U

**U.S** 1:1 50:14,15 120:1  
 136:5 182:5,11,12,21  
 183:3 213:3 250:11  
 251:7,12  
**Uh-uh** 230:10  
**ultimately** 175:14  
 208:12  
**unaware** 134:19  
**unbiased** 96:9  
**uncertainty** 117:22  
**under-utilization** 45:5  
 46:2,3  
**undermining** 31:10  
**underneath** 169:1  
**underpins** 89:1  
**undersized** 70:20 73:6  
**understand** 11:19 50:8  
 69:11,19 70:17 74:17  
 78:5 86:17 87:2  
 105:14,19 129:17  
 168:3 175:4 199:9

201:16 243:16  
**understanding** 36:14  
 70:15  
**understands** 12:17  
**understatement** 195:1  
**understood** 78:2  
**undertaken** 154:12  
**unequal** 94:3,13 98:18  
 98:19 104:11,14,17  
 104:21  
**unfair** 247:5  
**unfairly** 250:12  
**unfathomable** 221:18  
**unfortunate** 74:16  
**unfortunately** 204:8  
 209:3  
**unfunded** 215:5  
**unified** 115:9  
**unilaterally** 251:8  
**Union** 44:21  
**unique** 158:15  
**unit** 245:18  
**United** 45:2,3 182:20,22  
 184:2 195:12  
**University** 2:2  
**unknown** 72:7  
**unprecedented** 252:2  
**unproven** 249:6  
**unsustainable** 215:5  
**untenable** 171:1 247:3  
**untested** 249:6  
**upcoming** 190:3 221:21  
**update** 4:5,6,7 89:6  
 108:8,21 111:4  
 130:15 132:2 137:5  
 143:2 144:2 147:19  
 150:11 152:9,13,16  
 152:22 154:8,19,21  
 158:3 165:18 192:8  
 213:16  
**updated** 173:13 253:22  
**updates** 154:17 173:17  
 219:9 251:13 252:13  
 253:9  
**updating** 147:20  
**upgrade** 232:9  
**upset** 194:5  
**upwelling** 186:12,12  
**use** 23:16,20 27:1,7,9  
 42:14 75:6 94:14  
 101:22 102:5 104:13  
 105:22 108:15 112:2  
 123:14,16,18 124:1  
 141:10,11 149:3  
 168:15 183:7 184:22  
 202:13 204:15 205:3  
 205:4,10,19 206:3  
 217:6 245:5

**user** 233:16,17,22  
 234:4  
**users** 190:20 234:4  
**uses** 94:3 117:16 209:4  
**usually** 158:20 165:21  
 189:22 224:6  
**utilization** 84:14  
**utilize** 48:9,20 78:14  
 84:11 85:11  
**utilized** 46:12 65:4 84:5  
**utilizing** 48:11 65:5

## V

**valid** 94:20 97:21 107:3  
 249:10  
**validate** 103:22 105:20  
**validated** 91:21  
**validation** 103:19  
**validity** 91:5  
**valuable** 15:14 126:15  
**value** 26:5,8 129:7,8  
 197:8,19 206:7  
 246:11,13  
**valued** 74:10  
**variability** 93:14  
**varies** 79:19 93:7  
**variety** 149:19 168:21  
 169:5  
**various** 15:8 17:10  
 32:20 38:11 105:15  
 108:21 112:8 137:10  
 157:7 194:8  
**vary** 28:20  
**vastly** 197:13  
**vectors** 106:20  
**vein** 19:9  
**vendor** 43:18 44:1  
**venture** 61:5  
**venues** 83:6  
**versus** 31:5 117:11  
 131:1 164:4  
**VESL** 114:10  
**vessel** 19:10,12 20:10  
 20:16 21:7,7 23:16  
 24:17 25:1,19 27:2,8  
 27:15,19 28:2,4,18  
 29:4,6,18 35:4,11  
 39:21 40:1 42:17  
 43:20 44:3 48:19 49:7  
 49:8 57:14 61:7,15,21  
 61:22 62:1,3 69:1,10  
 70:4,8 88:8 116:4  
 127:13 139:7,9 217:5  
 217:21,22 221:6,20  
 222:1 224:19,21  
**vessel's** 20:20 21:4  
**vessels** 17:5 18:9,14  
 19:5 23:5,19 25:17

26:19 27:7 31:4,5,8,8  
31:11 42:5,6,12,13,18  
43:4 54:13 59:2,4  
60:6,7,22 67:7 79:20  
86:17 87:3 92:22 93:8  
110:20,21 112:18,22  
113:9,16,21 116:20  
119:3,6 121:10 122:4  
129:19 131:1,3 178:1  
201:3 221:8 234:15  
**viable** 67:2 180:14  
**video** 217:8,9 225:19  
227:14  
**videos** 225:22  
**view** 28:3,9 62:3,4,8  
86:18 136:22  
**views** 28:11  
**Viking** 1:19  
**Vineyard** 155:10 156:2  
**Virgin** 120:1  
**Virginia** 90:22 111:13  
139:13 149:1 154:7  
155:13,17 166:17  
**virtual** 242:4  
**VMS** 25:18 27:4 40:7  
54:22 238:12  
**voice** 41:13

### W

**wait** 36:21 55:9 222:11  
230:12 232:9 243:18  
**waiting** 230:18 243:15  
243:19  
**walk** 153:19,19 156:1  
**walking** 11:10 225:22  
**walls** 193:16  
**Walt** 2:2 64:5,6 65:8  
78:10,15  
**want** 10:18 14:10,15  
35:7,7,8 36:6 38:19  
45:14,15 53:1 56:18  
57:6 62:21 66:7 67:9  
67:15 71:10 73:18  
74:16,21 75:4 78:15  
80:13 82:18 84:9  
85:16 87:2 97:10,12  
103:2 104:15,18,19  
117:12 118:9 124:6  
126:18 134:2 142:3  
150:9,11 153:14,19  
154:17 164:3 165:15  
167:19 168:6 171:13  
179:19 180:19 190:11  
190:12,18 193:3  
200:2 201:12 207:2  
207:11 209:21 228:7  
228:22 231:13 236:22  
237:22 242:3 245:11

247:15 248:3 253:15  
253:16  
**wanted** 7:18 52:10 56:8  
56:8 58:17 72:1 82:3  
94:21 95:5,14,16  
105:1 111:13 166:13  
173:15 220:5,10  
237:12 240:11 241:18  
242:17 244:9 245:13  
251:3  
**wanting** 168:3  
**wants** 70:2  
**warm** 170:15  
**warranted** 220:9  
**Warren** 3:14 10:7 14:21  
15:1,2 37:14 40:6,12  
40:15,22 41:10 42:3  
43:2,22 46:4,19 48:5  
48:13 49:1,12 50:1  
51:17,21 52:13 53:21  
54:18 55:14 57:15,18  
58:5 60:4 61:19 62:1  
63:11,20 65:8 72:2  
77:8 83:20  
**wasn't** 49:8 172:5 182:4  
226:18 227:19 229:6  
229:17 232:8  
**water** 2:19 18:15 28:5  
28:13 135:6 145:20  
162:8,13 168:9,14  
169:15 170:21 171:10  
175:3,5,12 177:20  
178:3 179:15 200:9  
228:18 230:21 246:12  
**waters** 118:6 155:17,20  
162:1,11  
**wave** 201:8  
**way** 7:5 14:3 19:1 34:12  
46:15 68:13 81:1,11  
90:4 98:19 100:3,20  
105:7 113:17 122:15  
132:20 133:7,21  
139:20 155:21 162:14  
165:10 171:5 179:2  
184:7 200:8 203:9  
205:12 224:2 225:21  
230:14 232:12 235:21  
239:18 240:4 242:9  
**ways** 32:20 113:15  
115:7 125:12 126:4  
134:11,12 211:9  
**we'll** 11:8,12,15,22 12:1  
13:10 25:14,21 36:16  
37:1,1 39:17 44:8  
47:8 53:7 56:4,7,9,15  
57:8,9 62:18,22 64:3  
64:6 65:13,18 73:20  
73:21 80:10 83:20

89:10,11 103:11,13  
107:22 108:1 122:2  
124:21 128:1 129:9  
132:5,7 137:12  
141:18 143:5,6 150:5  
153:18 160:6 167:22  
172:16 174:17 188:7  
194:11 195:3 196:5,6  
210:12 211:20,20,21  
212:8,9,11 233:9  
254:3,5,10,15 255:5,7  
255:9,11,12,17,19  
**we're** 6:7 9:12 12:5,18  
14:12,15 19:15,18  
22:22 23:13 29:19,20  
29:21 30:17 32:12  
36:8,13 41:13 45:19  
56:19 62:10 63:18  
69:5 70:10,10 74:14  
86:14 89:3,5 90:12  
99:20 100:14 105:11  
109:15 110:4,7  
115:19 116:12,14,16  
118:21 119:16 120:15  
131:4,5,10 133:5,19  
135:19 136:7 139:3,6  
139:13 140:18 141:7  
141:15,16,17 142:8  
142:20,22 143:8  
149:15 151:19 152:4  
153:6 154:6 157:8  
163:4 168:22 171:7  
175:11 179:7,16  
180:21 188:18 192:4  
193:22 197:21 199:15  
202:5,13,18 209:6  
211:19 231:14 232:15  
234:21 239:14 241:21  
247:17  
**we've** 5:10 44:10 46:1  
56:16 68:21 69:7,20  
71:13,17 74:22,22,22  
76:5 82:17 98:12  
100:9 106:13 107:21  
111:5 112:6 121:7  
133:4 154:22 155:6  
157:21 166:14,20,22  
186:4 187:3 188:11  
193:9,10 194:1 197:5  
199:11,17 205:21  
207:7 212:5 233:19  
234:21 235:22 236:17  
237:7  
**weak** 150:7 151:6  
**weakest** 146:22 148:16  
**wear** 83:11 254:19  
**weather** 8:17 75:8  
95:20 105:6 200:4

**web** 60:10,10 162:20  
**WEBER** 2:18 193:12  
196:17  
**webinar** 6:15 13:6  
14:19  
**webinars** 15:15  
**website** 15:19 160:17  
163:3 172:10 189:21  
190:7  
**week** 6:8 76:6 229:22  
230:6,11 239:7,8,14  
**weeks** 225:3 227:5  
244:16,17,18  
**weigh** 13:1,11 84:9  
151:2 168:6  
**weighing** 151:19 237:1  
**weight** 241:10  
**weighting** 94:14  
**weights** 107:9  
**Weiss** 2:19 80:10,13  
169:9,11 172:3  
178:22  
**welcome** 78:14  
**went** 5:8 56:12 75:21  
105:14 128:10 142:16  
160:16 161:6,16  
182:2 183:20 184:12  
205:2 208:8 212:2  
224:18 229:7 255:21  
**weren't** 63:7 130:22  
230:1  
**West** 99:16 216:19  
**western** 68:12 76:17,19  
76:21 178:5  
**WESTFALL** 2:19 65:19  
**whale** 148:18 149:13,21  
149:22 150:3  
**whales** 144:14 145:1,4  
**wheels** 9:9  
**when's** 194:7  
**whipping** 201:15  
**whoever's** 207:21  
**wider** 193:1  
**wife** 223:17,20 229:9  
231:10  
**wife's** 230:1  
**wildlife** 2:8,17 35:15  
52:16,20 106:7 164:8  
186:14 195:8,13  
**WILLEY** 2:20  
**willing** 128:20  
**WILLY** 2:1  
**Wilmington** 169:21  
**Wilson** 3:15 237:10,19  
238:8,22  
**Wimpy** 222:6 224:3  
**wind** 4:7 11:22 125:7,15  
125:19 126:11,17

142:13 143:3 153:13  
 155:10,18,20 156:2  
 156:12,17,19 159:6  
 161:1,13 162:18  
 163:9 165:11 170:7  
 170:22 171:7,11,19  
 178:10 180:20 184:7  
 185:15,22 186:17  
 187:7 201:9 202:12  
 207:19 208:21 245:14  
 246:19,22 247:14  
**windmills** 182:13,16  
**windows** 69:20  
**windswept** 188:1  
**winners** 158:4  
**winning** 158:6 228:3  
**winnow** 159:15  
**winter** 139:16 165:22  
 190:1  
**wire** 147:4,8 148:21  
**wish** 189:5 219:12  
**wonder** 157:13  
**wondered** 224:14  
**wondering** 46:17 138:1  
 173:6 222:12  
**wonky** 31:14  
**Woods** 206:10  
**wook** 8:9  
**word** 58:19 62:13 85:14  
 99:4 126:14 206:1  
 208:17 220:22  
**words** 99:6  
**work** 7:3,4,15 8:16 9:3  
 12:13 36:15 37:1  
 62:12 65:21 66:5 67:9  
 75:21 97:12 118:9  
 147:19 148:19 152:9  
 156:5 166:13 171:4,5  
 189:14 191:2 195:3  
 203:5 204:17 205:20  
 207:8,9 210:12  
 212:20 214:8 218:11  
 226:14 227:18,20  
 231:20,22,22 234:3  
 245:18 247:6 248:5  
 251:4,5 254:12  
**worked** 13:4 134:20  
 186:4 204:22 219:4  
 227:4 248:12  
**working** 60:10 96:2  
 107:6,17 114:8 115:7  
 117:14 163:5 164:9  
 164:16,20 173:16  
 184:20 194:1 202:12  
 203:3,4 206:10 213:6  
 218:12 228:20 245:19  
 247:11  
**works** 39:18 68:1 72:5

206:6  
**workshops** 159:2  
**world** 7:3 11:6 251:5  
**worn** 79:2,7  
**worries** 236:22  
**worry** 114:2 139:2  
**worse** 236:16  
**wouldn't** 19:6 40:19  
 41:3 55:1,1,15 64:2  
 140:16 144:4 171:20  
 220:21 225:7 226:14  
 226:20 227:20 230:10  
 242:10 245:12  
**wound** 230:11  
**wrap** 10:4,4,15 88:2  
 172:1 255:13  
**wrapped** 166:17  
**wrapping** 143:13  
**written** 15:16  
**wrong** 61:14  
**wrote** 194:15

---

**X**


---

**X** 48:17

---

**Y**


---

**y'all** 182:2,5  
**Yacht** 1:19  
**YAMITZA** 1:20  
**yeah** 38:18 39:20 51:21  
 58:18 60:18 68:5 72:2  
 77:4 78:5 83:14  
 100:13 101:19 103:1  
 103:3 127:1 129:11  
 129:12 131:22 132:11  
 134:4,10 139:6 149:5  
 153:11,16,22 161:20  
 168:8 174:11 178:14  
 178:21 180:13 187:4  
 187:20 188:9 192:13  
 195:14 197:19 224:12  
 237:5 238:16 245:4  
 255:1  
**year** 15:11 18:5,17  
 20:12 21:5,9,15,17,18  
 22:16 23:22 25:11  
 31:7 34:20 35:3,11  
 37:22 40:2,5 45:3  
 48:15 55:8,11,17 65:1  
 65:7 68:8 71:9 90:12  
 90:12,17,20,22 96:12  
 103:6 109:12 110:10  
 110:11,16 124:1  
 135:9,12 140:10  
 150:8 167:3 219:4  
 221:21 227:21 229:2  
 238:20 243:5 244:11  
 245:1

**yearly** 99:9  
**years** 9:13 11:8 17:8  
 20:11,13 21:5,8 22:17  
 55:8,9,15,17 64:22  
 69:19 77:1 78:12  
 89:22 103:6 107:11  
 107:12 109:7,11  
 117:5 130:9 132:1  
 133:4 145:7,8 166:14  
 166:18 173:18 183:14  
 193:22 194:2 199:14  
 204:7 212:20 218:11  
 219:1 223:21 234:15  
 242:19 249:14  
**yellowfin** 54:20 72:11  
 99:7 101:12 207:17  
**yesterday** 5:8 11:5,14  
 13:4,10,18 14:5 34:15  
 50:13 113:18  
**yesterday's** 27:5  
**Yong-Woo** 3:19 89:5,15  
 110:10 142:11  
**Yong-Woo's** 111:6  
**York** 90:19 155:3  
 156:19 157:20 159:18  
 166:16 181:3 191:6  
 197:14 198:11 209:13  
 238:13

---

**Z**


---

**zero** 32:6 144:17 207:1  
**zone** 2:9 192:10 193:17  
**Zoom** 136:11

---

**0**


---

**07** 252:7

---

**1**


---

**1** 15:21 55:15 155:10  
**1-2-3-4** 36:18  
**1,000** 28:22 61:6  
**1,500** 125:18  
**1,680** 135:11  
**10** 34:5,6,8,9  
**10-percent** 45:9  
**10:33** 56:12  
**10:54** 56:13  
**100** 81:7 139:15 163:12  
 192:15,19 241:14  
**11** 37:6 44:17  
**11:30** 255:12  
**112** 4:5  
**12** 106:1 234:18 238:20  
**12:00** 255:13  
**12:30** 11:15 89:11  
**12:39** 142:16  
**125** 199:21  
**13** 10:6,11 15:4,7,10,13

15:20 16:3 17:6 24:8  
 37:7 46:20 47:2 59:19  
 65:21 77:9 214:18  
 240:13 248:3  
**13.4** 78:13  
**136** 16:18 59:2,5  
**137** 20:16,18  
**14** 37:7 110:2 158:1  
 243:12,19,19  
**149** 4:6  
**15** 4:3 36:12 227:12  
 243:9,17  
**15.9** 32:7  
**150** 187:15 241:13  
**159** 4:7  
**16,629** 20:18,19 40:3  
**18** 155:2  
**18.6** 32:6  
**18/0** 147:6  
**187** 185:15  
**19** 1:9  
**19.7** 32:5  
**1996** 71:14

---

**2**


---

**2** 5:7 21:19 34:1,1 90:7  
**2,720** 135:13  
**2,957** 21:6  
**2.5** 32:8  
**2.9** 32:8 180:16 241:5  
**2:03** 142:17  
**20** 36:12 44:18,20 55:11  
 89:11 145:22 146:5  
 183:14  
**200** 178:7  
**2002** 125:17  
**2006** 252:7  
**2009** 144:19  
**2015** 16:18 109:19  
**2016** 64:13,14  
**2017** 89:8 108:18 124:7  
 138:2,3  
**2018** 89:20 92:1,2  
 106:12 108:19  
**2019** 55:18 115:17  
 125:18 213:16,16  
**2020** 55:10 64:14 90:22  
 103:18 105:15 134:22  
 144:12 155:18  
**2021** 55:17 135:11  
 244:12 251:20  
**2022** 1:9 90:6,18 139:7  
 162:19  
**2023** 15:21 55:9,19  
 83:17 84:1 156:6  
**2024** 96:12,17 98:6  
**21** 44:18  
**22** 8:1 55:17



**22.6** 32:5  
**22.6-percent** 83:15  
**220** 4:9  
**228** 4:10  
**23** 8:12  
**25** 24:14 48:22 95:18  
 211:21  
**25-percent** 25:6 48:7  
**251** 4:11  
**26** 244:12,13  
**276** 21:14  
**28** 243:15  
**28th** 160:21 211:17  
**29** 22:19,22 251:22  
**29th** 158:14

---

**3**

**3** 90:7  
**3.9** 32:7 160:1  
**3:25** 212:2  
**3:35** 212:2  
**30** 146:2 162:9 170:21  
 199:14 222:11 241:12  
 243:2  
**300** 125:21 147:4  
 198:17  
**307** 250:21  
**32** 145:21 146:1,2 170:6  
**35** 22:13 76:9 77:10,17  
 85:21  
**35-percent** 78:3 86:1  
**36** 55:18  
**366** 21:2

---

**4**

**4** 34:2 198:12  
**4,700** 199:19  
**4.05** 147:5  
**4.3** 200:13,18  
**4.37** 158:7 198:12  
**4.4** 147:5  
**4.5** 32:7  
**4:15** 12:11 143:12  
**4:28** 255:21  
**4:45** 12:12 143:13  
**40** 61:1 77:1 89:12  
**400** 162:8,13 177:16,18  
**41** 157:4  
**45** 35:10 36:9 57:22  
 61:1,4,5 119:8 223:21  
**47.1** 32:4

---

**5**

**5** 34:9 185:16  
**50** 37:8 58:9 140:12,19  
 140:22 141:9,18  
**54** 32:5  
**55** 178:12

**551** 21:14 42:15

---

**6**

**6** 4:2  
**6.4** 64:15  
**6.5** 64:15  
**6.7** 241:6  
**60** 30:4 59:6 74:10  
 183:8 192:15,21  
 195:9,12 200:14  
 201:3  
**60-day** 148:1 165:7  
**60/0** 147:5  
**61** 192:18  
**65** 21:2  
**68** 32:2 37:19 38:9,13  
 38:14 39:2

---

**7**

**7** 16:18 17:3 22:15 30:4  
 39:2,7 41:19 47:22  
 249:15,22 250:1  
**70** 59:4  
**73** 63:3,4,16  
**75** 141:6  
**7th** 181:14,22

---

**8**

**8** 48:6 64:15  
**8.1** 32:7  
**8:45** 255:4,4  
**80** 60:21 104:6 141:6  
**80,000** 180:14 181:6  
 199:20  
**800** 180:15  
**81** 33:21  
**82** 20:19  
**85** 104:6  
**8777** 1:12

---

**9**

**9** 43:17 207:13,14  
**9:29** 5:2  
**9:30** 1:12  
**90** 60:21 61:4 111:1  
**92** 4:4

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Before: Atlantic Highly Migratory Species Advisory Panel

Date: 05-19-22

Place: Silver Spring, MD

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Court Reporter

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