

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

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

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VIRTUAL PUBLIC MEETING

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FRIDAY
 SEPTEMBER 10, 2021

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

MEMBERS PRESENT

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

MARCOS HANKE, Caribbean Fishery Management
Council
LUKE HARRIS, Pure Harvest Seafood
GREG HINKS, New Jersey Department of
Environmental Protection
EVAN HIPSLEY
RUSSELL HUDSON, Directed Sustainable
Fisheries, Inc.
WALLACE JENKINS, South Carolina Department
of Resources
DAVID KERSTETTER, Nova Southeastern University
Oceanographic Center
SHANA MILLER, The Ocean Foundation
JEFF ODEN, F/V Sea Bound
TIM PICKETT, Lindgren-Pitman, Inc.
MICHAEL PIERDINOCK, CPF Charters "Perseverance";
Recreational Fishing Alliance
GEORGE PURMONT
MARK SAMPSON, Ocean City Charterboat
Captains Association
MARTIN SCANLON, F/V Provider II
DAVID SCHALIT, American Bluefin Tuna
Association
SCOTT TAYLOR, Dayboat Seafood
PERRY TRIAL, Texas Parks and Wildlife
Department
RICK WEBER, South Jersey Marina
ALAN WEISS, Blue Water Fishing Tackle
Company
KATIE WESTFALL, Environmental Defense Fund
ANGEL WILLEY, Maryland Department of
Natural Resources

NOAA NMFS STAFF PRESENT

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

DAN CREAR, Atlantic Highly Migratory Species
Division

JENNIFER CUDNEY, Atlantic Highly Migratory
Species Management Division

TOBEY CURTIS, Atlantic Highly Migratory Species
Division

KELLY DENIT, Director, Office of Sustainable
Fisheries

GUY DUBECK, Atlantic Highly Migratory Species
Division

BEN DUFFIN, Atlantic Highly Migratory Species
Division

STEVE DURKEE, Atlantic Highly Migratory Species
Management Division

CLIFF HUTT, Atlantic Highly Migratory Species
Division

LAUREN LATCHFORD, Atlantic Highly Migratory
Species Division

BRAD MCHALE, Northeast Branch Chief, Atlantic
Highly Migratory Species Division

SARAH MCLAUGHLIN, Atlantic Highly Migratory
Species Management Division

IAN MILLER, Atlantic Highly Migratory
Species Management Division

DELISSE ORTIZ, Atlantic Highly Migratory
Species Management Division

RICK PEARSON, Atlantic Highly Migratory
Species Management Division

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

GEORGE SILVA, Atlantic Highly Migratory
Species Management Division

DIANNE STEPHEN, Atlantic Highly Migratory Species
Division

TOM WARREN, Atlantic Highly Migratory Species
Management Division

JACKIE WILSON, Atlantic Highly Migratory
Species Management Division

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

9:03 a.m.

MR. BROOKS: Welcome to everybody, and thank you for coming back again. Day 3 of 3, this will be a much shorter day but still a couple of important things to cover here. So thank you all for making the time. We will be running till 11:30 today.

We have two topics that we want to cover this morning. One, we'll start off with a spatial management update, and we'll hearing from Dan Crear about that. And then after our break, we will come back and pick up the topic that we're just talking to Rusty about which are our advisory panel term limits and get an update on what the Agency's thinking is there and what that will start to look like as it plays out.

For any members of the public or non-AP members will want to comment, at 11:15, we will open up the line for anybody that has some thoughts that they want to share. And then again, we adjourn at 11:30. Our usual ground rules apply, wanting to hear from everybody, sharing time, asking questions of each other, as always, not a consensus panel but rather a place where there can be good conversation that is informative for the Agency.

I thought personally yesterday's conversation was a great example of that. Amendment 13, I thought there were a lot of really thoughtful comments, a really good exchange of ideas and views. I thought that the Agency got a lot of feedback that can really help as it weighs the alternatives. So I just want to thank everyone for having that conversation thoughtfully and well.

On the tech side of things, if there's any public members haven't been in the mix here yet and I think there might be a couple of new names that I'm seeing, when we get to the public portion of the meeting, if you want to get into the queue, if you click on the little smiley face at the bottom of your screen, that will bring up a dialogue box where you'll see, raise hand, and just click on that. And for whatever reason it doesn't work for you, you can click to the right. You'll see something that says Q and A.

You can click on that and you can then

1 just say, I'd like to get into the -- I'd like to
2 make a public comment, and we'll grab you that
3 way. And if you're on the phone, just hit *3 and
4 that will raise a hand as well. So when we get
5 to that portion, that's how we'll get to hear
6 from you.

7 We will be recording the conversation
8 as we have done on the other two days. And just
9 a very small technical note, it appears that
10 there's, like, a little bit of a delay from when
11 we open the line to when we can actually hear
12 folks' comments. So if you all can just, like,
13 give it a two-second beat before you start
14 talking, that'll be good because then we'll hear
15 your comment right from the start.

16 So I think that's all I want to say.
17 Are there any questions from panel members before
18 we get in? Or Randy, Pete, Craig, anything from
19 any of you that you want to note before we jump
20 in?

21 MR. BLANKINSHIP: Well, I just want to
22 jump in to say welcome to day 3, and thank you
23 very much for being here again. And we look
24 forward to the continued conversation. Thanks.

25 MR. BROOKS: Great, okay. Then if
26 there's nothing else, then I would like to hand
27 the mic over to Dan Crear who will give us an
28 update on spatial management work that the HMS
29 team has been doing. And then we'll open it up
30 for a conversation, and this conversation will
31 take us till about 10:15. Dan, over to you.

32 MR. CREAR: Awesome. Thank you,
33 Bennett.

34 MR. BROOKS: And you are in -- there
35 you go. Perfect.

36 MR. CREAR: Sweet. All right. Thank
37 you. Yeah, so my name is Dan Crear, and I am
38 located in the Silver Spring office. And I'll be
39 updating you all on spatial management in
40 Atlantic HMS fisheries.

41 So to review the goal of this project
42 was to evaluate the effectiveness of existing
43 spatial management. You can see on the map on
44 the right all of the different spatial management
45 areas that HMS Management Division manages. And
46 we know that a lot of these areas have been
47 static for many years.

48 And over that time period, we know

1 that species stock statuses have changed. Their
2 distributions have changed. And we also know
3 that the environment and regulations have
4 changed.

5 Therefore, in order to ensure that
6 these areas are meeting necessary conservation
7 objectives while also balancing the need of
8 affected fishing communities, it's important that
9 we find ways to collect spatial data to support
10 these areas. And so the hope is that this
11 project will lead to a spatial management
12 initiative.

13 We also know that spatial data
14 supports essential fish habitat designations,
15 ecosystem-based fisheries management as well as
16 it can help us adapt to climate change. The
17 objectives of this project were to provide
18 information to inform measures to minimize
19 bycatch and bycatch mortality while optimizing
20 fishing opportunities, develop methods to collect
21 catch data inside closed areas to assess
22 performance, ensure spatial management allows for
23 flexibility to account for the variable nature of
24 HMS and HMS fisheries and the need for regular
25 performance review, and then lastly, using PRiSM
26 to evaluate existing closed areas with respect to
27 HMS FMP objectives.

28 Now PRiSM may sound familiar. I
29 introduced PRiSM a year ago during the fall 2020
30 AP meeting. And again, to review, it stands for
31 Highly Migratory Species, Predictive Spatial
32 Modeling.

33 And I guess the biggest update that we
34 have for your all is that we have fully developed
35 PRiSM. It's completed. Its method and framework
36 have been completed. And so that will be the
37 main subject that I'll be running through for
38 this talk.

39 So again, PRiSM uses the relationship
40 between species presence/absence from fisheries'
41 catch data and the environment to identify areas
42 where high to low interaction rate with the
43 fishery is likely to occur. So I'm going to show
44 you guys a little cartoon here to kind of explain
45 a little bit of the method that PRiSM uses. So
46 we have a given species, and we will use
47 presence/absence data from the fishery.

48 And then we come up with a series of

1 variables that we think will impact the potential
2 fishery interaction for that species. Then we
3 can match those variables to their
4 presence/absence fisheries data based on the
5 location and the date and time of the fisheries
6 data. Then using those relationships, we can
7 generate a model and we get a model output that
8 looks similar to this where we can calculate the
9 probability of occurrence or the probability of
10 fishery interaction for each of those variables.

11 So again, each of these little graphs
12 show you the relationship for each environmental
13 -- or for each variable and probability of
14 fishery interaction. Then we can take that model
15 output and then try to predict fishery
16 interactions spatially. And in order to do that,
17 we need to extract those same variables over a
18 given time period.

19 So once you select that time period,
20 you can then run those variables back through the
21 model and you end up with a map that -- a spatial
22 where you can look at that occurrence probability
23 or that potential for fishery interaction. Now
24 for about the last year and a half, we've been
25 working on developing the framework and the
26 method behind PRISM. And once we completed it,
27 we wanted to make sure it would pass peer review.

28 So we wrote up a scientific paper and
29 submitted it to the journal, Marine Biology. And
30 it went through peer review, and it was recently
31 accepted. And it actually just published on
32 Monday. And so anyone with this link here, it's
33 right here where it says published PRISM
34 scientific article can access it. It's open
35 access. It's free.

36 And we also developed a web page that
37 explains PRISM in more detail than I'll be
38 talking to you guys about today, but -- and a lot
39 less technical detail than in the paper. So
40 throughout the rest of this talk, I'll be mostly
41 focusing on information from this paper. And so
42 if you see a little green star on the top left
43 corner, that means that the information on that
44 slide is reflected in the paper.

45 So PRISM basically came out or
46 developed two series of models. The first series
47 of models focused on data from the pelagic
48 longline observer program, so again, fisheries

1 data. And we created separate models for each
2 bycatch species.

3 For the pelagic longline, the bycatch
4 species were a billfish species group where we
5 combined all billfish, mako sharks, then
6 leatherback sea turtle, and then came up with a
7 handful of variables that science has shown
8 likely impact migratory species, movements, and
9 distribution. And we also know that fishermen
10 use products of a handful of these variables to
11 determine where to fish and where not to fish
12 based on species that they're catching or species
13 they want to avoid. We also had its gear -- or
14 some gear variables as well, such as hook
15 configuration, bait type, set time, and maximum
16 set depth.

17 Bottom -- or I guess the second series
18 of models we developed were for using data from
19 the bottom longline observer program, again,
20 fisheries data. And the three bycatch species
21 that we developed models for were Sandbar Shark,
22 Dusky Shark, and Scalloped Hammerhead. You can
23 see below that are the variables that we
24 considered for the bottom longline models.

25 So once you develop the models, the
26 next step is to validate these models. We want
27 to make sure that the results are reliable, that
28 those outputs are reliable. And we were happy to
29 find that for all six bycatch species.

30 We were able to validate the models
31 using fisheries data. And after the models are
32 validated, the next step as I kind of showed you
33 in that schematic is to predict occurrence
34 probability or the probability of fishery
35 interaction spatially over a given time period.
36 So we wanted to predict over historical
37 conditions each month on average from 2016 to
38 2018.

39 So a few slides ago, we get these
40 output maps that look like this. And we'll focus
41 on the center map and start where it says mean.
42 And just to orient you guys a little bit, the
43 areas that are highlighted in -- or that are
44 purple or dark blue are areas where that
45 occurrence probability or probability of fishery
46 interaction are basically zero or very, very low.

47 And as you get into lighter purple,
48 red, orange, and all the way up to yellow colors,

1 the probability of fishery interaction increases.
2 And the reason why the shapes look kind of odd,
3 just basically within the light blue lines
4 represent 95 percent of where the fishery occurs.
5 Now what's nice about these maps is we can also
6 look at the uncertainty around that average or
7 mean.

8 So we can calculate also the lower and
9 upper bounds around that mean. And so we
10 assessed for all six of these species for each
11 month, the lower and upper bound maps, and
12 compared it to the mean. And luckily, they were
13 quite similar. We weren't concerned with any of
14 the differences.

15 So then we take these maps and we then
16 generate metrics to assess the closed areas. And
17 so we came up with four metrics, and I'm going to
18 briefly run through them. I'm happy to talk
19 about them in more detail during the comments and
20 questions part.

21 There's also a more detailed
22 explanation obviously in the paper as well as on
23 the website or web page. So for the first
24 metric, it compares the occurrence rate from the
25 fishery outside the closed area to the predicted
26 occurrence probability from the model inside the
27 closed area. So you would assume that if a
28 closed area is doing well at predicting a given
29 species that a probability of occurrence inside
30 the closed area would be higher than the fishery
31 occurrence rate outside the closed area.

32 Now for Metrics 2 through 4, we were
33 concerned with just focusing on the highest risk
34 areas. We call these areas high risk areas. And
35 these are areas where the probability of fishery
36 interaction were the highest.

37 And the way that we determined the
38 threshold for which values or which areas would
39 be considered a high probability fishery
40 interaction were based off of multiple factors.
41 It was based off the Endangered Species Act
42 status for a given species, whether that species
43 was overfished or overfishing, and as well as
44 community importance. So for example, the map on
45 the left is a map of the fishery interaction
46 potential that I showed -- similar to the ones I
47 showed you in the previous slide or two slides
48 ago.

1 Again, remember the yellow areas are
2 the areas where fishery interaction is expected
3 to be the highest. And so again, those are areas
4 that we would consider high risk. And so the
5 high risk areas reflected from the map on the
6 left you can see are in red on the map on the
7 right.

8 So again, Metrics 2 through 4 just
9 focused on high risk areas. So for Metric 2, we
10 were interested in seeing if the closed areas
11 protected the highest risk or the riskiest area.
12 So again, you would assume that if a closed area
13 is doing a good job at protecting a given
14 species, it is going to be protecting the most
15 risky areas compared to the high risk areas
16 outside this area.

17 Now for Metric 3, we calculated the
18 percentage of high risk area inside the closed
19 areas. So it is going to go from zero to 100
20 percent. Again, you would assume if a closed
21 area is doing well at protecting a species, it's
22 going to be protecting a larger percentage of
23 that high risk area.

24 And then lastly, Metric 4 is kind of
25 the inverse of Metric 3 where we calculated the
26 percentage of closed area that protects high risk
27 area. So again, it's going to go from zero
28 percent to 100 percent. And if an area is doing
29 well at protecting a given species, you would
30 hope that close to 100 percent or as close as you
31 can to get to 100 percent of that closed area is
32 covered by a high risk area.

33 So we calculated these four metrics
34 for each species, and we did this for each closed
35 area. All right. So the next steps for spatial
36 management is to update the Atlantic PRISM model
37 with more recent data. So for the pelagic
38 longline, we want to extend it out to include
39 data in 2019.

40 Then we also plan to create a PRISM
41 model for the Gulf of Mexico using the same data
42 sources and time frame. Then we then plan to
43 apply these PRISM metrics -- the PRISM metrics
44 that I just explained -- to evaluate spatial
45 management areas. So we can ask the questions,
46 like, are bycatch species effectively protected
47 by current closed areas, and where can the Agency
48 safely deploy hooks in the water to gather data

1 while minimizing bycatch?

2 So a quick timeline. So I know it's
3 taken us a while to come up with this formal
4 review of the -- come up with the methodology for
5 PRISM. But we wanted to make sure it passed peer
6 review. And so we can officially check that box
7 and say that the formal review of PRISM is
8 complete.

9 And then as I mentioned in the
10 previous slide, we then plan to apply PRISM to
11 species with updated data for Atlantic and Gulf
12 of Mexico in assessed closed areas. And we hope
13 that will be completed by the end of this year.
14 And by early 2022, we hope to have a proposed
15 rule and draft EIS. And by late 2022, we hope to
16 have a final rule and final EIS. Here are our
17 point of contacts, and we are happy to take any
18 questions and comments. Thank you.

19 MR. BROOKS: Great. Thanks very much,
20 Dan. Let's open it up, maybe clarifying
21 questions ideally first and then any other
22 comments that folks have. Let's go to Greg Hinks
23 first.

24 MR. HINKS: You mentioned fisheries
25 data was used to validate the bottom. I'm just
26 curious what data sources were used.

27 MR. CREAR: So the way that we can
28 validate these models is we are able to basically
29 break the data up into a bunch of different
30 pieces in a bunch of different ways. We can
31 split the data up -- the fishery data up
32 randomly. We can split it up spatially. We can
33 split it up temporally.

34 And then we leave certain pieces of
35 the data out. And then we can predict -- or then
36 we develop basically a training model on the
37 remaining parts of the data. Once that model is
38 made, then we predict and test how well it does
39 left out. And so that is -- all of it is
40 fisheries data. We just leave parts of it out
41 and see, okay, how accurate is that model at
42 predicting that data that we leave out?

43 MR. HINKS: Were you using strictly
44 catch reports or something else?

45 MR. CREAR: So we use the same data
46 that the model was developed over. It's all the
47 observer program data.

48 MR. HINKS: Okay, thanks. And then

1 just to follow up on, what exactly defines a high
2 risk area? Is it something other than just
3 avoiding bycatch? Or is there any component of a
4 risk of exceeding the quota, anything else?

5 MR. CREAR: So we basically -- we had
6 a handful of things we consider, like I
7 mentioned, Endangered Species Act status,
8 overfish use status. And that basically led us
9 to determine, for example, high risk area would
10 be -- I'm just making this one up -- would be,
11 like, the top 25 percent of fishery interactions.
12 So any -- so when you consider all of the fishery
13 interactions spatially over all the months, you
14 have a bunch of little grid cells, right, with
15 fishery interaction probability and then
16 spatially.

17 We can look at them and lay them all
18 out and then take what's the value at where --
19 what's the fishery interaction value that
20 incorporates the top 25 percent of those. And
21 that is the value that we would consider being
22 net threshold to determine what would be
23 considered high risk. And so we really use those
24 major criteria, again, endangered species status,
25 overfishing status, and community importance to
26 determine that percentage value, 25 percent, 50
27 percent.

28 MR. HINKS: Okay, very good. Thank
29 you.

30 MR. CREAR: Yeah.

31 MR. BROOKS: Thanks. And Dan, before
32 I go to other people in the queue, just a
33 question for you. Is there any particular kind
34 of feedback you want from folks or just sort of
35 more general questions?

36 MR. CREAR: We are happy to listen or
37 hear any comments, questions. Steve, if you have
38 any specific questions you want to hear from as
39 well, please chime in. But yeah, there's not any
40 specific questions we are requesting.

41 MR. BROOKS: Steve, you're on mute.
42 You're on mute, Steve. Can't hear you. Yeah,
43 can't hear you. Okay. All right. Throw it in
44 the Q&A if you want to phone something in. All
45 right. Let's go to David Schalit.

46 MR. SCHALIT: Radio check, we good?

47 MR. BROOKS: Yep, we got you.

48 MR. SCHALIT: Okay, okay. I have one

1 question to begin with, and then I have a couple
2 of other small questions. I unfortunately
3 arrived to this presentation a few minutes after
4 it started, so I might've missed something. But
5 first of all, Dan, I really appreciate this
6 presentation.

7 It says here on the page that we're
8 looking at that there's a proposed rule coming.
9 I'm not -- is there actually going to be -- this
10 is part of the beginning of a regulatory process.
11 Is that what is going on here?

12 MR. CREAR: Yes, that's the eventual
13 plan. We first wanted to -- so basically, I'm in
14 charge of developing the spatial modeling and the
15 maps and whatnot. And we will apply the -- or
16 plan to apply these metrics in to help evaluate
17 these closed areas.

18 And we hope the plan is to use this
19 information along with other information as well
20 to actually evaluate these closed areas and then
21 develop a proposed rule. And again, I don't know
22 if Steve's situation has improved. But also
23 Tobey and Tom might be able to chime in as well
24 on that.

25 MR. BLANKINSHIP: -- add in, to say
26 that there is not a proposed ruling yet --

27 MR. CREAR: Yeah, exactly.

28 MR. BLANKINSHIP: -- but as Dan
29 described as next steps would be to develop a
30 proposed rule and put that out for public comment
31 and do so early next year is the plan as far as
32 timeline goes, David. So what we've got here is
33 Dan presenting the methodology for this -- for
34 PRISM. And we are very interested in primarily
35 communicating this to you all and then also
36 getting your feedback about it and certainly
37 messaging what the next steps will be coming up.
38 And of course, we would be checking in with you
39 all about those next steps and the proposed rule
40 stage and all of that as time goes along here
41 next year.

42 MR. BROOKS: Thanks, Randy.

43 MR. SCHALIT: Thank you, Randy.

44 MR. BROOKS: David, you have a
45 question?

46 MR. SCHALIT: Yeah, I'm following up,
47 yeah. No, that's clear, Randy. I appreciate
48 that. This is really interesting stuff. And I

1 just have a couple of just small questions.
2 There are -- myself as well as other fishermen in
3 this meeting who use remote sensing data in our
4 fishing activities, right? And so I'm just
5 wondering.

6 For example, I mean, I have asked
7 several tropical scientists who specialize in
8 tropical tuna. Of all the covariates that you
9 have listed here, by the way, on one of your
10 slides, can they rank them in importance? And in
11 each case, each scientist said the same thing.
12 Altimetry was the most important for identifying
13 where these fish are. And I think you call it
14 sea surface height or something. I forget.

15 MR. CREAR: Yeah, yeah, yeah.

16 MR. SCHALIT: So unfortunately, I have
17 to apologize. I did not read the paper yet.

18 MR. CREAR: It's all right. It just
19 came out. I wouldn't expect you to.

20 MR. SCHALIT: So I might ask a
21 question that's been answered in the paper. But
22 I would assume but appreciate your confirming
23 that each covariate would be weighted in the
24 model. You follow me?

25 MR. CREAR: Yeah, so --

26 MR. SCHALIT: Like, for example,
27 chlorophyll density, I'll just give you an
28 example, just pulling one out of thin air.
29 Chlorophyll density would not be as important as
30 altimetry in a way of schema?

31 MR. CREAR: Yeah, so --

32 MR. SCHALIT: Go ahead.

33 MR. CREAR: -- it depends on the --
34 well, I guess, first off, the model does -- you
35 can get a sense of what variables are
36 contributing more to the, I guess, fishery and
37 interaction trend. The modeling approach that I
38 selected doesn't rank them nicely for you. There
39 are some modeling approaches that do rank them
40 nicely like you're suggesting.

41 Basically, the way that the modeling
42 framework that I selected does it basically the
43 variables that end up being selected for the
44 model are all considered important. And so if
45 altimetry or sea surface height are in that final
46 model, it would be considered important in
47 describing fishery interaction for a given
48 species. So basically, I come up with a suite of

1 models of all different combinations of the
2 variables, and then I can spit out what model is
3 the best based on what combinations explain that
4 fishery interaction data the best.

5 And so it doesn't exactly rank them
6 nicely like you're suggesting. But we can see
7 which ones are important. And I don't know if
8 you were able to see or if you came in on time.

9 But those little plots that show that
10 occurrence probability or fishery interaction for
11 each variable, those plots are in the paper. And
12 you can see what the relationship is across -- or
13 I guess you can see what the fishery interaction
14 relationship is across sea surface height, for
15 example, and see what sea surface height you're
16 more likely to have a fishery interaction. And
17 so that is kind of the best way I can describe
18 that.

19 And again, that information will be in
20 the paper. I didn't really talk or show you any
21 of those images up front and clearly during this
22 talk, and they won't be on the web page either.
23 But all of the maps and all of the plots -- the
24 detailed plots I think you might want to look at
25 will be in the paper.

26 MR. BROOKS: Thanks. David --
27 (Simultaneous speaking.)

28 MR. SCHALIT: Yeah, I'm good, Dan.

29 MR. BROOKS: Okay, good. Thanks.

30 Let's --

31 MR. DURKEE: Can you guys hear me now?

32 MR. BROOKS: We've got you, Steve.

33 Jump in.

34 MR. DURKEE: Great.

35 MR. BROOKS: Okay. Let's go to Shana
36 Miller.

37 MS. MILLER: This is very impressive,
38 and it's great to see how you use the data to do
39 this analysis. And congratulations on your
40 publication. I'm sure that's exciting. Just one
41 question whether bluefin will be added as a
42 bycatch species when you do the Gulf of Mexico.

43 MR. CREAR: Steve -- I'm not sure.

44 But Steve, do you have a better answer or Randy?

45 MR. DURKEE: I don't have a straight
46 answer for you right now of what's going to be
47 included. We have those species we included in
48 the paper kind of to test the methodology. Any

1 suggestions you have on species that would be
2 worthwhile to look at, we're definitely open to
3 suggestions. And we'll take those suggestions
4 and go back and look at it before we create the
5 final model for the spatial management proposed
6 rule.

7 MR. CREAR: And then for the Gulf
8 Mexico, as you see and through the paper, we only
9 focus on the Atlantic. So we have not selected
10 the species to consider as bycatch species for
11 the Gulf yet. There are limitations to the
12 model, right?

13 So we need to make sure that there's,
14 first, enough data or there need to be caught
15 enough in the observer program to be considered
16 valid or, I guess, in order for that model to run
17 properly and be reliable. So there are
18 limitations to this approach. So we need to make
19 sure that there's enough data first. But we are
20 all ears for sure for species to consider for the
21 Gulf of Mexico.

22 MS. MILLER: Great. Yeah, I mean,
23 just depending on those limitations if bluefin
24 could be included for the Gulf since it is a
25 bycatch species there, that would be informative.
26 Thanks.

27 MR. CREAR: Thank you.

28 MR. BROOKS: Thanks. Let's go to Rick
29 Weber.

30 MR. WEBER: Good morning, Dan. Thank
31 you.

32 MR. BROOKS: We're hearing you.
33 Please go ahead.

34 (Simultaneous speaking.)

35 MR. WEBER: I have been caught behind
36 in a model in the past. In Southern Jersey, it
37 was impossible to dredge for much of the year
38 because the EFH model said that we were awash in
39 winter flounder which simply did not exist at our
40 end of the state. So I really thank you for
41 doing your ground-truthing, and I think this
42 modeling concept has great promise.

43 But it has perils as well. I'm trying
44 to figure out what the Agency does, not when --
45 when the fishermen agree with the model,
46 everything is going to go great. But what's
47 going to happen when reality doesn't meet the
48 model at some point?

1 I can see a world where the model says
2 that there are fish and there aren't. And what
3 we conclude is, well, that's because they're
4 overfished, not that the model is wrong. But if
5 there are fish there when the model shouldn't be,
6 that's when we're going to say, well, the model
7 is wrong. I guess I'm trying to understand the
8 corrective process that's built into the process,
9 Dan. Can you help make me a little bit more
10 comfortable that we're going to keep our eyes on
11 this machine and that it's not just a final
12 product that is released?

13 MR. CREAR: Yeah, so what's important
14 -- well, I guess to start, we do incorporate all
15 of the years that we could for us to develop the
16 model, right? So for the pelagic longline data
17 was from 1997 to -- and we'll update it, like I
18 said, to 2019. And then for the bottom longline,
19 it was 2005 to 2019.

20 So for one, we're incorporating all
21 the data. What can influence things or may end
22 up looking different than what you may be seeing
23 on the water is the time period that we decide to
24 predict over. So for the updated -- or I guess
25 for the spatial management rule that we have to
26 do and for the actual analysis where we actually
27 want to apply it, going forward here, we selected
28 the three most recent years.

29 So for this -- so once we run
30 everything with updated data, we're going to
31 project these fishery interactions on average
32 from 2016 to 2019 each month, right? So if it
33 just so happens to be -- say, in 2023 for July is
34 super warm for some reason and -- is super warm
35 and the distribution of fish are different than
36 the average from 2017 to 2019, that could very
37 well happen. And that could influence what
38 you're seeing versus what the model is seeing.

39 What we try to do is select a few
40 years over recent time to capture that potential
41 variability that you may see from year to year or
42 from month to month over on the water. So I can
43 guarantee you there will be times where the model
44 is going to be different than what you're seeing.
45 But we hope to capture the overall average or
46 trend that you're likely to see.

47 So one day, I wouldn't judge the model
48 on a one-day -- on, like, comparing one day to

1 the average month that the model is saying
2 because you're likely -- you may find something
3 different. And I'm not surprised because
4 conditions are so variable. But when we average
5 things over months, we hope to capture at least
6 the variability that potentially could happen on
7 a year-to-year basis.

8 MR. DURKEE: Yeah, and to add on a
9 little bit too, taking it back to the 30,000 foot
10 view, this effort is about data collection to the
11 assessments going on. And the concern is that
12 when we put hooks in the water, there's a
13 possibility of increasing bycatch of species we
14 care about. So PRiSM really -- the goal is to
15 direct those hooks to collect data into areas
16 where there's low probability of fishery
17 interactions with these bycatch species.

18 So I hear your concern about the model
19 and basing everything purely on the model. And
20 that concern is understood and accepted. What
21 we're trying to do is get hooks in the water into
22 different areas and use this model to kind of
23 guide us where we can safely do so. Once we get
24 some hooks in the water, we get some more
25 information, we can reassess then and see if you
26 put them in the right areas. But this kind of
27 just gives us a little more confidence on how
28 those research and data collection activities
29 will occur spatially.

30 MR. BROOKS: Thanks, Steve. That's
31 helpful. Rick, does that --

32 (Simultaneous speaking.)

33 MR. BROOKS: -- help?

34 MR. WEBER: It does help, Steve. I
35 mean, now we did spend some time yesterday
36 talking about a little bit of mission creep
37 inside the EM. And so I'm not imagining that
38 PRiSM will end where it begins.

39 And so I'm going to remain cautious,
40 and I'll be very interested in seeing how your
41 proposed rule comes out and how PRiSM evolves. I
42 think it is a really fascinating concept, and I'm
43 really happy with it. Don't mistake me for being
44 negative on it. I just think we need to watch it
45 really carefully.

46 MR. BROOKS: Thanks, Rick.

47 MR. CREAR: Thanks, Rick.

48 MR. BROOKS: Let's go to Scott Taylor.

1 MR. TAYLOR: -- and your graduation
2 for the -- getting this published. And Steve, I
3 think that your last comments clarified some of
4 the questions that I had. We've all been, at
5 least from the commercial sector, very much aware
6 that the solution to our problems is a much more
7 dynamic management of the fishery than what we
8 currently have.

9 And it's encouraging to see that the
10 Agency is pursuing a vehicle that may enable us
11 to finally get some hooks back in the water in
12 these areas to confirm what we obviously have
13 been pushing for and believe in a way that may be
14 more politically palatable rather than -- because
15 obviously the biggest problem that you have with
16 these closed area is how old the data is and how
17 much dynamic that has changed since then. And if
18 I understand you correctly, you're using the POP
19 data to make -- the POP data and historical data
20 to make some assumptions about the areas that are
21 closed. Is that correct? Do I understand that
22 correctly?

23 (Simultaneous speaking.)

24 MR. DURKEE: No, not exactly. So
25 yeah, we're just kind of looking at within those
26 areas where there's no fishing data. So in areas
27 where we have fishing data, you've got a pretty
28 good idea of what the bycatch species are, what
29 the target catch species are, what a fisherman
30 will catch with whatever gear type there are out
31 there, or a research vessel for that matter.

32 Inside the closed areas, we don't have
33 good information, especially during the times
34 when those areas are closed. So the question is,
35 how do we get hooks in the water, not knowing
36 right now what those hooks look like. But how do
37 we get hooks in the water to find out what
38 species are there during certain times, and PRISM
39 simply guides us.

40 Where can we put those hooks in
41 safely? And we don't want to, all of a sudden,
42 run into a huge patch of leatherbacks and blow
43 our ITS for an Endangered Species Act for
44 leatherbacks. Where can we guide those hooks to
45 be where there's not going to be leatherbacks,
46 for instance?

47 Now what those hooks look like, that's
48 what the proposed rule is going to start looking

1 at. What kind of hooks are we going to put in
2 the water? What kind of a program is it, et
3 cetera? And that's what we're trying to develop
4 now that the PRISM methodology has been approved.

5 MR. TAYLOR: So if I can go one step
6 further, your plan then absolutely is down the
7 line here within some reasonable time to start to
8 try to confirm the model with hooks in the water?
9 Is that confirmation model likely to happen in
10 the open areas? Or is it going to be a tool to
11 take a look at the closed areas?

12 MR. DURKEE: So right now, we've got
13 some confidence in the model because we are using
14 actual hooks in the water to test the model. It
15 is observer data. It's high quality data. It's
16 got an observer on board that's ID'ed to catch,
17 the size, the exact location, everything.

18 So we are using hooks in the water to
19 validate now. Now next steps, yeah, we projected
20 on what things are going to look like. So having
21 some additional hooks in the water to then test
22 the PRISM model is definitely out there as well.
23 This is going to be the following step.

24 (Simultaneous speaking.)

25 MR. CREAR: Sorry. Inside the closed
26 areas is where we'll be able to actually test
27 those things, right. Because like Steve said, we
28 will have hooks in the water during the closure.

29 (Simultaneous speaking.)

30 MR. TAYLOR: One of the other topics
31 -- and I didn't mean to interrupt you. But --

32 (Simultaneous speaking.)

33 MR. TAYLOR: -- one of the bigger
34 problems has been in the way that those areas
35 were closed obviously. I mean, there's still no
36 authority, even if you confirm these models to
37 potentially reopen or re-access those areas. Is
38 that going to be -- I mean, that would be a
39 completely separate issue of rulemaking based
40 upon what the outcome of hooks in the water in
41 those closed areas are going to look like,
42 correct?

43 MR. DURKEE: Yeah, I wouldn't want to
44 presuppose what the research and data collection
45 is going to look like before we have PRISM
46 results and we have hooks in the water. Right
47 now, we're focused on how do we get some more
48 data out of these closed areas. As far as fully

1 reopening or fully closing new things, that's a
2 future step.

3 MR. BROOKS: Thanks. All right. Let
4 me bring a few more folks in. Let's go to Katie
5 Westfall, and then we'll go to Alan Weiss.
6 Katie? You're open, Katie.

7 MS. WESTFALL: Can you hear me?

8 MR. BROOKS: Yes.

9 MS. WESTFALL: Perfect, okay. Thanks
10 so much for the presentation, Dan. And I really
11 appreciate your efforts on this. And
12 congratulations, Dan, Tobey, Steve, and John, on
13 the publication of the effort. It's exciting.
14 It's really important and impressive work.

15 And as it was discussed in the paper,
16 I think it'd be good to include target species as
17 well by nature of catching more target species
18 with less effort. We'd also see bycatch
19 reduction gains there. And I think in addition
20 to the questions you're asking about where to
21 collect additional data, I think one of the most
22 important and relevant questions we should be
23 asking is, with full accountability and the right
24 tools, incentives, and bycatch mitigation
25 methods, can we essentially -- can fishermen
26 improve catch of target species while reducing
27 bycatch with more flexibility to fish kind of
28 when and where the conditions are optimal?

29 And I'd also encourage really looking
30 -- being forward looking here and asking the
31 questions of what types of adaptive and dynamic
32 fishing and management approaches will be
33 effective and appropriate in light of changing
34 ocean conditions. And I think there's a really
35 important opportunity for cooperative research
36 here in partnership with a wide variety of
37 stakeholders to really better understand this
38 combination of adaptive fishing facilitated by
39 electronic technologies and real time data
40 sharing to essentially improve the performance of
41 the fishery in terms of computability and
42 conservation outcomes. So I just want to thank
43 you all for your work and looking forward to
44 continuing the discussion and moving forward
45 here. So thanks.

46 MR. BROOKS: Great. Thanks, Katie.
47 Alan? Alan, your line is open now.

48 MR. WEISS: Thank you. I have several

1 questions. First of all, what was the time
2 period for the data that was used for the model
3 development?

4 MR. CREAR: Yeah, so for pelagic
5 longline, it was 1997 to 2018 was for the paper.
6 But we will -- like I mentioned, we're going to
7 add 2019 to the next model for the application
8 process. For the bottom longline, it's 2005 to
9 2019.

10 MR. WEISS: What was the data that was
11 used to test the model?

12 MR. CREAR: So to validate it? Yeah,
13 so I apologize. And I plan on explaining it as
14 best as I possibly can. But before I try to do
15 it again, there is -- it is explained in clearer
16 words on the web page that shows the three
17 different validation approaches. But basically,
18 you're able to break the data up into a bunch of
19 different pieces. And in multiple different
20 ways, you can break the fisheries data up.

21 For example, pelagic longline data or
22 the POP data, we can break it up into multiple
23 different ways and leave out certain pieces and
24 then rerun the model and see how accurate that
25 model is compared to what the data that you leave
26 out looks like. If it's off, if those
27 information are off from each other, it means the
28 model is not doing a good job. But if the model
29 -- if the output to the model and those data that
30 you leave out are similar to each other, it means
31 that the model is likely validated or (audio
32 interference) job at predicting.

33 MR. WEISS: It sounds like you used
34 in-sample data to validate the model. Is that
35 right?

36 MR. CREAR: Yes, yes, correct. But
37 again, you leave the data out. So it's not like
38 you're cheating the system. It's not that.
39 You're leaving data out during the validation
40 process.

41 So when you're actually rerunning the
42 model for that -- during that process, you're
43 leaving that data out. So you're not cheating
44 the system or predicting or developing a model
45 that also has the data in it that you're
46 predicting over. Does that make sense?

47 Sorry. Again, it's really hard to
48 explain this because this gets complicated. But

1 again, I definitely suggest you take a look at
2 the outreach page. And I'm happy to explain
3 things over email, and it might be a little bit
4 more succinct.

5 MR. BROOKS: Thanks, Dan.

6 MR. WEISS: Okay. Thank you. I will
7 check that out. I also have a question about how
8 the model is used to account for different ways
9 gears -- fishing gears configured.

10 And I'm thinking primarily about the
11 pelagic longline, how different ways it's
12 configured and deployed in different areas and
13 under different conditions. So you may get a
14 given set of relationships in one area where the
15 gear is deployed a certain way and configured a
16 certain way. But it may not -- that may not be
17 the same deployment and configuration in the area
18 that you're trying to project for.

19 MR. CREAR: That's a good point. So
20 we did want to cover our bases and incorporate
21 gear information in the model. So we looked at
22 hook configuration, bait type, the time the set
23 was put out as well as the maximum set depth to
24 try to get at that. But when we predict
25 spatially, we considered the gear configurations
26 that are currently allowed in the fishery.

27 I understand there could be spatial
28 differences. But at the moment, we did not
29 consider differences spatially and gear
30 configurations or gear information. That is
31 something that we could potentially do when we're
32 predicting. But at the moment, we assume, like,
33 a blanket across the entire East Coast, for
34 example, that whatever the regulations are for
35 hooks, for example, are applied throughout the
36 entire East Coast.

37 MR. WEISS: Well, that certainly is
38 the case for the regulations. But the fishermen
39 themselves when they're fishing are constantly
40 making adjustments to the depth that they set at
41 to the number of hooks, the leader lengths. You
42 could go on and on naming all different
43 parameters that they're constantly adjusting and
44 tweaking, depending on where they're fishing and
45 the conditions at the time.

46 I also -- that brings me to also, how
47 does the model account for the evolution of
48 fishing gear and methods over time, because

1 certainly you base the model on data going back
2 to 1997. So some of that data is pre-circle
3 hook. And I mean, even during the more recent
4 period, people are constantly trying to improve
5 what they're doing and improve upon their
6 results. So although it may not be driven by
7 regulation, it may be driven just by trying to
8 improve the catch. So --

9 MR. BROOKS: Well, let's let Dan weigh
10 in on that. Okay?

11 MR. WEISS: Yeah.

12 MR. CREAR: Yeah, so we do -- so
13 obviously, like you said earlier, in the dataset,
14 there are -- J-hooks are incorporated. And so
15 that is incorporated in the model because
16 obviously the catch that was caught back then
17 could've been impacted by their J-hook, right?
18 And so that information is included.

19 And as I mentioned, when we're
20 predicting for the maps, we only plan to do it
21 for the current regulations. But to kind of
22 address your prior question, if there are really
23 explicit spatial trends and where you put certain
24 hooks in the water or certain depths you set at
25 or a certain time of day that you set at, again,
26 explicitly spatially throughout the East Coast,
27 then we could apply that to the predictions.
28 That is an option.

29 But we don't have that information.
30 So we weren't able to incorporate that for our
31 spatial outputs or for those maps. But if that
32 information is really easily spatially defined,
33 that is something that we could do in the future.

34 MR. BROOKS: Thanks.

35 (Simultaneous speaking.)

36 MR. WEISS: And finally, just one more
37 thing, if I may. How do you account for the
38 spatial and temporal changes in the availability
39 of fish or the presence of bycatch species? I
40 mean, one of the things that I remember hearing
41 in yesterday's discussion from one of our panel
42 members is that they never saw bluefin tuna in an
43 area off North Carolina in July.

44 And all of a sudden this year, there's
45 bluefin tuna there. So how are these things
46 accounted for? And also because fishermen fish
47 according to the availability of fish and the
48 conditions at the time that they're fishing, not

1 based on the average over a 20-year period or
2 something.

3 MR. CREAR: All right. So to answer
4 your first question, you would assume species
5 like bluefin tuna, for example, are following
6 something, right? They're following prey which
7 are probably following something, right, either
8 other prey or an environmental condition that
9 they prefer. And so we hope that that type of --
10 those type of trends are still captured in these
11 types of models because although we don't have
12 prey in our model, it's likely that prey are
13 following some type of environmental cue. So we
14 hope to try to capture that still.

15 So hopefully in our predictions, we
16 can capture some of that kind of outlier pattern
17 that you may see or, like, that you described.
18 To answer your second question -- let's see if I
19 can remember it. Sorry. You might have to say
20 the second question again.

21 MR. WEISS: Well, I just mentioned
22 that --

23 MR. BROOKS: I think you hit it.

24 MR. WEISS: -- fishermen fish
25 according to the conditions that are in place at
26 the time, not based on the average over a 20-year
27 span or something.

28 MR. CREAR: Of course, and that's 100
29 percent -- yeah, that makes total sense to us.
30 But we do hope when you consider fishermen
31 fishing over a three-year period that you're
32 likely -- that that is likely to fall in the
33 average three-year period which, again, the
34 prediction that we did was over a three-year
35 period. So we do -- like, obviously, on a
36 fisherman-to-fisherman basis, on a day-to-day
37 basis, it might be different than the average.
38 But when we consider it over all three years for
39 a given month, we would hope that that average
40 would capture that.

41 MR. DURKEE: And one clarification
42 too, we absolutely understand that especially HMS
43 at any species that where they are changing just
44 with changing ocean conditions. And we expect
45 that. And that's what PRISM is absolutely
46 addressing.

47 One, I think, point of clarification,
48 though, is we're not looking at where, let's say,

1 leatherback turtles are on average over a 20-year
2 period. We're predicting over a three-year
3 period, and we're doing it month by month. We're
4 saying, where is that leatherback turtle in July?
5 Where is he in August, September, October?

6 So it is a pretty fine scale. It's
7 not a huge 20-year average. It's a fine scale,
8 month-by-month three-year average. And we should
9 be able to see them marching up and down the
10 coast in and out of different areas.

11 MR. BROOKS: Thanks, Steve.

12 (Simultaneous speaking.)

13 MR. WEISS: And with climate change,
14 what will happen in any given month will be
15 changing as the years go on.

16 MR. BROOKS: For sure.

17 MR. BLANKINSHIP: And if I can --

18 MR. WEISS: But thank you.

19 MR. BLANKINSHIP: If I can add on
20 here, Bennett, just for a second because Steve
21 really did a nice job of kind of putting that in
22 the context of changes in the environment that
23 may be occurring and how PRISM is very much
24 geared to get at that very question that in --
25 I'm going to take a step here to that next step
26 which would be the proposed rule. And as we work
27 in trying to develop a program, it incorporates
28 the PRISM methodology into it about how to
29 collect new information from within some areas
30 that we don't get information right now is
31 certainly we would need to be thinking about
32 those anomalous type of activities that may
33 happen with certain bycatch species. And it's in
34 that proposed rule that we might need to think
35 about how do we address those types of
36 occurrences and how would the response be in the
37 program to those types of occurrences. And so I
38 just give that nod to that next step which is I
39 think what we intend to try to get at.

40 MR. BROOKS: Thanks, Randy. All
41 right. I've got -- we've got about 15 minutes
42 left for this, and I've got at least six people
43 who want to get into the conversation. So let me
44 try to work through the queue, and I'd ask people
45 to, as always, just be sort of focused on the
46 conversation so everyone has a chance to jump in.
47 Mike Pierdinock, feel free to jump in. Your line
48 is open now, Mike.

1 MR. PIERDINOCK: -- team for your --
2 (Simultaneous speaking.)

3 MR. BROOKS: Mike, we missed the
4 beginning of your comment. Start again.

5 MR. PIERDINOCK: Can you hear me?

6 MR. BROOKS: Yeah, yeah.

7 MR. PIERDINOCK: Okay. Thank you,
8 Bennett. Thank you, Dan, for your presentation.
9 And congratulations for you and your team for
10 your recent publication. It's a great first
11 step.

12 And each person that had presented
13 questions here today has helped me answer
14 questions and provide a few additional unknowns.
15 As recently -- or as previously, there's concerns
16 about how this may end up for obvious reasons
17 because we've been at the other end of the
18 spectrum that the outcome may be inconsistent
19 with our observations in the water. So I would
20 hope that there'd be continued input from us of
21 what our observations are.

22 I understand why you have to do a
23 three-year period from 2016 to 2018. But bluefin
24 tuna is a recent example and the issues with
25 climatic shift of our stocks and how they moved
26 and how we significantly have seen that over the
27 past few years, unfortunately from 2019 to date
28 which I don't think would be captured in this and
29 especially with what we've observed this year.
30 So I just want to note that, that the outcome
31 could be significantly skewed if you did from
32 2019 to date which you are doing a three-year
33 average.

34 And I wondered whether you could look
35 at it year-to-year because, for instance, with
36 bluefin tuna up here in the northeast, we used to
37 have a cycle maybe ever 5, 10, 20 years of seeing
38 the school. It's coming near shore. And this
39 year and the past three, it's an annual
40 occurrence because of increased temperatures and
41 so on. So can you look at the model year to
42 year, or -- to try to see if you see those
43 trends, or you just have to do a three-year
44 average for your initial goals and objectives for
45 what you're trying to achieve right now?

46 MR. CREAR: Yeah, so we -- I think
47 what you said last there is correct. For our
48 initial goals and objective, I think the

1 three-year average is probably the best route
2 forward. But doing a year-to-year type
3 prediction is something that could be done and
4 it's not something that we discussed going
5 forward. But that has been done in other
6 studies.

7 Obviously, a limiting factor there is
8 how quickly the environmental data can be
9 provided to us. Like, we wouldn't be able to do
10 this for 2021 obviously. So that is a limiting
11 factors. But for -- again, for our goals moving
12 forward, a three-year average I think is going to
13 be the one that makes the most sense, especially
14 since if something changes -- basically, because
15 there's variability, it's better to look at an
16 average in our case at the moment. But maybe
17 going forward, but that's not something we've
18 fully decided on or discussed.

19 MR. PIERDINOCK: Understand, and I --
20 go ahead.

21 MR. CURTIS: If I can jump in real
22 quick. There's a lot of questions over the time
23 period, and that's great. But basically, I just
24 want to add on to what Dan said is that the
25 modeling method can be applied to any, like, time
26 step that environmental data are available.

27 So we could do it -- you could do it
28 daily with even forecasts over certain -- for
29 certain variables into the future to some extent.
30 We can go back over any number of years where the
31 environmental data are all there. But it's a
32 question of practicality and sort of what's
33 practical for the goals and objectives at hand.

34 And that's why -- as Dan said, like,
35 initially, we're looking at, like, a three-year
36 average monthly kind of interval. But the
37 method, as long as the data are there, you can
38 sort of model it over any time period of
39 interest. But it's just a question of what do we
40 need to start with and what's practical.

41 MR. PIERDINOCK: No, understood. Food
42 for thought with that, two things, as was
43 mentioned by someone earlier. The gear types
44 change commercially over time which could have an
45 impact on bycatch.

46 So if you looked at it from year to
47 year, you could then maybe say, I don't know, in
48 2002, they implemented circle hooks. And from

1 then on, maybe you see a change in the bycatch.
2 So between that and climatic shift of our stocks,
3 it may be prudent in the future to look at it
4 that way.

5 And I'd be really interested, year to
6 year, from 2019 to date. But I'm changing your
7 goals and objectives, and I appreciate what
8 you're doing. And I thank you for listening to
9 what we have to say, and good luck with it.
10 Thanks.

11 MR. BROOKS: Thanks. Thanks, Mike.
12 And I'll just note in the chat, by the way, and
13 folks can take a look at this, Amy Dukes asked a
14 question about, could tagging data be used to
15 sort of help out the modeling? Tobey answered
16 that question in the chat. So I'll just ask
17 people to look at that.

18 Let's go to Marty and then to Peter
19 Chaibongsai. Marty? And again, folks need to be
20 focused in their question and answer. That'd be
21 helpful to make sure we hear from everybody.
22 Marty?

23 MR. SCANLON: When we first were
24 introduced to this PRISM model is that we're
25 looking at the bycatch. But I don't see anything
26 that you've done to study what our targeted catch
27 would be in potentially relation to this as we
28 move forward here. It's all about bycatch and
29 what the -- it may appear to be a lot of bycatch,
30 but there may be also a lot of targeted catch
31 there.

32 And as a result there, there could be
33 more targeted fish interactions than bycatch and
34 bycatch may still be minimal. But I mean, I
35 don't know you can move forward with the model
36 without taking into consideration what available
37 target catch is going to be in these areas and
38 the particular time of year that that's -- you
39 know. And this one here, you can also see the
40 effects -- the negative effects it may have had
41 on the industry itself and what might be best in
42 moving forward to help benefit the industry, not
43 just -- I don't know.

44 What's the ceiling going to be on
45 these bycatches to not allow the area to have
46 access to have some sort of research in them?
47 That's a concern of ours. What's that level of
48 -- what's the predicted bycatch going to be

1 that's going to keep it from getting hooks in the
2 water?

3 Those are some of the things that we
4 were -- other than that, a lot of the stuff that
5 Alan covered and some of the other people covered
6 there. But that's kind of my concern right
7 there.

8 MR. BROOKS: Let's -- anyone from HMS
9 want to --

10 MR. DURKEE: Yes, Marty, we're focused
11 on bycatch at this point. We are tossing around
12 ideas on how we could look at target catch in the
13 proposed rule. So the comments are understood
14 and something we're thinking about.

15 MR. BROOKS: Great. Let's to go
16 Peter. When you can, Peter.

17 MR. CHAIBONGSAI: Thank you. Great
18 job, guys. Some really amazing work, really.
19 Kudos to you guys for getting it published as
20 well. I'm just going to kind of reiterate what
21 Michael and Rick had talked about before.

22 And then I just saw -- I apologize.
23 I just saw that, Tobey, you have replied to about
24 Amy's question about tagging data. And that was
25 one of the questions I want to bring up
26 specifically was obviously CTC. Down in
27 Southeast Fishery Science Center I'm assuming has
28 a wealth of data for decades. And I know you
29 said that's not going to be potentially be able
30 to be used.

31 But just knowing from our fish tagging
32 data, a lot of -- or some -- I shouldn't say a
33 lot. Some of the data that is used for the
34 tagging of swordfish is based off commercial guys
35 releasing and tagging the small rates, the ones
36 that are not legal size. So those are actual
37 commercial guys that are fishing for swordfish,
38 and then they do tag and release.

39 So I would be interested to know if
40 that would be something. I know you said that
41 typically tag -- fish tagging -- fish tag data is
42 not dependent -- fishery dependent data. But
43 would that count as fishery dependent data? If
44 it is actually being targeted by a commercial
45 fishery and then being released and tagged, would
46 that useful for you guys for this?

47 (Simultaneous speaking.)

48 MR. CURTIS: So if it's all right,

1 I'll jump in on that one, Dan. Yeah, so I mean,
2 so the capture then would be fishery dependent in
3 that context. And it is likely that event would
4 be captured in the program data because that's
5 the fundamental data we're working from.

6 But then with release, though, then
7 the movements of that fish are fishery
8 independent. It's moving around following
9 environmental variables which may match closely
10 to what PRISM predicts as far as environmental
11 covariates. But then -- but at some point, the
12 fish is likely to move into areas where there is
13 no fishing effort --

14 MR. CHAIBONGSAI: Right.

15 MR. CURTIS: -- or vice versa. So
16 that's the challenge. PRISM sort of embraces the
17 fishery dependent components of the data and
18 things like bait and hook.

19 MR. CHAIBONGSAI: Okay. And I
20 apologize --

21 (Simultaneous speaking.)

22 MR. CHAIBONGSAI: -- because this is
23 all in the paper. And I apologize. Like David
24 was saying before, I haven't had a chance to
25 fully read it. And this is really, really neat
26 stuff, guys. So the other aspect then would --
27 from what you were talking about, Tobey, would
28 then satellite type of data wouldn't apply for
29 this either then in terms of being useful?

30 MR. CURTIS: It's certainly useful but
31 kind of in parallel, I think.

32 MR. CHAIBONGSAI: Okay. That's what
33 I thought. Okay.

34 MR. CURTIS: Yeah, so I don't think --
35 the way PRISM is constructed, we don't have a way
36 to integrate fishery independent tagging data,
37 satellite telemetry data, specifically for the
38 modeling, just because of the way it's
39 constructed, and again, those fishery elements of
40 the data. But you can -- there's no shortage of
41 tagging data --

42 MR. CHAIBONGSAI: Right.

43 MR. CURTIS: -- and species
44 distribution models from telemetry data for a lot
45 of bycatch species that we're concerned about
46 turtles, sharks, et cetera. We look at that
47 information. It just excludes the sort of risk
48 of the fishery actually catching the fish given

1 the overlap. And that's what PRISM -- that's
2 where kind of PRISM sort of stands on its own.

3 MR. CHAIBONGSAI: Okay. All right.
4 Thank you, gentlemen. Appreciate it.

5 MR. BROOKS: We've got two folks that
6 haven't gotten in yet, David Kerstetter and Tim
7 Pickett. You've both been waiting patiently.
8 David, let's go to you and then over to Tim.
9 Your mic is open, David -- Dave.

10 MR. KERSTETTER: -- as well as for
11 succinctly summarizing 17 pages' worth of
12 academic text in a single presentation, very
13 impressive. It's been noted already about the
14 inclusion of the electronic tag data going all
15 the way back to Hinton McConnell (phonetic),
16 trying to integrate some of those habitat
17 standardization information with this model I'd
18 like to support. My other question, though -- my
19 real question was, there was a comment earlier
20 about how there was no data from within these
21 time area closures, and yet there actually is.

22 Going back to the 2007, 2009 data from
23 my time area closure work, we actually do have
24 some catches within those time area closures. I
25 was wondering if those data were examined,
26 whether they were included in the model or at
27 least validated as appropriate. Thank you.

28 MR. CREAR: So -- go ahead, Steve.
29 You're going to say something?

30 MR. DURKEE: No, and I appreciate that
31 thought, David. That's something for us to look
32 at a little bit as we're moving forward. But no,
33 that data specifically wasn't incorporated in
34 PRISM to this point.

35 MR. BROOKS: Thanks.

36 MR. BLANKINSHIP: And fully recognize,
37 Dave, that those projects did take place. And
38 certainly those data are available and can be
39 useful for us to continue to consider. I think
40 we were generally speaking when we made comments
41 about the lack of data from within these areas
42 and kind of as a whole. So apologize for not
43 recognizing that work a little bit better.

44 MR. BROOKS: Thanks. Tim Pickett?

45 MR. PICKETT: -- will be a very useful
46 tool.

47 MR. BROOKS: Sorry. Hey, Tim, we
48 missed the -- again, we --

1 (Simultaneous speaking.)

2 MR. PICKETT: No, I was just saying
3 it's pretty cool, very interesting. I think
4 it'll be a very interesting tool, a very useful
5 tool. One thing that is a known quantity, some
6 guys, Scott and Alan, have already touched on the
7 change in data, circle hooks versus J-hooks and
8 accommodations of the way the industry had
9 accommodated bycatch mitigation and the -- some
10 of the areas being data deficient in terms of
11 that.

12 I was wondering if you thought about
13 because some of these bycatch mitigation
14 techniques like circle hooks, leader length
15 versus ball drop length, things like that that
16 have been kind of newer things where some of this
17 -- compared to some of this older data. And
18 they're kind of known quantities. There was
19 referee work done on sea turtle survival rate,
20 sea turtle bycatch mitigation if we're talking
21 about turtles, things like that.

22 And it ends up becoming a multiplier,
23 whether the multiplier is a referee number or
24 not. So I was wondering if there was thought
25 taken to, okay, well, there might be abundance of
26 bycatch species here. But we have a multiplier
27 by using this gear configuration that reduces
28 that bycatch -- either reduces the bycatch or
29 reduces -- I'll call it bykill.

30 Guys have to go to turtle workshops,
31 safe relief workshops. There becomes a
32 multiplier where, okay, there might be more
33 turtles here than there are elsewhere. But we
34 have ways of avoiding that.

35 There's things that are happening
36 right now on the East Coast that have been talked
37 about in earlier presentations, guys deep
38 setting, using line setters or using leads.
39 These are relatively new things on the East
40 Coast. There's a lot of literature on turtle
41 bycatch mitigation, on using deep set gear,
42 things of that nature that have been known maybe
43 not here but certainly in the Pacific.

44 So you might say, okay, well, maybe
45 there are too many turtles here to authorize
46 fishing like they used to here. But maybe we can
47 accommodate them fishing this way and that there
48 might be a -- there's an acceptable level where

1 the bycatch could be at. And by using the
2 multiplier that you know that these techniques
3 do, you can apply the multiplier and say, okay,
4 well, there might be a few turtles here but we
5 can do this, this, and this and it'll be okay.

6 (Simultaneous speaking.)

7 MR. BROOKS: Tim, is the question as
8 to whether or not that's -- whether something
9 that is or could be incorporated --

10 (Simultaneous speaking.)

11 MR. PICKETT: Yeah, yeah, yeah, yeah,
12 exactly. That's my question in much shorter
13 form. I was kind of long form there. But yeah,
14 go ahead. Thank you.

15 MR. DURKEE: Yes, I mean, to some
16 extent, some of that is incorporated as far as
17 looking at effects of hook type, J vs. circle as
18 well as size and bait type. It does not get as
19 detailed as some of the gear configuration
20 suggestions you've had. That's something first
21 to think about and take back.

22 But I would caution you, one thing
23 we're looking at and considering when we look at
24 this model is the complexity of the model. We
25 can drill down and have a million different
26 variables and have an exceptionally complex model
27 that might give us better information and might
28 not. But increasing the complexity increases the
29 time. Trying to balance simplicity with useful
30 results is definitely a delicate balance.

31 MR. CURTIS: Thanks. Following up on
32 that, those pieces are certainly things that can
33 be considered alongside PRISM. Again, like,
34 we're not throwing 100 percent of any decision
35 making behind this model. We're open to other
36 ideas and other information considered in
37 parallel with it when we get to the rulemaking
38 stage. And when you see our proposed
39 alternatives, eventually they may include things
40 like that. So again, PRISM is just sort of one
41 piece of the overall puzzle.

42 MR. BROOKS: Great. Scott, I don't
43 know if your hand is left over or whether you
44 have an additional comment. We are already into
45 our break. So if you have a 30-second comment, I
46 will go to you. Otherwise, we should go to the
47 break.

48 MR. COOPER: Yeah, I think Scott had

1 raised his hand again. I'll take him off real
2 quick.

3 MR. BROOKS: Okay.

4 MR. TAYLOR: Just want to reiterate
5 that I really do understand that this is really
6 for spatial modeling at this point, that when you
7 do get to the point of looking at actual targeted
8 species, there is a plethora of data in the frame
9 that is down at a program out there that has been
10 very effective in predictability for targeted
11 species as well as some of the other ones. So
12 that information is probably already available to
13 you. And the other comment that I would make is
14 that we just finished up working on a project
15 with Dave Kerstetter recently about the deep set.

16 I know that you don't want to drill
17 into this so deeply. But we get into the areas
18 where we sort of lost the effective direction
19 which would be the predictability spatially of
20 where these problem areas really are. And I do
21 understand that that's the direction where we're
22 going.

23 We just would hope that out of this
24 thing it evolves and all these other additional
25 layers. And they're clearly -- the computers and
26 models have been very effective at dealing with
27 targeted species. And the more layers that
28 you've (audio interference) on this, ultimately
29 the better this is going to be for real time
30 dynamic management of this fishery.

31 MR. BROOKS: Thanks, Scott. Thanks
32 all for the -- both the presentation and the
33 conversation. Clearly a lot of interest in the
34 work you're doing here and a lot of support for
35 it. So thanks to the HMS team.

36 A number of suggestions for things you
37 might want to consider, refinements or additions
38 from thinking about how you gear configurations
39 change over time adding bluefin tuna to Gulf of
40 Mexico, thinking about bycatch multipliers, using
41 past data from time area closures, a number of
42 different pieces put out there. And then in
43 addition to the big picture, this is great.
44 Looking forward to seeing what it generates.

45 Some big picture cautions too, right?
46 Model as Frankenstein, how we make sure that it's
47 -- if there's a mismatch to the reality, that we
48 make sense of it together, climate change shifts,

1 et cetera. So I think with that, we should go to
2 a break.

3 Let's come back as scheduled at 10:30.
4 So we'll take a ten-minute break and talk about
5 advisory panel term limits. Thanks again for the
6 presentation and conversation.

7 (Whereupon, the above-entitled matter
8 went off the record at 10:20 a.m. and resumed at
9 10:30 a.m.)

10 MR. BROOKS: So last topic for this AP
11 meeting is to give you a more comprehensive view
12 on this issue that's come up a couple of times
13 already talking about advisory panel term limits
14 and talked about Peter and Rusty. So I want to
15 hand it off to Pete to catch everyone up in a
16 more sort of comprehensive way as to what that
17 issue is and how that might be moving forward.
18 So Pete, over to you, and then we'll open it up
19 for AP conversation. And again, at 11:15, we
20 will shift to public comment. So Pete, take it
21 away.

22 MR. COOPER: All right. Thank you,
23 Bennett. How are we looking on this
24 presentation? Good?

25 MR. BROOKS: Looks good.

26 MR. COOPER: All right. Good to go.
27 Thank you. Happy Friday, everybody. I'm Pete
28 Cooper. I am the Products and Services Branch
29 chief here in the HMS Management Division. And
30 one of the big things on my portfolio of work is
31 HMS Advisory Panel. So I'm here to talk to you
32 about our plan to implement term limits to the
33 HMS Advisory Panel.

34 So real quick, just to set the stage,
35 this is an Atlantic HMS Management 101 slide. A
36 big takeaway here is that we've got a lot of
37 species covering a lot of different areas. And
38 therefore, we've got a lot of different voices
39 and perspectives on how to manage these
40 resources.

41 And the Magnuson-Stevens Act ends up
42 delegating management authority to us here at
43 NMFS. And it also, as I said, for the Atlantic
44 HMS, we need to have an advisory panel for every
45 FMP that we have. So we have one big
46 consolidated FMP that we deal with all of these
47 different species.

48 And that leads us to one big Atlantic

1 HMS Advisory Panel. And I think we have 50-ish
2 members. It's pretty big. You can see here from
3 the picture. You look real close, you can see
4 all the different types of members.

5 We have folks representing the
6 commercial and recreational fisheries,
7 environmental groups, and academia. Those are
8 the seats that we have to go through a nomination
9 process. And they're selected by NMFS to serve
10 on the AP.

11 And then there's others that are on
12 the advisory panel representing the states that
13 are involved, the different fishery management
14 councils and commissions, and, of course, the IAC
15 Chair. Those people are put forward by their
16 different groups. So we don't do -- they don't
17 go through the same selection process as the
18 other members.

19 And that selection process happens
20 every year. And for the majority of the advisory
21 panel, you can see how it's broken down into
22 these different groups here in the little table.
23 And when you're selected, you have a term of
24 three years.

25 That process happens every year, like
26 I said. And anybody can nominate anybody, and
27 you can even nominate yourself to be on the
28 advisory panel. We end up collecting all of
29 these different nominations and then go through
30 and make sure, see who put themselves forward or
31 is being nominated and try to create balance in
32 the different perspectives and views that are on
33 the panel, representing the different species and
34 different areas and different user groups.

35 And approximately a third of member
36 terms expires each year. And currently, we don't
37 have term limits on the AP. So yeah, I hear
38 people have asked me, Pete, why do we even need
39 term limits? AP is going great.

40 Well, the idea here is to just
41 increase opportunities for new members. And
42 touching on earlier, we've got a lot of different
43 perspectives from different regions, different
44 user groups. And we want to be able to
45 incorporate that as much as possible and get a
46 diverse group of voices and opinions.

47 And by establishing term limits, that
48 helps in the fact that we'll have that natural

1 cycle through. And also it makes it maybe a
2 little bit more welcoming to people who haven't
3 been on the panel thinking, hey, I actually have
4 a shot at getting on the panel when we have all
5 these really well established people that have
6 been on there for years. How can I compete with
7 them?

8 And this is also a similar process
9 used by the regional fishery management councils
10 and some other NMFS fishery bodies. So it's not
11 unprecedented. And right now just as an update
12 on how many members have been on the panel for a
13 number of terms, half of the AP members are on
14 their third term or greater. Many have more than
15 three terms consecutively.

16 So here's the plan that we are, again,
17 moving forward with, that we will begin
18 implementing these term limits during the
19 nomination process with terms expiring in 2022.
20 So the end of this year, it seemed a little bit
21 too abrupt to start for terms expiring in 2021.
22 So we're extending it a year to 2022 to give
23 those AP members that end up being term limited a
24 year still on the panel to kind of make that sort
25 of adjustment and not just kind of getting rid of
26 people right away.

27 And the term limits will apply only to
28 AP members who have served three consecutive
29 terms and whose term is expiring. And initially,
30 they will not be eligible for re-nomination in
31 that year. So the ones that expire for 2022 will
32 not be able to be a part of that nomination group
33 in 2023. And this will only apply to the ones
34 that NMFS selects. So it won't apply to the IAC
35 Chair, state, council, or commission reps. Okay.
36 Next slide.

37 And this is a big question. Once an
38 AP member is term limited, will they ever be back
39 on -- can they ever be back on the AP? And this
40 is way more dramatic when you don't post a static
41 PDF before the presentation happens.

42 But yes, they'll be able to do that.
43 So members that reach a term limit must wait one
44 year before being eligible for renomination on
45 there-nomination AP. So you take that year,
46 kind of reevaluate your role in the fishery
47 management process, and say, yeah, I really miss
48 getting emails from Pete and being on the AP.

1 Then you can throw your hat back in
2 the ring and re-nominate yourself and go through
3 the entire process and try to get back on the AP.
4 And so -- and just to kind of wrap up here, over
5 the next couple of years and with terms ending in
6 '22 and '23, 11 of the 32 members that are on
7 right now will term limit off. And so that wraps
8 up the presentation which might be the second
9 shortest presentation of the advisory panel
10 meeting.

11 MR. BROOKS: That may have been the
12 shortest --

13 (Simultaneous speaking.)

14 MR. COOPER: -- questions and
15 comments.

16 MR. BROOKS: All right. Thanks.
17 Let's open it up to questions and comments.
18 Let's go to Marty, then Shana, then David.

19 MR. SCANLON: Well, to me, this is
20 pretty concerning to put these term limits in
21 here. And my reasoning is this, especially in
22 pelagic longline industry, this is not -- we
23 don't get paid to be here. I don't get paid to
24 be here. I'll basically be term limited out.

25 What I understand, I will be -- like,
26 this term that I'm on right now will be extended
27 one more year, if I'm not mistaken, Pete. I'll
28 serve in 2022, but then I'll be limited. But to
29 work on this panel from the time I took on --
30 joined this panel nine years ago now, this is --
31 you acquire a knowledge and you learn the value
32 of being on this panel.

33 And you'll learn a lot from all the
34 other people in the categories. And it takes
35 quite some time to acquire and accumulate the
36 overall knowledge and understanding and the
37 ability to work with all these other user groups.
38 So I mean, it's certainly not going to be to the
39 advantage of my industry where they have to start
40 term limiting out the guys that we have on the
41 panel now.

42 I mean, first of all, we have a hard
43 time getting guys to participate as it is. And
44 now the ones that are willing to participate and
45 have the knowledge and are able to work and move
46 our issues forward. And we're going to now be
47 started to be removed from these panels. I mean,
48 that's -- I don't see where that's going to be

1 very helpful to us --

2 MR. BROOKS: Hey, Marty.
3 (Simultaneous speaking.)

4 MR. BROOKS: Marty, the fact that
5 there's -- that after year one could be
6 re-nominated, does that -- how much does that
7 help the issue you're talking about?

8 MR. SCANLON: Well, in my case here,
9 we have -- like you said, you have people on the
10 panel that are from the regional councils and
11 from the statehoods. I'm the president of an
12 organization here. And being the leader of that
13 organization, for me to have my term interrupted
14 is going to have an effect on my membership.

15 Basically, what I'm going to have to
16 do is I'm going to have to take the money out of
17 my own pocket and go to these meetings and sit in
18 on these meetings, even though I'm not going to
19 be able to participate like I normally would.
20 But it's going to be at great cost to me to have
21 to continue to participate and keep up with
22 what's going on here. I mean, I can't -- my own
23 personal knowledge, I really can't afford to lose
24 a year's worth of education in this process.

25 And every year, I become more
26 educated. I become, I think, a little better at
27 what I do. And my inputs I think become a little
28 bit better. So I mean, to me, to interrupt the
29 process, especially at a critical state right now
30 where we've been fighting for years to revitalize
31 this fishery and with a lot of the things that
32 are being introduced here, to take the chance of
33 interrupting that just puts an extra burden on
34 the people that are truly involved and committed
35 to working with NMFS and working with the other
36 groups, the academic people and the environmental
37 people.

38 So to me, I don't see the benefit of
39 it. I mean, if somebody is not doing their job
40 or some people don't show up, I mean, I can see
41 -- I see people like that. They just continue to
42 be on the panel sometimes.

43 There's been empty seats sitting on
44 this panel. So there are plenty of opportunities
45 for people, even though there are people on the
46 panel that NMFS can actually weed through.
47 Basically, when you're doing it, you make it easy
48 on yourself basically to have to weed through

1 some of the people that maybe not as effective or
2 that maybe are not participating and taking up a
3 seat. So --

4 MR. BROOKS: Okay.

5 MR. SCANLON: -- there are people that
6 are pretty active. And I think it's important to
7 keep them and their full force moving forward.

8 MR. BROOKS: Thanks, Marty. Shana,
9 let's hear from you.

10 MS. MILLER: Thanks. Can you hear me?

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

12 MS. MILLER: Okay. Yeah, I appreciate
13 what Marty was saying. I guess I come to it from
14 a different perspective. I actually this is a
15 good idea.

16 I am both proud and embarrassed to
17 admit that I am one of the dinosaurs on this
18 committee. This is my 20th anniversary year.
19 And for my sanity, I think it's time you guys get
20 rid of me.

21 So I think I would be one of the ones
22 limited out next year. And I think it is
23 important to bring in new voices. If we tallied
24 how many people spoke this week, it's a lot of us
25 dinosaurs.

26 And some people have very strong
27 personalities, and it might be intimidating for
28 new members to ask questions to get up to speed
29 and engage more. And I think there is a lot to
30 be said for having some turnover. And nine years
31 on this committee is still a long time.

32 And the ability to reapply after a
33 year I think does address some concerns. Marty,
34 I think, his situation is different. And
35 hopefully, that would address some of that
36 concern.

37 But I think it is important to bring
38 in new voices and not just bring in new people on
39 the panel but elevate those voices. And the AP
40 process is open already. We can, of course,
41 continue to submit comments and give public
42 comment at meetings. So I think this is a good
43 proposal. Thanks.

44 MR. BROOKS: Thanks, Shana. David
45 Schalit and then we'll go to Greg Hinks.

46 MR. SCHALIT: -- I think this is a
47 very bad idea. I think that there are other ways
48 of achieving what you guys are looking to do.

1 The point that Pete made was that the idea is to
2 increase opportunities for new members. Okay.

3 I would say that this -- in my
4 experience, the HMS AP has a lot of work to do.
5 Every meeting we have is fully chocked -- full of
6 issues that NOAA wants to discuss with us. And
7 we have very limited in which to respond.

8 So it seems that -- and NOAA -- and
9 now in this present situation, NOAA has the
10 possibility to not to cycle people through the
11 HMS AP if they find that someone after two years
12 or three years or whatever it is, is actually not
13 contributing. They can decide to not have them
14 on the HMS AP and bring somebody else in that's
15 new. But I want to highlight something, these
16 certain items that Marty brought up.

17 It is I'm the president of an
18 organization that represents fishermen. And it
19 is very difficult to find fishermen who want to
20 attend these meetings. Well, let's put it this
21 way. It might be easier to find someone who'd be
22 prepared to try it out, but there is a steep
23 learning curve here.

24 And the true asset from our point of
25 view of the HMS AP are those people who are
26 longstanding and active members. And we should
27 not lose them. I, personally, would not want to
28 come to a meeting which was not attended by Rick
29 Weber. He always has insightful things to say.

30 And as regards to previous comments,
31 I want to say that there are organizations who
32 have the means -- who have the assets, the means
33 to replace someone who's on the HMS AP by simply
34 hiring a freshly minted postdoc in marine science
35 from a California university and get them to sit
36 in there. And they will sit in the meeting and
37 furiously text message with the previous person
38 that held that position to ask them what to do,
39 right, what they should do in a given instance.

40 So there are some entities involved
41 here who have assets that for which this idea of
42 term limits would not be such a problem. And
43 there are others like Marty and myself for which
44 for whom this would be a very big problem. So I
45 think that's -- I mean, I have more to say, but
46 let's listen to what other people have to say.

47 MR. BROOKS: Thank you, Dave. And
48 I'll just flag Evan's comment, echoing Marty's

1 remarks around institutional knowledge being very
2 important. Let's go to Greg Hinks, then Jeff
3 Oden, and then Bob Humphrey. Greg?

4 MR. HINKS: Thanks, Bennett. Can you
5 hear me?

6 MR. BROOKS: We can. Thanks, Greg.

7 MR. HINKS: Hi. Well, I'm kind of
8 broken up about this. I'm speaking from the
9 point of view of a state representative that's
10 not in danger of at least not getting termed out.
11 But -- and I'm still at a point in this -- my
12 participation in this panel that I feel like I
13 don't have a whole lot to contribute.

14 But hopefully one day, that position
15 will develop. And that's been developing, I
16 think, from hearing the opinions of the
17 longstanding participants in this panel, people
18 like Marty and plenty of other people, David to
19 one. But as Pete has said, this is an
20 unprecedented move.

21 But I think where we see this most
22 commonly happen is decision making bodies. And
23 as Bennett reminds us many times throughout a
24 meeting, this is not a decision making body.
25 This is an advisory panel here to have
26 discussions and provide feedback.

27 And I think one of the most important
28 parts of providing that feedback is having the
29 experience and knowledge that's only gained from
30 participation in this panel. So I'd be afraid of
31 losing that experience, whether it's from a state
32 representative or from an industry leader.
33 That's all I have to say. Thanks.

34 MR. BROOKS: Thanks very much, Greg.
35 And I'll note in the chat Sonja weighing in,
36 saying she's okay with it and noting, I think as
37 was said earlier, that these are open meetings
38 with opportunities for public comment and the
39 ability to rejoin after a year. So all those
40 factors give her comfort in this.

41 Jeff Oden and then over to Bob
42 Humphrey. Jeff, your line is open now. Jeff,
43 have you accepted? We just opened it again.
44 Jeff, trying again. Okay.

45 Let's bring someone else in and see if
46 we can get that unstuck in a moment. Bob
47 Humphrey? I appreciate that we're hearing from a
48 lot of folks who we don't hear from quite as

1 often. So it's good to get that broad
2 perspective.

3 MR. HUMPHREY: Hi.

4 MR. BROOKS: Bob, go ahead.

5 MR. HUMPHREY: Can you hear me now?

6 MR. BROOKS: Now we got you.

7 MR. HUMPHREY: Okay, great. I just
8 want to briefly echo Marty and David's comments.
9 I think from the perspective of an AP member,
10 there's quite a bit of a learning curve. And I'm
11 just now feeling comfortable with the whole
12 process and how to contribute effectively.

13 And from the Agency's standpoint, I
14 think the institutional knowledge is extremely
15 valuable. And it will be a shame to lose that,
16 the people who have it, who want to contribute
17 it. So my comments very briefly. Thank you.

18 MR. BROOKS: Thanks, Bob. Appreciate
19 that. Let's go to either Jeff Oden or Dewey, if
20 we can get Jeff back in the mix here. Jeff, your
21 line is open again. Do you want to try it one
22 more time?

23 Okay. Something is going wrong there.
24 Let's bring Dewey in. And Jeff, if you're
25 hearing me, maybe you can throw your comment into
26 the Q&A and I can talk it in. Let's bring in
27 Dewey. Dewey, your line is open now. I can,
28 Dewey.

29 MR. HEMILRIGHT: Okay, good. Yeah, I
30 don't think it's a good idea. Partly maybe
31 something else needs to be figured out. And I've
32 been participating probably since 1994 with the
33 shark operator term start.

34 And I know from my experience at the
35 Mid-Atlantic Council, my first few years there,
36 there was a learning curve on that process of
37 learning stuff. For folks that talked about
38 being dinosaurs in 20 years, maybe if they --
39 they could choose not to reapply. This is a
40 voluntarily type of application.

41 And folks that's in the industry --
42 any industry with the knowledge and the
43 background of that is critical because having the
44 institutional knowledge and learning from it
45 helps new participants in understanding. A lot
46 of folks that are here voluntarily are entrenched
47 in industries that it's vital to what they're
48 doing. So I think there needs to be some aspect

1 given that this is voluntary, you don't have --
2 this is not a forced position of applying.

3 And also, I know particularly to the
4 council, we have an AP committee where council
5 members, we look over and bet who's to be put on
6 AP based on their experience or could be
7 experienced, not just a body in a seat. So that
8 could bring something to that process. So I
9 would really recommend thinking about looking at
10 something a little different than the mechanism
11 you're choosing now. Just I think you all will
12 have a better outcome. And maybe you put -- just
13 to go that route. Thank you.

14 MR. BROOKS: Thanks. Thanks, Dewey.
15 Let's go to Marcos. Marcos, your line is open.

16 MR. HANKE: Hello?

17 MR. BROOKS: Yeah, I can hear you,
18 Marcos. Go ahead.

19 MR. HANKE: Okay. Yes, I think it
20 should be considered some extra seats, like, for
21 a senior position on the AP that run parallel
22 with terms, that the Agency would have the
23 ability to keep this historical knowledge for
24 those folks, maybe divided by region or divided
25 by sector, something working on those lines,
26 like, some three to five positions held by senior
27 or experienced or any title you guys want to give
28 because I agree. It's very hard to lose the
29 people that are moving those (audio
30 interference). Thank you.

31 MR. BROOKS: Thanks very much. Let's
32 try to go to Jeff Oden again and then to Mike
33 Pierdinock.

34 MR. ODEN: I'll try it one more time.
35 Do you hear me?

36 MR. BROOKS: Hey, we got you. Good
37 news, Jeff. Go ahead. Oh, we had you, Jeff.

38 MR. ODEN: Do you hear me now?

39 MR. BROOKS: Yeah, we got you. Talk
40 fast. We lost you again, Jeff. I don't know
41 what's going on there.

42 MR. COCKRELL: -- request to unmute.
43 See if you can --

44 MR. BROOKS: Okay, Jeff. Let's try it
45 one last time. I'm not sure why you're cutting
46 in and out there. All right. Let's go to Mike
47 Pierdinock and come back to Jeff again.

48 MR. PIERDINOCK: Can you hear me?

1 MR. BROOKS: We got you, Mike. Go
2 ahead.

3 MR. PIERDINOCK: Thank you. To note,
4 I'm President of Stellwagen Bank Charter Boat
5 Association. My comments are basically on behalf
6 of the Stellwagen Bank Charter Boat Association
7 which Marty, David, Bob, and Dewey did an
8 excellent job of capturing the concerns that we
9 have. The association which I represent as
10 president consists of a little over 100 members,
11 all cross section, recreational, for-hire,
12 commercial, primarily targeted bluefin tuna
13 commercially hook line.

14 And as been indicated earlier, we are
15 all volunteers. We don't get paid. We don't get
16 any infusion of money from any other NGOs or any
17 other sources. So we're not paid to be at the
18 table.

19 This creates great difficulty for
20 those in the for-hire fleet to show up or the
21 general category of commercial fishermen to show
22 up to these meetings. Now for us in the
23 northeast, I think as you know, we have a six
24 month window and we have to fish and make hay
25 while that happens. This meeting right now is
26 right in the midst of the bluefin tuna bite.

27 So if I go to members to try to get
28 them to participate which we have a few that
29 would be willing, it conflicts with this date in
30 September which never changes, then also in May.
31 We have a black sea bass season opens May 18th,
32 and it's like a circus up here. So most from the
33 for-hire fleet are participating, and we have to
34 be there for that.

35 That also then impacts the ability to
36 get here. So there's various variables of when
37 this is taking place which reduces the
38 availability or the data set, per se, of who
39 would want to volunteer. One main thing, I
40 agree. The knowledge that is brought to the
41 table among all the individuals in the AP, I
42 think that could be lost.

43 And whether I agree or disagree with
44 their knowledge, they need to be there. They
45 need to be heard -- oh, excuse me, disagree with
46 their opinion. They need to be there. And I
47 would not see that loss.

48 So how do we -- or how you make this

1 work to continue that, at that end, you have your
2 one-year option. But that one year, you lose.
3 But it's almost in a sense, if I look at Marty
4 and his commercial longlining and all the
5 commercial means and methods that took place 30
6 years ago, they're becoming an endangered
7 species.

8 We're the same with the for-hire
9 fleet. There's a lot fewer of us. I hope it
10 doesn't come to the point that there's so few
11 that why has this body been put together to get
12 the input from those few, whether it's for-hire
13 or commercially that are left? So --

14 MR. BROOKS: Thanks, Mike.

15 MR. PIERDINOCK: -- that sums it up.
16 Thank you.

17 MR. BROOKS: Thanks. And I'm going to
18 read in Jeff's comment in the Q&A says, I hate
19 computers. Anyway, I agree that the reps from
20 each respective organizations needs continuity.
21 If I timed out, I'm ready to go.

22 However, how much input can we have in
23 getting a competent replacement? In my case, if
24 I'm timed out, I have a smart new kid who happens
25 to be a judge's son. You all will be sorry you
26 got rid of me. And then Greg Hinks weighed in
27 saying, considering the amount of input and level
28 of conversation we receive for the long term soon
29 to be termed out members, I think we can expect a
30 decrease in the value of these meetings when
31 their voices are lost.

32 I got three folks who haven't yet had
33 a chance to weigh in and one who wants to weigh
34 back in. And we've got a few minutes, so let's
35 go through it. Let's go to Scott, then Rick
36 Weber, then Alan Weiss, and then back to David if
37 we have time. Scott?

38 MR. TAYLOR: Yes, thank you. I want
39 to echo basically what you're hearing from
40 everybody else which is that those of us that are
41 active within the industry, particular for -- on
42 the commercial longline sector are becoming
43 farther and few between. And far less they're
44 going to be really effective at being able to
45 communicate what is being said here or what needs
46 to be said here that -- and as has been pointed
47 out, this is not a rulemaking body. This is only
48 for information sake.

1 And to lose the pool of the ability
2 and the talent which I feel in some of these
3 sectors would be a real loss, I think, to the
4 industry. I have been here for quite a bit of
5 time, and I have mixed feelings about my
6 participation. Sometimes I feel that those of us
7 that have the level of experience do add
8 substantially to this meeting.

9 And one of the things that concerns me
10 is -- I've got your web page up here for the
11 advisory panel. And I can't tell you the number.
12 But a substantial number of these people you
13 never hear from.

14 They occupy a seat here, but they're
15 really not actively participating, at least in a
16 verbal way. And that's somewhat obviously
17 problematic that's there, that I would hope that
18 the Agency before -- if it goes down this path,
19 and it appears that's the way that you're going,
20 it's going to build some flexibility in either
21 one of two ways and the way that Marcos suggested
22 which is that we at least set a particular seat
23 aside for each sector that doesn't get
24 grandfathered out -- I mean, that doesn't get
25 removed in the same way that you have provided
26 that for the council reps, the state reps. And
27 it was obviously much easier for either the
28 academics or those various different -- a couple
29 of the different sections of environmental to be
30 able to vet somebody in.

31 We're going to have a really hard
32 problem from -- really hard time bringing
33 somebody to the table here that's going to be
34 able to fill, for example, Marty's expertise that
35 extends far beyond just -- and everything that he
36 sits on that we interact with. And this is
37 obviously a very, very important time for us. So
38 the other thing that I would ask is that if you
39 go down this road, maybe you could add one here,
40 who is actually going to term out within the list
41 here for the AP at least to give the people or
42 sectors an opportunity to try to internally vet
43 somebody that can be put forward and to
44 communicate with those that are not active.

45 And then I do have one question. I'm
46 going to let you go. What happens if you really
47 don't have a viable candidate with -- you got
48 three or four guys are terming out in a

1 particular commercial sector, but you don't have
2 the applications to fill those seats. How are
3 you going to deal with that?

4 MR. BROOKS: All right. Maybe HMS can
5 react pretty quickly, then I want to make sure
6 we're hearing from everybody. Go ahead, Pete.

7 MR. COOPER: Oh, yeah. And that means
8 sometimes if we have a situation like that, we
9 might end up reaching out to different folks to
10 see if they're interested in serving on the
11 panel. That's a quick answer to that.

12 MR. TAYLOR: Are you going to build
13 the flexibility in that if you choose not to term
14 somebody out that you can do that?

15 MR. COOPER: So somebody term -- well,
16 I wouldn't reach out to somebody that terms out.
17 (Simultaneous speaking.)

18 MR. TAYLOR: If you're unable to --
19 what I'm asking you is if you're unable to fill a
20 seat that is viable, are you going to build into
21 this the ability to make an exception to whether
22 or not somebody can operate consecutively more
23 than three terms?

24 MR. COOPER: That's not the plan right
25 now.

26 MR. BLANKINSHIP: The plan is to
27 create a term limit program that would be applied
28 the same to everybody across the board. And I do
29 want to highlight, as you all know, that the
30 primary way that we make known the request for
31 nominations is through the Federal Register and
32 it's made known publicly. And then we also send
33 out an HMS News listserv and try to make as many
34 folks as possible aware of the opportunity so
35 that we can recruit those that are interested.
36 And just want to make sure everybody is aware
37 that that is the primary way that we receive
38 those nominations is through those public
39 notifications.

40 MR. BROOKS: Thanks. I want to make
41 sure we get some folks who haven't weighed in
42 yet. So I've got Rick Weber and Alan Weiss, then
43 Dave Kerstetter, and then Pat Augustine. So Rick
44 Weber?

45 MR. WEBER: -- please Dave Schalit.
46 Like so much of what you guys deal with, there
47 are really good -- pardon me.

48 MR. BROOKS: Whoops.

1 MR. WEBER: Background noise.

2 Apparently, I set my Alexa off by talking.

3 MR. BROOKS: Is that your alter ego,
4 Rick?

5 MR. WEBER: Yes, yes. Like so much of
6 what we deal with here, things come from really
7 good places. And what scares me isn't the intent
8 or even if it operated the way you intend it to.
9 It's the unintended consequences that you risk
10 setting off.

11 You say that the presidents of these
12 clubs will be back. They only have to take a
13 year off. But if Blue Water found a quality
14 candidate and brings that person in, does that
15 mean you're going to put both the vice president
16 and then bring back the president of Blue Water
17 the following year?

18 And then would you allow both Scott
19 Taylor and the government relations person for
20 Day Boat Seafood, assuming there is such a
21 person? Once you have that person in for three
22 years, to say that Marty or Scott or Pete
23 Chaibongsai or myself can come back, how does
24 that work once you have another person with a
25 three-year term who is already in a seat? You
26 risk giving that organization two voices rather
27 than its one if you don't then keep those
28 presidents out for the full two years -- full
29 three years.

30 Also, if somebody wants to end run the
31 system, what keeps the vice president of Blue
32 Water from coming aboard and immediately naming
33 Marty as proxy? Both of these are -- they are
34 foreseeable outcomes of this action. That does
35 not mean that we need to stay here forever.

36 And I applaud the idea of getting
37 fresh blood in. There are voices out there. But
38 the implications or the implementation of a
39 simple concept is going to throw waves, guys.

40 MR. BROOKS: Thanks, Rick.

41 MR. COOPER: And could I just -- real
42 quick.

43 MR. BROOKS: Go ahead, Pete.

44 MR. COOPER: So yeah, you're right,
45 Rick. It's one year off, then you can get in the
46 re-nomination process. It's no guarantee that
47 you get back on. And like I talked about
48 earlier, we try to find balance within the panel.

1 So that goes in the process of who we assign.

2 As far as proxies, you can come
3 forward and say, hey, I want this person to be my
4 proxy. But we, Randy, have the kind of final say
5 on who can serve as proxy. So doing the end run
6 thing, we can kind of take care of that.

7 MR. BROOKS: All right.

8 (Simultaneous speaking.)

9 MR. BLANKINSHIP: -- just to clarify
10 that seats on the AP are held by individuals and
11 not by organizations.

12 MR. BROOKS: Thanks, Randy. If I
13 could just ask the last few speakers as Rick just
14 did, folding in new fresh thoughts is good, or
15 just a quick ditto to things that have been said.
16 Alan? And again, I've got five minutes left
17 here. So please be tight with your time so we
18 can get everybody in. Alan and over to Pat, then
19 -- sorry, Alan then over to Kerstetter and then
20 to Pat. Alan?

21 MR. WEISS: It has been traditional
22 from the very beginning of this AP process that
23 the leader of certain important HMS fishery
24 groups such as Blue Water Fishermen's
25 Association, such as the entity that is
26 representing the general category, bluefin guys
27 of New England, has been a mainstay on the
28 committee. You just can't find more people that
29 have an equivalent or even approaching an
30 equivalent amount of both knowledge of their
31 fishery and a familiarity with an understanding
32 of the regulatory process. And it would not be a
33 good thing to lose those people.

34 It also would not be a good thing to
35 lose people that have -- that may not be the
36 leaders of organizations but which are -- who are
37 active participants and who have a long
38 institutional knowledge. The thing is the way
39 you set up the agendas for these meetings, the
40 way you run these meetings, you're assuming a
41 certain level of competence and institutional
42 memory which once you start turning people over
43 like this, it's going to degrade. And so the
44 quality of the discussion and the quality of the
45 information that you'll be getting will be
46 degraded. And that concerns me.

47 MR. BROOKS: Thanks, Alan.

48 MR. WEISS: And I think that Marcos'

1 proposal is kind of interesting as some kind of a
2 compromise idea. It's kind of funny to me that
3 you hold out the council system term limits as an
4 example because I happen to have been very close
5 to that situation when it was put together. And
6 the reason for doing it had nothing to do with
7 anything having to do with the operation of the
8 councils. It was just the only way to
9 expediently for politicians to get rid of a
10 certain objectionable individual --

11 MR. BROOKS: Hey, Alan?

12 (Simultaneous speaking.)

13 MR. WEISS: -- reappointed.

14 MR. BROOKS: Alan, I'm going to jump
15 in because I want to make sure we can get David
16 Kerstetter and Pat a chance to weigh in here too.
17 Thanks. Dave Kerstetter?

18 MR. KERSTETTER: Thanks, everyone.

19 Let me start out with respect to Scott.
20 Academics aren't easily replaceable either. We
21 have a wealth of experience with scientific
22 literature, Agency contacts, cooperative contacts
23 with vessels, et cetera.

24 Anyway, just going on. I do want to
25 point out that there's a difference in the types
26 of contributions that have historically occurred
27 at these meetings. Rick Weber and I had an
28 interesting discussion this morning about all
29 this work that used to happen in sidebars and the
30 ability to talk with Agency personnel kind of
31 offline and to meet with our colleagues that we
32 might not otherwise have a chance to talk with in
33 person and work out some of the differences.

34 So before we run into this big
35 discussion about replacing the structure in the
36 committee, let's not do that under the context of
37 Zoom or Webex sort of events but the sort of
38 meetings that we used to have that were a lot
39 more productive than what we're seeing right now
40 through Webex. And nothing to be taken horribly
41 by the Agency personnel. I know you're trying to
42 do your best under these conditions as well.

43 That said, I don't support term limits
44 for a number of the reasons that have already
45 been stated. There's a language and experience
46 of concepts dealing with HMS management to say
47 nothing of the individual experiences with the
48 particular fisheries that are represented on this

1 committee. And I think that you run the risk of
2 losing that experience and either having to scale
3 down your presentations or otherwise have more
4 elementary discussions than we currently have
5 now.

6 So I look at these AP meetings even
7 though they're not voting regulatory sort of
8 bodies as give and take with the Agency, and that
9 we act as a backstop to the Agent to make sure
10 that you've considered all of your options as you
11 propose management regulations. And I think that
12 the Agency runs a bit of a risk if you lose that
13 expertise on the side of the AP. So just
14 something to consider going forward.

15 That said, I'm glad we had this
16 discussion. And if you serve no other purpose
17 than to maybe encourage a couple people to bide
18 their time elsewhere, then maybe this has a
19 productive outcome after all. Thank you so much.

20 MR. BROOKS: Thanks, David. Pat, you
21 get the last word here. And we should've been to
22 public comment a minute or two ago. So help us
23 make sure we have that time. Pat, your line is
24 open now.

25 MR. AUGUSTINE: Can you --

26 MR. BROOKS: We can hear you, Pat,
27 yeah. Well, we were hearing you a second ago.
28 Can we send him another invite again?

29 MR. COCKRELL: Yes, I just did.

30 MR. BROOKS: Okay. Pat, try again.
31 I'm sure Pat was going to say something about our
32 not having cookies. But let's try one more time,
33 Pat. All right.

34 While we're trying to get Pat in the
35 mix, I will just note a few comments from the
36 chat. One, a few people talked about the
37 potential for public input. And it was noted
38 that the public input portion is limited. And so
39 --

40 MR. AUGUSTINE: I'm back.

41 MR. BROOKS: Go, Pat, go.

42 MR. AUGUSTINE: Okay. All right.
43 Since we've been to Webex, you don't get my
44 cookies. And I have only been on the sidelines
45 listening. I participated from my own point of
46 view, taking notes on all the meetings we've had
47 since we've been on Webex.

48 Let's get right to the point here. I

1 think when you go to term limits, we will end up
2 with the same problem that the commissions and
3 councils are having. You'll not only lose the
4 institutional knowledge and secular knowledge,
5 but what you do is have such a turnover because
6 of various appointees that come in from the
7 government appointees and so on.

8 That's only part of it. I would
9 suggest going to a five-year plan as those folks
10 that have spoken very eloquently about what the
11 issues are if we're going to term limits. I'll
12 start with Mike and Dewey and Scott and David
13 recently and Alan and so on.

14 They all say the same thing. You'll
15 sit in that meeting for two or three years before
16 you really get a handle on what's going on. And
17 the balance comes from those folks that are in
18 industry representing groups such as Marty and
19 Alan and so on.

20 They're the ones who can counter or
21 bring to the table the information that the staff
22 needs to know as to whether the things they're
23 presenting are logical, reasonable, and
24 acceptable and will they work. So those are the
25 things you have to worry about. Again, I think
26 if you look at the unintended consequences of
27 going to term limits, we will end up losing so
28 much experience that sits around that table that
29 just you can't measure that value.

30 And again, the bottom line is it's a
31 voluntary system for everybody. And as Marty and
32 others have pointed out, it's their money, their
33 time, as Mike has said. You've got a group
34 that's had limited exposure to the fishing. He
35 does represent 100 captains and so on.

36 The point I'm making here is without
37 these sectors, and I'll call them sectors, being
38 represented by an individual who's committed to
39 evaluating, assessing, reading, and participating
40 in the discussion. I think you'll lose that.
41 You're going to lose it. So in order to --

42 MR. BROOKS: Thanks, Pat.

43 MR. AUGUSTINE: Okay. So I think
44 that's about it. But again, anytime you want to
45 have another meeting, I'll bring the cookies.
46 And God bless you all.

47 MR. BROOKS: Thank you.

48 MR. AUGUSTINE: Bye-bye.

1 MR. BROOKS: Thank you, Pat. And it's
2 nice to hear your voice. I know you've been on
3 the call all three days.

4 I only just know one other comment in
5 the chat which has now come up. It's just a
6 connection between the expertise that's developed
7 here and the international fora that folks
8 participate in. I don't think that's been
9 mentioned. I just wanted to name that.

10 So with that, thank you all for the
11 comments. You have given the Agency a lot to
12 think about. And I think it's been a pretty --
13 that we've heard some range of views obviously
14 the pretty strong thumb on the scale here is a
15 lot is at risk through term limits, so for the
16 Agency to consider.

17 With that, we should get to public
18 comment, a few minutes late here. So members of
19 the public, if you are wanting to weigh in here,
20 this would be your moment. Please raise a hand
21 using the feature at the bottom, the smiley face,
22 or open up a dialogue box and you can raise your
23 hand. If you're on the phone, just hit *3.

24 If none of those are working for you,
25 just throw into the Q&A that you want to be
26 making a comment. And we would ask you to start
27 with your name, affiliation, and the topic that
28 you want to talk to. So again, raise your hand
29 at this point if you would like to get into the
30 queue for public comment.

31 I'm not seeing anything yet. But Pete
32 or Craig, if you are seeing anything, please
33 weigh in. I see Katie Moore (phonetic) saying
34 thank you for an informative meeting.

35 Charlie Bergmann, I see your hand.
36 Let's open your mic. And again, if you could
37 start with name, organization, affiliation, and
38 then a comment. Yeah, we got you, Charlie. Go
39 ahead.

40 MR. BERGMANN: Okay. Charlie
41 Bergmann, I just wanted to comment a little bit
42 on the PRISM. I think it's an excellent program
43 that you got moving forward. I look forward to
44 when you get to the Gulf of Mexico.

45 There is some data of those closed
46 area, DeSoto Canyon closed area sampling that was
47 done post-Deepwater Horizon and NRDA process as
48 well as some of the circle hook work we did down

1 there. Thanks again. You all have a good day.

2 MR. BROOKS: Great. Thank you,
3 Charlie. Any other member of the public want to
4 weigh in here? This would be your moment. Okay.
5 I have not seen anybody else wanting to weigh in.

6 So at this point -- and I'll note that
7 Dewey had put a question in the chat about how
8 many applications are actually submitted each
9 year for each sector? And I think there's not an
10 immediate answer to that. But staff will take a
11 look at that and get an answer back on that
12 question.

13 MR. BLANKINSHIP: I can just generally

14 --

15 (Simultaneous speaking.)

16 MR. BLANKINSHIP: -- respond. It
17 varies. It changes from year to year. Some
18 years we get more, and some years we get fewer.
19 And of course, in different years, we have
20 different numbers of open seats within different
21 sectors.

22 And sometimes that affects how many
23 nominations that we get. And so I would say I'd
24 give you a ballpark range of about how many we
25 get. Sometimes we get as few as one per seat and
26 then sometimes we may get as many as probably
27 around ten or so in that ballpark per seat. So
28 it just really varies. So --

29 (Simultaneous speaking.)

30 MR. BROOKS: Thanks, Randy. Thanks.
31 So Dave Kerstetter, just by way of wrapping up,
32 you noted that being in this virtual environment,
33 we lose a lot and that is undeniably true. And I
34 am aching for the chance to be back in person.

35 I will add, however, that I want to
36 just really appreciate the quality of the
37 conversation that we have managed to have in this
38 environment. So it's a real kudos to the
39 presentations of the HMS folks have been doing
40 and to all of the AP members who I think have
41 done a really nice job of adapting and giving
42 really focused comments and making this tough
43 time better and I think at least giving the
44 Agency the benefit of your input. So yeah, it's
45 not perfect.

46 It's really not perfect, but it's
47 helpful. And it's helpful because you all are
48 making it. So Randy, I think the protocol these

1 days has been for you all to put out that brief
2 summary after the meeting as opposed to at this
3 meeting. But I just want to hand it over to you
4 to make any final comments before we close up
5 here for the fall meeting.

6 MR. BLANKINSHIP: Sure. Thank you,
7 Bennett. And I want to, first of all, thank all
8 of the HMS Management Division staff that have
9 worked very hard to organize this meeting,
10 prepare presentations, and do a great job with
11 that. And then also those folks that were
12 working very hard to actually make the Webex
13 work. It is an extremely challenging job. And
14 they have done a very good job of doing that. So
15 thank you all for that work.

16 I also want to thank all of the AP
17 members for your time again, three days' worth of
18 coming together and providing input to us. I
19 recognize it certainly takes away from your other
20 activities and responsibilities. And we really
21 appreciate that time, and we really appreciate
22 the input. Thanks for doing that.

23 As has been said, we recognize the
24 virtual meetings are not that great in many ways.
25 They are filling a need, and we are able to get
26 information from you all. But we also prefer the
27 face-to-face meetings. And I hope that we will
28 be having one in the spring, and we shall see if
29 that happens. So stay tuned. Hopefully, it will
30 happen that way.

31 As Bennett said, the wrap up
32 presentation that we put together, as we've been
33 doing, we will post it online in the AP meeting
34 agenda up towards the top. And so be on the
35 lookout for that. That'll be coming in the next
36 few weeks.

37 And the only other thing I wanted to
38 mention before I hand it back over to you,
39 Bennett, is really just a few words as certainly
40 today and tomorrow and through the weekend, it
41 will be on a lot of folks' minds and on your
42 hearts about the 20-year anniversary of September
43 11th. And tomorrow marks that anniversary of
44 those horrific events. And I just want to take a
45 brief moment to recognize that and the people
46 that died, all of those firemen, police officers,
47 and first responders that rushed to help and some
48 of who gave their lives as well.

1 And I also want to recognize the
2 compassion and support that was outpoured across
3 our country during the aftermath of the attacks.
4 Many of us knew people that were killed, injured,
5 or involved with responding. And following that
6 tragic moment, our country was unified by an
7 amazing unified resolve that demonstrated the
8 strength of our country. So I encourage you all
9 to participate in events of commemoration this
10 weekend or just to simply take a quiet moment to
11 remember. Thanks a bunch.

12 MR. BROOKS: Thanks, Randy, for
13 calling in that moment. Appreciate it. Well, I
14 just want to say again thank you all, and we
15 should let you go.

16 We've taken up two and a half days of
17 your time, and we will see you all in the spring.
18 And I'm sure HMS will be talking to many of you
19 before then. So thanks all very much, and have a
20 good weekend. Thanks.

21 (Whereupon, the above-entitled matter
22 went off the record at 11:28 a.m.)
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C E R T I F I C A T E

This is to certify that the foregoing transcript

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Species Advisory Panel

Before: U.S. NOAA

Date: 09-10-21

Place: teleconference

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