

U.S. DEPARTMENT OF COMMERCE

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NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION
(NOAA)

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HIGHLY MIGRATORY SPECIES ADVISORY PANEL MEETING

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THURSDAY
MAY 11, 2023

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The Panel met at the Doubletree by Hilton Silver Spring, 8777 Georgia Avenue, Silver Spring, Maryland, at 9:00 a.m. EDT, Bennett Brooks, facilitating.

MEMBERS PRESENT

Academic Sector:

DEMIAN CHAPMAN, Mote Marine Lab
JEFF KNEEBONE, New England Aquarium
ZACH WHITENER, Gulf of Maine Research Institute

Commercial Sector:

CHARLIE BERGMANN
STEVEN GETTO, American Bluefin Tuna Association
JAMES HULL, Hull Seafood
MATT HUTH, Fresh Catch Seafood
AL MERCIER
CHINH NGUYEN, F/V St. Joseph & Peter
TIM PICKETT, Lindgren-Pitman, Inc.
GEORGE PURMONT
DAVID SCHALIT, American Bluefin Tuna Association
SCOTT VAETH

ALAN WEISS, Blue Water Fishing Tackle Co.

Environmental Sector:

JOHN BOHORQUEZ, The Ocean Foundation
RAIMUNDO ESPINOZA, Concervación ConCiencia Inc.
SONJA FORDHAM, Shark Advocates International
JACKSON MARTINEZ, Environmental Defense Fund

Recreational Sector:

PETER CHAIBONGSAI, The Billfish Foundation
WILLY GOLDSMITH, American Saltwater Guides
Association
MARTHA GUYAS, American Sportfishing Association
EVAN HIPSLEY
BOB HUMPHREY, Sport-Ventures Charters and Casco
Bay Bluefin Bonanza
ERIC JACOBSEN
CHAD McINTYRE
ROBERT NAVARRO, Fly Zone Fishing
MICHAEL PIERDINOCK, CPF Charters "Perseverance";
Recreational Fishing Alliance
BRUCE POHLOT, International Game Fish
Association
MARK SAMPSON, Ocean City Charterboat Captains
Association
RICK WEBER, South Jersey Marina

Council Representatives:

TOM FRAZER, Gulf of Mexico Fishery Management
Council
DEWEY HEMILRIGHT, Mid-Atlantic Fishery
Management Council
MARCOS HANKE, Caribbean Fishery Management
Council

State Representatives:

JASON ADRIANCE, Louisiana Department of Wildlife
and Fisheries
AMY DUKES, South Carolina Department of
Natural Resources
YAMITZA RODRIGUEZ FERRER, Puerto Rico
DNER/Recreational and Sport Fisheries
Division

GREG HINKS, New Jersey Department of
Environmental Protection

CHRISTINE KITTLE, Florida Fish and Wildlife
Conservation Commission

GREG SKOMAL, Massachusetts Marine Fisheries

PERRY TRIAL, Texas Parks and Wildlife Department

ABBY VAUGHN, Mississippi State University

ANGEL WILLEY, Maryland Department of Natural
Resources

ICCAT Advisory Committee:

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

NOAA NMFS STAFF PRESENT

RANDY BLANKINSHIP, Division Chief, Highly
Migratory Species Management Division

CONTENTS

	PAGE
Welcome/Recap.....	5
eReporting Advanced Notice of Proposed Rule.....	7
Draft EFH 5-Year Review.....	82
Enforcement Update Presentation.....	121
Public Comment.....	145
Daily Wrap-up.....	149
Adjourn.....	152

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2
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4
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6
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P-R-O-C-E-E-D-I-N-G-S

9:00 a.m.

MR. BROOKS: All right. If folks want to come to the table, we will get going here. It's 9 o'clock; time to get started of day three.

Randy, over to you.

MR. BLANKINSHIP: Just a quick couple of words of welcome back this morning. I hope you all had a good evening, and we're looking forward to a shorter day today but, yet, one that's filled with some really good information. Looking forward to continued comments and discussion with you all.

MR. BROOKS: Great. Thanks, Randy. And, again, good morning to everybody. Yesterday was definitely a long day. A lot of tough issues, but we, I think, we all got a really good flavor for the kinds of ideas and issues that need to be thought through. I thought it was really important conversation, very rich in detail and passion, and that's okay and necessary. So thank you all for being so focused and staying on. And for folks that stayed for the post-game session from 6 to 7, we had another good

1 conversation. I think we probably had about 20 or 30
2 people in the mix, so thanks to those of you who were
3 able to stay.

4 Today, as Randy said, it's a shorter day.

5 We will only go until 12:15 today, and we're going to
6 cover just a couple of topics. In a minute, we'll
7 hear about an advanced notice of proposed rulemaking
8 related to electronic reporting requirements. We'll
9 also discuss Essential Fish Habitats Five-Year Review,
10 and then we'll get an update on enforcement from
11 folks, as we always do.

12 We will be taking a break at 10:15. For
13 any members of the public who are in the room or
14 online, we will go to public comment at about 11:45 or
15 so. That could be a touch earlier or later, depending
16 on where we are on the schedule. And, again, we will
17 finish up by 12:15.

18 Ground rules, just the usual. Contribute,
19 share time with everyone, ask questions of each other.

20 Again, I'll just sort of run the queue bouncing it
21 back and forth between the room and online, among the
22 sectors, et cetera. And for anyone who, from the

1 public who is new to the conversation today, just to
2 remind everyone, the conversation is just among the
3 panel members until we have public comment, so please
4 be aware of that.

5 Any questions from anybody around the
6 table about, again, sort of what we're up to today?
7 Any sort of questions sort of doubling back to
8 yesterday or reflections that anyone wants to fold in?

9 Okay. If not, then let's just jump right
10 into it, and over to you, Carrie.

11 MS. SOLTANOFF: Thanks, Bennett. Good
12 morning, everybody. I'm Carrie Soltanoff, and I'm
13 presenting on the Advance Notice of Proposed
14 Rulemaking on the Atlantic HMS Electronic Reporting
15 Requirements.

16 An outline of this presentation, I'll be
17 covering an overview and need for action. And then
18 I'm going to cover all the topics that I'll be going
19 over in the presentation because it's quite long, and
20 so I want everyone to know that we're going to
21 probably talk about something that you're interested
22 in at some point during the presentation. So looking

1 at commercial Atlantic HMS and Southeast coastal
2 fisheries logbooks, talking about Atlantic Tunas
3 General and Harpoon Category Permits and Swordfish
4 General Commercial Permit reporting, HMS
5 Charter/Headboat Permit reporting timing requirements
6 related to reporting submission, HMS angling permit
7 reporting and measures to improve reporting
8 compliance. And so those are all under vessel
9 reporting.

10 Then we'll also be talking about dealer
11 reporting and HMS Exempted Fishing Permit program
12 reporting. And then we'll get into our request for
13 comments.

14 And then I just wanted to quickly mention,
15 so this is ANPR, Advance Notice of Proposed
16 Rulemaking. At least in HMS, we haven't put out this
17 specific type of document in a while, but what we're
18 presenting on is sort of a range of issues and
19 management options related to reporting, so we're
20 really looking for feedback on the options that we're
21 presenting and sort of the pros and cons that we're
22 presenting along with them, but we're also looking for

1 any feedback on, you know, additional management
2 options that have to do with reporting.

3 So broad overview and need for action on
4 this reporting ANPR, we're looking to consider ways to
5 streamline and modernize logbook reporting by
6 converting existing commercial paper logbooks to
7 electronic logbooks. We're looking to expand logbook
8 reporting to for-hire and commercial vessel owners via
9 electronic logbooks, which would be consistent with
10 agency efforts in other fisheries and augment the data
11 that we use for fishery management. We're looking to
12 collect additional information through existing
13 electronic reporting mechanisms for dealers and
14 recreational vessel owners and to facilitate HMS
15 reporting, including ways to incentivize reporting
16 compliance or penalize noncompliance. And, finally,
17 offering electronic reporting platform for the EFP
18 program.

19 So our first topic, vessel reporting, is
20 looking at the commercial Atlantic HMS and Southeast
21 coastal fisheries logbooks. Currently, these logbooks
22 are submitted in paper form, and the agency is

1 considering taking that same information that's
2 submitted on paper but having it submitted via
3 electronic logbook. And as many of you may be
4 familiar, the GARFO permit holders are already
5 required to report via electronic vessel trip reports,
6 and then the South Atlantic and Gulf of Mexico
7 councils with the southeast region, they're also
8 considering moving to electronic logbooks. And
9 electronic logbooks would allow for submission of a
10 single electronic report that could satisfy
11 overlapping requirements.

12 So under this section, we're looking at
13 two management options. One is dealing with the
14 weigh-out slips that are submitted along with the
15 paper logbooks, and the second is reporting
16 requirements for smoothhound shark permit holders.

17 So weighout slips, the figure here is sort
18 of walking through what are the sort of offloading and
19 reporting looks like where the fish are brought to the
20 dock and they're landed at port and weighed and
21 purchased by a dealer. And at that point, weighout
22 slips are filled out by the dealer or the fishermen,

1 and then the dealer is reporting to the HMS Management
2 Division and the vessel owner/operator or fisherman is
3 submitting the weighout slips along with their logbook
4 to the Southeast Fishery Science Center.

5 And so these weighout slips involve
6 tallies and weights of individual fish offloaded by
7 the vessels, recorded on paper, and then mailed in
8 with their logbook, as I was mentioning, and there's
9 no standardized form for weighout slips. So as we're
10 thinking about moving electronic, we're considering
11 this information that's captured on these paper
12 weighout slips and how to best capture it moving
13 forward. So there is some information issues that
14 we're looking for information on that we're
15 considering as we move forward, and that has to do
16 with the entity, whether the dealer, captain, crew
17 member is creating the weighout slips; the mechanism
18 or approach for creating weighout slips; the timing of
19 creation; if it's at the first port or every port of
20 offloading; if fish are included or not included on
21 weighout slips, so including fish of low quality that
22 are not sold to the dealer or those that are kept for

1 personal consumption; and approaches for using time
2 and cost burden associated with weighout slips such as
3 having a standardized format or having an electronic
4 submission.

5 The other issue that we're looking for in
6 this section is reporting requirements for smoothhound
7 shark permit holders. Currently, under the status
8 quo, those permit holders who have smoothhound shark
9 permits are not required to report their catch
10 directly. However, 61 percent of smoothhound shark
11 permit holders also hold GARFO permits, and, since
12 they hold their GARFO permits, they're required to
13 submit information on all trips and all species in
14 eVTR. So they are submitting catch through the eVTR
15 in that case.

16 And so the other option that we're looking
17 at is including the smoothhound shark permit in the
18 requirement to submit an electronic logbook, and so
19 that would improve catch information by capturing that
20 data across those permit holders and it would make
21 smoothhound shark reporting requirements consistent
22 with other commercial shark permits.

1 The next topic under vessel reporting is
2 the Atlantic Tunas General and Harpoon Category
3 Permits and Swordfish General Commercial Permits.
4 Here, we're considering implementing a more
5 comprehensive electronic logbook beyond current
6 electronic catch reporting, and we're looking at ways
7 to get more detailed effort and catch data to
8 determine catch-per-unit-effort and improve reporting
9 to ICCAT.

10 So there's three management options in
11 this section, to continue reporting of bluefin
12 landings and discards on trips where bluefin are
13 caught, as is currently done; to expand trip reporting
14 requirements related to the currently-reported species
15 via electronic logbook; and to expand species and trip
16 reporting requirements via electronic logbook.

17 So looking at these options in a little
18 more detail, the first option is continuing reporting
19 bluefin landings and discards on trips where bluefin
20 are caught via website or app, as is currently done.
21 We also currently offer a phone line for reporting.
22 We'd be considering getting rid of that and just

1 having the reporting via website or app.

2 The second option is reporting bluefin
3 landings and dead discards but having that reporting
4 go through an electronic logbook that would be
5 required for all trips with effort targeting bluefin,
6 regardless of if the fish are caught.

7 And the third option is expanding both
8 species and trip-reporting requirements via electronic
9 logbook, and we have three sub-options here. The
10 first is to require reporting of all HMS. The second
11 is to require reporting of all species caught,
12 including non-HMS. And the third is to require
13 reporting on all trips regardless of if fish are
14 caught, and this third option could be done in
15 conjunction with requiring just HMS reporting or
16 requiring all species reporting.

17 So these B2 and B3 options, as I
18 mentioned, would provide information to determine
19 catch-per-unit-effort, particularly in the bluefin
20 fishery for B2 and in other fisheries for B3. And
21 noting that vessel owners, as I was mentioning, that
22 also hold GARFO permits are already required to report

1 all trips.

2 The third option in particular, reporting
3 expanded species and reporting expanded trips, would
4 provide detailed catch and effort information that's
5 currently collected by the Large Pelagics Survey and
6 could reduce the need for participation in LPS surveys
7 in the future and would allow fisheries to have the
8 more detailed catch-per-unit-effort information that
9 could contribute to stock assessments for tunas in
10 particular and management strategy evaluation.

11 The next topic under vessel reporting is
12 Charter/Headboat electronic logbook. We're
13 considering requiring vessel owners to submit
14 electronic logbooks via an approved system to
15 streamline reporting requirements across regions. And
16 as you probably know, electronic for-hire logbooks are
17 already in place in New England, Mid-Atlantic, and
18 South Atlantic fisheries.

19 So we have four management options related
20 to logbooks. The first has to do with species
21 reporting, the second is no fishing reports, the third
22 is cost and earnings information, and the fourth is

1 geospatial information. And so I'll break down sub-
2 options under each of these in the following slides.

3 First, species information, we're looking
4 at three sub-options. The status quo is that
5 Charter/Headboat permit holders are required to report
6 bluefin landings and discards, as well as swordfish
7 and billfish landings. The second sub-option would be
8 to report all HMS, and the third sub-option would be
9 to report all species. And these sub-options would
10 require reporting on all trips, regardless of where
11 fish were caught.

12 Reporting all species would be consistent with the
13 requirements in other for-hire fisheries in the South
14 Atlantic, Mid-Atlantic, and New England, and could
15 also remove the need for survey-based estimates of
16 catch and effort.

17 Looking at no fishing reports, the status
18 quo is that we don't require no fishing reports, and
19 this is consistent with New England and Mid-Atlantic
20 for-hire fisheries. The other option would be to
21 require fishing reports, which would be consistent
22 with the South Atlantic and would be also consistent

1 with Atlantic HMS logbook requirement in the
2 commercial fishery and would facilitate compliance
3 checks.

4 The C3 options are on cost and earnings
5 information. Currently, Charter/Headboat permit
6 holders are required to report costs and earnings
7 information if they're selected. However, they aren't
8 selected on a regular basis. There was a cost and
9 earnings study done in this sector for 2013. So the
10 three options would be to require reporting on each
11 trip, report only if the vessel is selected for
12 reporting, or to report via surveys.

13 And the C4 options are on geospatial
14 information. The status quo would be not to require
15 geospatial information, and the other option would be
16 to require submission of information, such as latitude
17 and longitude of fishing effort and area. And
18 collecting this geospatial information would help us
19 with numerous analyses on the distribution of the for-
20 hire fishery. It would help inform stock assessments
21 and economic analyses and would also help us when
22 we're asked to do analyses regarding spatial

1 management and off-shore developments, like offshore
2 wind, aquaculture, impacts of marine monuments, et
3 cetera.

4 The next section is on timing requirements
5 for submission of electronic logbooks. So to simplify
6 a little, we looked at one set of timing requirements
7 that could apply to any of the three topics that I was
8 discussing earlier, and the timing requirements that
9 we look at take into account current HMS requirements,
10 as well as GARFO and SERO requirements under different
11 programs.

12 So the six options are in order of, you
13 know, fastest reporting to having more time to report,
14 so submitting prior to landing, submitting within 24
15 hours, submitting within 48 hours, submitting or
16 completing reports to the extent possible prior to
17 landing, and then submitting within 24 hours or within
18 48 hours, and then, finally, submitting information
19 within seven days of offloading for commercial or once
20 per week for Charter/Headboat.

21 So generally speaking, reporting on a
22 shorter time frame can improve data quality. It can

1 reduce recall bias. It can improve stakeholder
2 confidence in the data, and it can expedite data
3 availability for fisheries management. However, it's
4 more restrictive, and some data elements might not be
5 available prior to landing, for example on the
6 tightest reporting. Generally, on a longer time
7 frame, there's more flexibility for reporting when
8 vessel owners have an opportunity, but it can increase
9 recall error and be less efficient for data
10 processing.

11 The next topic is angling permit reporting
12 requirements. In this section, NOAA Fisheries is
13 considering modifying species-specific reporting
14 requirements for angling vessel owners and data
15 received on additional species could aid in ICCAT
16 reporting and shark management under Amendment 14 and
17 under, you know, what we might move forward with in
18 Amendment 16, as Guy was mentioning yesterday.

19 And so the options here, the status quo is
20 reporting bluefin landings and discards and non-
21 tournament landings of billfish and swordfish. The
22 second option is the status quo reporting plus

1 reporting pelagic sharks. The third option is status
2 quo plus all sharks. The fourth option is status quo
3 plus bigeye, albacore, yellowfin, and skipjack, or the
4 BAYS tunas. And the fifth option is reporting all
5 HMS, including discards.

6 So increasing what species are required
7 for reporting, particularly looking at pelagic sharks
8 and BAYS tunas, would help with our data that we're
9 required to report to ICCAT. The reporting options
10 E2, E3, and E5, that would increase reporting for
11 sharks. As you know, as we were discussing yesterday,
12 under Amendment 14, we established a framework to
13 actively manage recreational sector quotas for sharks,
14 so it would help us have, you know, more accurate data
15 to do that. And if we were reporting on all sharks,
16 not just pelagic sharks, we would have that additional
17 data for coastal species that a rare event species in
18 MRIP, for example, and other surveys that often have
19 low-precision estimates or in high PSEs.

20 And the final topic under the vessel
21 reporting section is measures to improve reporting
22 compliance for vessel owners with HMS or open-access

1 permits. Here, as we've talked about many times, non-
2 compliance with reporting requirements is a challenge.

3 It's something that we are hoping to address, and
4 it's a challenge particularly to track landings in
5 real-time and to analyze trends. Part of what we were
6 looking at here when coming up with these options was
7 a recent survey of bluefin anglers that found that
8 incentives were the highest-ranked strategy to improve
9 reporting.

10 And so the two options that we're looking
11 at here are providing reporting incentives and using
12 permit blocks for non-reporting. So there are a few
13 examples of incentives that we included here,
14 including award certificates, prizes, and leader
15 boards. We understand optically that providing
16 incentives and prizes, in contrast to what we were
17 talking about yesterday with electronic monitoring,
18 can seem optically like a contrast. However, we are
19 trying to look at ways of improving compliance, and
20 we're open to options around the table to get at that,
21 and we thought that providing incentives on one hand
22 and the option of using permit blocks on the other

1 hand were a good range of options. And we would hope
2 that either of these would be able to potentially
3 increase reporting rates and improve data received,
4 which could increase our ability to monitor, for
5 example, bluefin sector quotas and something like
6 using permit blocks could increase perceived fairness
7 between vessel owners with limited access and open
8 access permits.

9 Okay. So that is the end of the vessel
10 reporting section. For dealer reporting, we are
11 looking at requiring individual fish reports and a
12 couple of technical changes in bluefin reporting
13 requirements. So requiring individual fish weights
14 across more species would improve data for future
15 stock assessments. It could help improve trip revenue
16 estimates, and it would help with ICCAT reporting.

17 So the status quo is that dealers are
18 required to report individual fish weights only for
19 bluefin tuna and that other species can be reported
20 individually or in aggregate. So we're looking at
21 increasing which species would be reported at the
22 individual level, so we have two options here. One is

1 to require all HMS be reported individually and the
2 other is to require swordfish, BAYS, and pelagic
3 sharks be reported individually. And those are the
4 ones that we're specifically reporting to ICCAT.

5 And then there's one technical change
6 we're considering, which is to remove the required
7 submission of biweekly bluefin reports as that data is
8 collected under other dealer reporting requirements.

9 For our EFP program, we're looking at
10 offering electronic reporting there and also a couple
11 of technical changes to the regulations. Currently,
12 under the EFP program, permit holders are required to
13 submit interim and annual reports, which are submitted
14 primarily via email but can also be submitted via
15 mail, and they're filled out in Excel spreadsheets and
16 PDF forms, and then that data is entered manually by
17 NOAA Fisheries staff.

18 So we're considering developing and
19 offering an online portal for electronic reporting by
20 EFP permit holders, which would automate the data
21 management and result in improved data quality and
22 more efficient and cost-effective processing and can

1 also streamline reporting for the permit holders
2 themselves and allow for automatic generation of
3 annual reports, for example.

4 And the two technical changes that we're
5 looking at, the first is that, currently, interim
6 reports are required within five days and we would
7 look at changing that to a timeline that would be
8 specified in the individual permits in the terms and
9 conditions. And the other technical change is
10 removing the requirements to notify the Office of Law
11 Enforcement for collection trips under display
12 permits.

13 And so, finally, our request for comments,
14 this ANPR filed yesterday, so appreciation of anyone
15 who had a chance to read it since then and, hopefully,
16 if not, you got a good amount of information out of
17 this presentation. It will publish tomorrow, and when
18 it publishes tomorrow that will open the comment
19 period, which will go through August 18th. And as
20 always, you can submit comments on regulations.gov
21 using the search term. We're also going to have a
22 number of public hearings and webinars that are listed

1 here starting on June 6th in Fort Lauderdale. And
2 this is the action website. All of the webinar and
3 hearing details are listed there, as well as the link
4 to the actual Federal Register notice. And this
5 effort was really carried out across all of HMS, so I
6 listed out all of the team members here who helped to
7 write different sections of this and can also probably
8 help to answer questions on this. So definitely feel
9 free to reach out to me or to reach out to anyone on
10 the team if you are used to talking to a certain
11 person on the team about a certain reporting topic.

12 And that's the end of the presentation.

13 Thank you.

14 MR. BROOKS: Great. Thanks very much,
15 Carrie. So we have a decent chunk of time to talk
16 about this. We thought about sort of taking it topic
17 by topic, but I think we're just going to sort of make
18 it wide open. So as you are commenting, just be real
19 clear on which aspect of this potential, what we're
20 talking about here.

21 So let's just, I'm going to start at the
22 table here and then bounce back and forth between the

1 room and online. But, Bob, we'll start off with you.

2 MR. HUMPHREY: Thank you. I appreciate
3 the presentation and bear with me as I'm having a
4 little trouble reading my own notes. I might be able
5 to combine some of these questions on, I think it's
6 page 11, option B3, and this would also apply to E5
7 General category and Charter/Headboat reporting. Is
8 that going to include or could it include catch and
9 live release of tuna, bluefin tuna?

10 MS. SOLTANOFF: Yes, it could include live
11 release.

12 MR. HUMPHREY: Okay. I really want to
13 emphasize that point because there's a huge data gap
14 there. The only information we're getting on fish
15 under 73 inches is from the recreational side, and
16 there's been some criticism about that information.
17 This is a huge, as I said, it's a huge gap that would
18 help us with assessments. And when we go to fight for
19 our share of the pie at ICCAT, we now have some valid
20 proof that commercial vessels are catching sub-legal
21 fish and that there is a huge proportion of smaller
22 fish entering that size class later on.

1 Next question. On Charter/Headboat lat-
2 long, how would that work? I mean, if I'm anchored
3 up, I put down my position and put it in the report,
4 but if I'm trolling, if I'm drifting, specifically
5 what would that look like mechanically?

6 MR. MCHALE: Yes. So I think it could
7 work a number of different ways there, Bob, you know,
8 especially it could be challenging with the handgear
9 fisheries, like are you anchored, is the location
10 where the anchor was set up or was it where you boated
11 the fish, where it started drifting and then the
12 drift, if I'm trolling what's my location.

13 So some of that would be all pertinent to
14 if we were looking for specific lat-long issues.
15 Potential other options, because this is a scoping
16 phase, could also be looking at something similar to
17 kind of what the Greater Atlantic Regional Office
18 already has. It's more statistical area based. You
19 know, so those options come in where the precision of
20 the lat-long, you know, it doesn't potentially have to
21 be that precise.

22 So I think, as the whole kind of effort

1 evolves, that sort of discussion would make sense to
2 kind of get it dialed in to what would make the most
3 sense for the vessel operator but also for the
4 information that would be supplied for domestic, as
5 well as those international purposes. So there's
6 flexibility there.

7 MR. HUMPHREY: I don't want to take up too
8 much time but a couple of quick ones. To what degree
9 would the GARFO VTR mesh with any or all of these? If
10 it's something I already have to do, can you guys set
11 it up so that I've done my due diligence?

12 MR. MCHALE: That is also kind of
13 something that we could get in the works. Right now,
14 there are efforts amongst the agency to tear down the
15 stovepipes across all the different reporting
16 authorities. So whether it's the eVTR program out of
17 GARFO; whether it's the eTrips out of ACCSP; the
18 Southeast programs; the logbook programs, even as they
19 apply to the longline fleet; coastal pelagics; HMS.
20 There's a concerted effort to harmonize those, so the
21 vehicle the information is conveyed through is less
22 important versus the information itself.

1 And so I think, through this endeavor, as
2 it would evolve, that would be something that we
3 strongly push for and collaborate with our GARFO
4 partners. So whatever our data elements are to meet
5 HMS and ICCAT needs would be incorporated into those
6 eVTR trips because the GARFO regulations state all
7 trips, all species, which would include HMS.

8 The rub there is then you just need to
9 make sure that they're asking all the right questions
10 to meet our purposes, and those conversations are
11 already happening behind the scenes. So this would
12 just continue to be either further push those where
13 there are impediments or bring them into alignment in
14 the grand scheme.

15 MR. HUMPHREY: All right. Thanks. And
16 last but not least, just a comment on compliance. In
17 my humble opinion, I think incentives is sort of like
18 a participation trophy. I'd rather go the other way.

19 Maybe start with a hand slap. But, you know, if you
20 can't comply, then you shouldn't have a permit. Thank
21 you.

22 MR. BROOKS: Thanks, Bob. I'm just going

1 to work my way around the table here. So, Steve,
2 you'll be up next.

3 MR. GETTO: Thanks, Bennett. As all of us
4 who followed the MSE process through, we became
5 painfully aware that the U.S. handgear fisheries do
6 not really produce any data that's usable in an MSE
7 process, so we really don't have a good option now for
8 influencing the abundance that we're showing. We
9 could go out fishing tomorrow, and we could see a lot
10 of fish. That doesn't really mean very much. If I
11 told you last year I fished 300 hours and caught 30
12 fish and this year I fished 250 hours and caught 50
13 fish, now you have a measure of the abundance out
14 there in a numerical term that a scientist can
15 actually use.

16 So I'm very encouraged with what you're
17 doing with this, and I think, you know, a couple of
18 the options will work on there. B1 looked pretty
19 good. We have the electronic app that fishermen are
20 already using, so reporting every day that you fish
21 now, not just when you land, will be a very positive
22 improvement, and I think you'll get, you know,

1 compliance will be a challenge. In the harpoon
2 fishery, we're up over 98 percent, I believe, on the
3 reporting, so I think you'll have good luck with that
4 group. And the General has been moving up. They were
5 at, I think, 50 or 55 two years ago, and what's it
6 now? Seventy, I think, approximately. So it's
7 improving.

8 So keep moving ahead with this. It's a
9 great initiative, and thank you.

10 MR. BROOKS: Thanks, Steve. Marcos.

11 MR. HANKE: Some general comments first.

12 Lat and long, as a captain, I would like to see
13 language that guide everybody to report where they
14 hook up, approximate where they hook up the fish.
15 It's the first comment I want to give as a follow-up
16 for somebody else that did a similar comment.

17 And I want to request the team to
18 coordinate with the state because we have electronic
19 reporting on an app that we are using that my concern
20 is that we need to have the smoothhound in there, nice
21 pictures, and all the requirements that HMS need to
22 have to comply with ICCAT. And that will save us a

1 lot of trouble because there is already Spanish names
2 into it and it's customized for Puerto Rico for the
3 local area. And that's my advice on that.

4 And one other thing is that the
5 smoothhound, the page eight, actually the two options
6 -- let me go there. I'm sorry. Actually, the two
7 options that I see there doesn't address what I just
8 said. We don't have eVTR. We don't have electronic
9 reporting available besides the one that I mentioned.

10 If that's the case, it's A to B if you consider the
11 electronic logbook or reporting, the one that is in
12 place on DNR now. I don't know if I'm expressing
13 myself correctly, but I want to highlight that this
14 smoothhound, at this point, if we don't revise the
15 list and the updated list is an option for what is now
16 for people that catch them once they are fishing for
17 deep waters now. And we're going to eliminate, if you
18 address this correctly, you're going to eliminate the
19 hurdle for the people to apply for mobile permit in
20 the Caribbean into the future.

21 MR. BROOKS: Thanks, Marcos. Dewey.

22 MR. HEMILRIGHT: Yes. Thank you. There's

1 numerous programs out there, and it seems like we're
2 finally maybe starting to get to where one day this
3 could be one-stop shopping. And that's a good thing
4 because there's so many different options out there
5 right now and some not.

6 But I would make sure that if you're doing
7 the block reporting that you put it, I mean, somebody
8 is not going to write down their longitude and
9 latitude of exactly where they're fishing, so you can
10 forget that. So maybe you put it in the small block,
11 a five-by-five mile area block somehow to give general
12 folks an idea.

13 And something else, getting to your
14 incentive-based reporting. That's like chumming up a
15 little child to tell them not to do something. And
16 not only that, is that money that's going to be spent
17 or could be spent to chum these people up to report,
18 where is that going to come from? Because the agency
19 doesn't have \$1.1 million to help out the pelagic
20 longline industry, so is private industry going to
21 step up and donate this to that? I mean, it's pretty
22 simple. If you don't report, you shouldn't get a

1 permit. You've all been pansying around with this.
2 Compliance rate should be 95 to 100 percent, and you
3 still haven't got there yet. So simply if you don't
4 report, you don't get your permit issued. They'll
5 figure that out quick like. Thank you.

6 MR. BROOKS: Thanks, Dewey. Chumming up a
7 kid. I love that phrase. I've got to use that a
8 whole bunch. I'm loving that phrase.

9 MR. HEMILRIGHT: It's like you know how
10 you watch parents --

11 MR. BROOKS: I'm with you.

12 MR. HEMILRIGHT: -- you watch parents do
13 the counting. Isn't that great? One, two, three,
14 four, little Johnny is looking like, yes, keep on,
15 keep on, keep on. It's just great.

16 MR. BROOKS: Okay. Moving on. Walt.

17
18 DR. GOLET: It's hard to follow Dewey. So
19 just a couple of things. I mean, Dewey makes a really
20 good comment about location, but what I would stress
21 is that, especially in the commercial bluefin sector,
22 you know, the decades of not wanting to give up

1 information and not wanting to have locations is
2 starting to come back to us, and it's coming back to
3 us in offshore wind, as myself and Jeff and other
4 academics around the East Coast struggle to try to
5 justify and identify where HMS fisheries are
6 occurring, and the reason is is because we lack a lot
7 of that information. The Gulf of Maine is basically a
8 void of locations. I have thousands and thousands of
9 personal locations, but I cannot give those out
10 because those are personal.

11 So I would stress the data, and I
12 understand what Dewey is talking about. People are
13 definitely, you know, maybe shy of doing the
14 specifics, but, you know, give us a ballpark. And it
15 doesn't happen at NOAA, by the way. I have, as most
16 people know, a large sampling program, and on my
17 location or under location on my sampling cards, you
18 know, where did you catch the fish or where did you
19 catch the sample? Atlantic Ocean. That's great. We
20 should refine that just a little. So Dewey is
21 laughing, but that's what happens. But, anyway, I'd
22 stress that.

1 I'd also really stress and like the idea
2 of reporting on BAYS, you know, for those of you who
3 aren't participating in tropical turns at ICCAT. You
4 know, understanding what we're catching and how much
5 we're catching, history has a big or a landings
6 history has a big implication.

7 So, anyway, this all looks like pretty
8 good stuff for the most part. So thanks.

9 MR. BROOKS: Great. Thanks, Walt. Jeff.

10 DR. KNEEBONE: Awesome. Thank you, Carrie
11 and Brad. I guess I'll just continue with Walt. The
12 spatial resolution of the data is critical. Having
13 tried to do those offshore wind analyses and knowing
14 the level at which the data are used, I just got an
15 email this morning about compensation for Revolution
16 Wind. That's not a very big area, so when you're
17 talking about things like that, the higher the
18 resolution data the better.

19 And then I'll just make another point.
20 The EFP reporting, H2, making it more flexible would
21 be fantastic. As someone who does, like, season-long
22 tagging projects, it would be great to do things in

1 aggregate. It would just make things easier.

2 Let's see. So I guess a clarifying
3 question, and I think Bob already brought this up.
4 But I think people are kind of tripped up by the word
5 discards and what exactly that means. And to clarify,
6 that includes dead and live discards? Yes. So I
7 would just encourage you to make that point clear at
8 your public comment. Like, I think, when I talk to
9 the public about discards, it's not well understood
10 whether a discard is a dead discard or a live discard,
11 so I just encourage you to make that clarification as
12 best you can, acknowledging that this document has
13 already been released.

14 And I just have a question with this E5 on
15 page 20. How would Angling category reporting be
16 matched up with the LPS? Is there any discussion or
17 plan to do any type of comparison or validation to
18 look at the accuracy or the authenticity of reported
19 data? So you're going to continue the LPS, I presume,
20 and also ask for reporting, so how would you marry the
21 two together to get a better idea about compliance and
22 the quality of the data you're collecting?

1 Thank you.

2 MR. McHALE: So, Jeff, we have done those
3 Large Pelagics Survey to catch card program
4 comparisons in the past. It's actually been quite
5 some time, so that would be an effort that we'd engage
6 with our partners in the Office of Science and
7 Technology because they're kind of the program
8 managers of the Large Pelagics Survey to kind of
9 figure out exactly what that would look like and how
10 we'd have to conduct it so the results were sound
11 enough to kind of report out on to get a compliance
12 rate, as well as kind of looking at the limitations
13 that are associated with the Large Pelagics Survey.
14 It isn't run year-round, it isn't run up and down the
15 entire seaboard. So we'd have to kind of refine the
16 potentially mandated vessel reporting to kind of
17 figure out exactly where those samples or survey
18 responses that we're getting both from the dockside
19 intercept, as well as the telephone, and then compare
20 that, you know, obviously, with the self-report
21 information. So we'd have to kind of go through and,
22 obviously, with your all input, kind of, if we were to

1 embark on that sort of a comparison, kind of disclose
2 methodologies and vet that to make sure we have it
3 dialed in right.

4 MR. BROOKS: Thanks. I'm going to double
5 back to David, who I hopped over, and then go online.

6 I've got a couple of folks who want to jump in, and
7 then I'll work the left side of the room here. David.

8 MR. SCHALIT: Congratulations. This is a
9 long time coming. It looks to me like a full-court
10 press by the agency to tackle a really nasty issue,
11 and the issue of reporting is one aspect of it.
12 Another huge aspect of this harmonization of various
13 VTRs. In other words, if we add a data element to one
14 of our reporting requirements, that is a question that
15 we ask the fishermen, it has to be also incorporated
16 in other VTRs where the same species needs to be
17 reported. That's not a small task. This is a huge
18 undertaking.

19 So I'm very encouraged, absolutely
20 encouraged that the agency is willing to take this on.

21 But I want to focus, I've only read the, I've only
22 had a chance to barely read the document last night,

1 so I think we need more time to look at that. So I
2 will keep my comments focused only on commercial
3 handgear. I want to say that, yes, absolutely, BAYS
4 must be taken into account. Those of us involved in
5 ICCAT understand that it is an absolute foregone
6 conclusion and inevitably that we will have fixed
7 quotas for the tropicals, and doing so means that we
8 don't know exactly when this will happen but it is
9 definitely on the agenda for the future, and this
10 means that, by working on this now means that we will
11 be set up for the data that we will need to give them,
12 the scientists, and for the data we will need to give
13 to ICCAT. And you know what they say at ICCAT. No
14 data, no quota.

15 And regarding bluefin tuna, that is the
16 one that I'm very, very heavily focused on. We do
17 have an index of abundance for western Atlantic
18 bluefin tuna in the handgear commercial fishery, which
19 is referred to as greater than 177 centimeter index.
20 And this index is woefully inadequate. The data is
21 woefully inadequate, and it has created huge problems
22 for us. This index has not been used in the 2020

1 stock assessment, in the 2021 stock assessment, and it
2 is not currently being used in the MSE. So what that
3 means is that the MSE and these two prior stock
4 assessments know nothing of what is being caught and
5 what we are experiencing in terms of abundance in the
6 general and harpoon category.

7 And we are passing up on a singular
8 opportunity to have good data, and this initiative
9 addresses that head-on. What it means in real terms
10 is that every fisherman has to get used to the idea
11 that they have to report every single trip, not just
12 every trip in which you catch a fish, every single
13 trip. And in my opinion, this is not a big ask. It's
14 a small ask. Keep in mind every single commercial
15 fishery in this country with the possible exception of
16 a few groundfish fisheries has a catch-per-unit-effort
17 index except bluefin, and now is the time because this
18 will affect all the sectors. Our data will affect all
19 the other U.S. sectors and will affect the Canadians
20 and the Japanese. So it's only positive. There's no
21 negatives here. And as I say, it's not a big ask.

22 So I'm very encouraged to see this, and I

1 appreciate your efforts in this regard. Thank you.

2 MR. BROOKS: Thanks, David. Let's go
3 online, and then we'll come back to the room. Let's
4 open up Raimundo's line. Raimundo, you're on.

5 MR. ESPINOZA: Thanks, Bennett. So I
6 really just really want to quickly mention just from
7 the perspective from Puerto Rico specifically, so
8 right now we have, I believe it's around 40 percent,
9 it's not that many boats, it's about 36 boats for all
10 of Puerto Rico, but we have about 40 percent of all
11 HMS folks using electronic monitoring on their
12 catches. And so this is actually, it's voluntary.
13 And part of the effort that we're doing with this work
14 is to really see how we begin to raise the price to be
15 able to compete with a lot of the seafood that's
16 brought to Puerto Rico, swordfish and tunas.

17 And so part of the effort, while it does
18 have management implications and that's part of what
19 we're doing, it's also really seeing how electronic
20 monitoring can be to the benefit of the fisheries.
21 And so fishers own the data, fishers run it, and this
22 is part of making sure that you're able to make the

1 fishery being able to compete. And so bringing it as
2 a marketing tool, as well, is something that's been
3 working for us here locally.

4 And then one of the things that I also did
5 want to mention for the U.S. Caribbean specifically
6 for the reporting, electronic reporting, is that, if
7 this continues to be the direction that we're going
8 to, having those nine national providers also
9 participate in local efforts because, as Marcos
10 mentioned, in Puerto Rico we do have electronic
11 reporting right now. But one of the main issues that
12 we're still having is that a lot of the companies that
13 are accessible outside the U.S., many of them don't
14 have some of the capacity to be able to have the right
15 pathways to connect with the Southeast Fishery Center
16 or with the science centers to be able to have a
17 direct line of reporting, which essentially just makes
18 it almost as inefficient as people reporting because
19 you have to resubmit all the data by hand once you
20 have to do that again.

21 So it's one of those things that the
22 technology is caught up, but we also need to see how

1 we can continue to maintain the U.S. Caribbean as a
2 standard of the rest of the country. And even though,
3 of course, we're small, we're very small and our
4 fisheries are so much smaller than the rest of the
5 nation, a lot of the things that have been solved
6 through the U.S. and the technology aspects of it in
7 connection with the apps and some of the requirements
8 needed for security and safety for online processes is
9 some of the things that we still need, again, the base
10 layer to begin in reporting and monitoring. We still
11 need to have improved work down here.

12 But, in general, the comment is aimed at
13 saying how, in the Caribbean, fishers on HMS fisheries
14 with permits have been participating for the past year
15 and a half on these efforts voluntarily. And so this
16 is from our small-scale fisheries, we've seen that
17 there is support and interest because there's also
18 been a benefit in the use of this technology directly
19 in the bottom line. And so we have to see
20 continuously how we can continue to promote these
21 aspects of management, not just for it to be
22 information that helps agencies regulate but also how

1 to switch that over to make sure that's also
2 beneficial to industries and some folks are able to
3 put the additional costs and benefits into the prices
4 so that they can be recognized as what, you know, we
5 always talk about in responsible fisheries and HMS
6 being the best management in the entire world. So
7 thank you.

8 MR. BROOKS: Thanks, Raimundo. Amy.

9 MS. DUKES: Good morning, everyone. Sorry
10 for those I didn't get to say goodbye to before I flew
11 out late last night. Thanks for the opportunity to
12 weigh in a little bit here.

13 Brad, I appreciated your comment earlier
14 about HMS Division staff working with the other NOAA
15 divisions on a collaborative effort of programs that
16 are already in play for specifically commercial and
17 for-hire fisheries. Lessons learned through these
18 actions are going to be extremely helpful as this
19 electronic platform moves forward. I also appreciate
20 the fact that states could be included as AP members
21 here so that we can stay on top of it, as well.

22 Ultimately, the idea and the intent is to

1 meet the initiative of the one-stop reporting. So the
2 more that we can streamline and integrate into
3 existing platforms with very specific reporting
4 requirements with regards to did-not-fish reports,
5 cost and earning information, the geospatial
6 information, it's already being collected in other
7 fisheries, and the more we can align HMS data
8 reporting requirements along with those that are
9 already in play are super important.

10 And also we need to make sure we're
11 emphasizing on if we go to all species, which I am a
12 proponent of, if we're going to collect it we might as
13 well collect it all, we need to make sure that we're
14 incorporating those required data elements for those
15 specific species in the beginning. As these
16 electronic platforms are created, making changes along
17 the way isn't as efficient as it could be if we were
18 to get everything in there from the get-go. And so
19 I'm really excited about that.

20 One thing that a lot of folks haven't
21 talked about is this timing aspect, and most reporting
22 requirements that are already out there are about a

1 seven-day or once a week. And I think staying in
2 line, again, with the timing aspect is important. I
3 know that there could be some issues there. If we
4 wait seven days, are we going to go over a quota or an
5 allocation or what have you. But I think there's
6 enough information out there that we can predict,
7 okay, I think we're getting close, should we go ahead
8 and close it. And if we have to open it back up, I
9 believe you guys have that availability.

10 And I think the biggest question I have
11 after all of those comments was this is going to take
12 a high level of compliance and oversight by staff.
13 What is currently being discussed from a funding
14 standpoint through HMS staff to be able to allocate
15 funds to run a compliance program and then have that
16 compliance program linked to your permit office so
17 that we can figure out ways, like Dewey was saying, if
18 you don't report and you're not in compliance, then
19 you don't get your permit. Thank you.

20 MR. BLANKINSHIP: Thank you, Amy. Just a
21 quick response, and the question, I believe, that you
22 were asking related to funding. That is still up in

1 the air. That is a big part of this overall
2 initiative when we're thinking about standing up both
3 expansion of logbook reporting to a lot of additional
4 permit holders, but then also, you know, the continued
5 work with our partners to try to work towards
6 achieving that one-stop reporting initiative. It all
7 costs money, and so that is an ongoing conversation
8 within the agency about sources of funding for this
9 kind of work.

10 MR. BROOKS: Thanks, Amy. Anything else?

11 MS. DUKES: At this point, thanks, no, I'm
12 okay. Appreciate it.

13 MR. BROOKS: Okay. Great. Thanks. All
14 right. We're going to keep working our way up the
15 table here, and then I'll come back and pick up the
16 cards that have come up. So Eric.

17 MR. JACOBSON: Thank you. Just going back
18 to slide 20. So if reporting of pelagic sharks or all
19 sharks is instituted for recreational anglers, sort of
20 an extension of what Bob and Jeff have already
21 mentioned, I think we would just need clarification.
22 Many of the sharks we encounter, at least in New

1 England, are not intentionally targeted, are never
2 brought in the boat. So if I catch a blue shark and
3 cut it loose at the boat, do I report that as a
4 discard? It's fine either way. We would just need to
5 know, you know, how we would approach that situation.

6 I'll echo what others said. With children
7 and with fishermen, I think disincentive works better
8 than incentive and the threat of losing a permit is
9 better than the bonus of getting a hat.

10 And then, you know, one other
11 consideration, if compliance continues to be an issue,
12 you know, particularly in the non-for-hire
13 recreational sector, would a tag-based system make
14 sense? You know, when I get my hunting license, it
15 takes ten minutes to pick all the tags that I want and
16 don't want. I don't think going to that immediately
17 in fishing would necessarily be great, but five years
18 down the road, if compliance continues to be poor,
19 sort of using that as a further disincentive to
20 fishermen not to report, you know, knowing that there
21 will be some additional layer of regulation that could
22 be imposed.

1 MR. BROOKS: Thanks. I think we've got
2 about eight or nine cards, maybe more, still in the
3 room. We've got about 20 minutes left. So this is
4 all great feedback. Just keep it coming. Willy.

5 MR. GOLDSMITH: Thanks, Bennett. Yes,
6 lots to chew on here. Thank you, Carrie, for the
7 presentation.

8 I'll just limit it to kind of two
9 thoughts, I guess. First off, slide 22 on the
10 incentives, carrot versus stick kind of conversation
11 for private anglers, certainly hearing the thoughts
12 around, you know, no data, no fish, blocking permit
13 issuance for non-reporting. I don't need an answer
14 right now but just curious about how the Division is
15 thinking about operationalizing that. I know there
16 have been different kinds of efforts. You know, is
17 this kind of moving from a compliance assistance with
18 a social media kind of, you know, bragged bluefin tuna
19 to not giving that person a permit for the next year?
20 Is this, if somebody doesn't report at all for a
21 certain year, does that mean no permit for the next
22 year, even if maybe they weren't targeting bluefin?

1 I know, and I'm speaking about bluefin
2 here because that's kind of what the history has been,
3 I'll just note in other self-reporting programs
4 there's been instances where folks in April of the
5 following year reported 25 or 30 of some random fish
6 for the previous year just so they'd get their permit.

7 Whether or not that data were accurate or not was a
8 question, too, so I just would urge the Division to
9 think about that.

10 And then, again, thinking about when a
11 trip comes and that kind of brings you down the rabbit
12 holes of when a trip happens, do you need to report
13 when there's a zero-fish trip? How do you think about
14 incidental non-targeted HMS catch or incidental HMS
15 catch on a trip that's targeting groundfish, for
16 example. So just certainly interested in talking
17 through that further.

18 The other question is kind of more
19 generally on just recreational writ large
20 Charter/Headboat and Angling category around reporting
21 of HMS species. And I think David and Walt both
22 brought up the idea of maybe including BAYS and other

1 species and just was wondering if you guys were
2 speaking with folks at the SCRS who were involved in
3 the ICCAT process, just thinking about how these could
4 impact, like, Task I data to go to ICCAT and kind of,
5 you know, you have your Large Pelagics Survey data and
6 then you'd have potentially this new source of
7 electronically reported data, and so how would you go
8 about, you know, is that a calibration discussion kind
9 of thinking about if there are going to be big jumps
10 in estimates and kind of how those numbers would try
11 to work together.

12 Same goes to what Bob was talking about
13 with releases of bluefin tuna and how that might
14 impact recruitment estimates and kind of thinking
15 about, if you suddenly see a huge jump in numbers
16 because reporting changes, how that impacts those
17 estimates. Thanks.

18 MR. BLANKINSHIP: Great questions and good
19 points, Willy.

20 MR. BROOKS: I just want to note that I'm
21 seeing comments in the chat that the sound quality is
22 very faint online.

1 MR. BLANKINSHIP: So just a couple of
2 thoughts in response to those. The first one about
3 the question about how might the agency operationalize
4 things like permit blocks and that type of thing. I
5 mean, you're hitting on some of the really big
6 challenges of that question with a large group where
7 we have, in the HMS Angling category, about 24,000
8 permits. Logistically, how you go about implementing
9 some kind of a reporting system that you actually
10 could track and then follow-up on in order to
11 establish permit blocks, they're very effective, but
12 it would require a requirement for, you know, in order
13 to establish a permit block, if you've got some
14 vessels that may only fish once and may not catch any
15 fish, you've got to have negative reporting and even
16 though if they actually made a trip or not. So the
17 logistics of making all that happen are huge. So that
18 is part of what needs to be considered as we move on
19 through this, and I would say it's part of what we
20 would like to hear continued comments about and
21 suggestions about as we move through this ANPR comment
22 period.

1 And then, additionally, you asked about
2 changes in let's say improvement of reporting, changes
3 in what, you know, that may look like for Task I, Task
4 II information for estimates of abundance for indices.

5 The usual way, because we've had those kind of
6 changes over time as we've improved data collection
7 processes in the past, and usually what happens is
8 there is, for the SCRS process, there is a paper
9 usually or more than one paper that's developed in
10 order to explain what is occurring with the change in
11 information. And then similarly in the U.S. report to
12 ICCAT, if it's not an SCRS issue, we would do a
13 similar thing for the annual report for the United
14 States that would document why there is a change
15 that's occurring that explains that. And other CPCs
16 do the same thing when they have changes, as well.

17 MR. BROOKS: Thanks. Just also if folks
18 can stay fairly close to the mikes, that seems to be
19 helping. All right. Let's just keep going again.
20 I've got about nine folks here. I'll let this go a
21 little bit longer, but we don't have too much
22 latitude. Tim.

1 MR. PICKETT: So I was looking at these
2 timing requirements and the D1 option, submit prior to
3 landing, I was like, well, that's impossible for a
4 commercial entity because they have to submit weight
5 sheets and they need to know exactly what everything
6 weighs, so you'd be kind of double-dipping there. But
7 it made me think about, in our area, a lack of
8 compliance with swordfish reporting in the
9 recreational sector. I think having a time-constant
10 after landing is much more time for them to be, oh, I
11 forgot or, you know, it's not a big ask for the
12 recreational industry, you know, before the swordfish
13 comes off the boat, click a button on your app and
14 report it. That gives some time for somebody to come
15 in and inspect and kind of track where the fish --
16 it's a definite starting point, and it's not a big ask
17 for a recreational swordfish business if you're a
18 recreational swordfish angler. They can only catch
19 four, you know, so if you had to report four, that
20 would be a fantastic day.

21 But, you know, I think it would be a lot
22 better, speaking from a commercial perspective,

1 there's a lot of illicit swordfish that hits the
2 street where we're at. And I think it's an easier way
3 of kind of tracking that, you know. And it brings
4 down the quality and the experience of legitimate
5 commercial guys where we're at trying to do things
6 correctly and complying and filling out their logbooks
7 and all of that stuff. It's undercutting that
8 business. And, you know, I've talked during the law
9 enforcement segment several times that I've never seen
10 a ticket in my time being here written for a swordfish
11 incident in South Florida, and it happens all the
12 time.

13 So I think the prior to landing is not a
14 big ask for the recreational sector, at least in terms
15 of swordfish. So thanks.

16 MR. BROOKS: Thanks. Ally.

17 MR. MERCIER: Yes. Just one note on the
18 buoy fishing, I'm the only one that has VMS on the
19 boat because I have EFPs. All the other boats fishing
20 don't report them. I mean, they go to the dealer, but
21 there's no track. I mean, I know of three or four
22 fish in the last three days caught with buoy gear, and

1 they go mostly to the dealer but a lot of other
2 places, too. So it's a fishery that's going on that's
3 not being really reported.

4 MR. BROOKS: Thank you. Mike.

5 MR. PIERDINOCK: Thank you. I'm in total
6 agreement. One-stop shopping, as we know, there's
7 some confusion out there that these trips, these
8 different apps, are not one-stop shopping. I'd also
9 like to just point out that would that include one-
10 stop shopping that the state notification takes place
11 because, as a vessel in Massachusetts, I have the
12 GARFO permit for multi-species, I have the Mid-
13 Atlantic, I have the Southeast, I have the HMS, and
14 all that gets reported. Everything I catch, from a
15 scup on up and everything in between, for years now
16 back when it was paper and now it's eVTR, but also the
17 state gets notified, so I'm not sure --

18 MR. BROOKS: Mike, could you get closer to
19 the mike?

20 MR. PIERDINOCK: I'm not sure whether the
21 state is included with that but to help with catch-
22 per-unit-effort and so on and what's taking place.

1 Hopefully, that would be included.

2 Do not fish reports. You know, even
3 though six months out of the year we may not be in the
4 water up in the New England area or in certain areas
5 of the country, it's important to have those do not
6 fish reports. Otherwise, the catch-per-unit-effort
7 could be assumed at 365 days out of the year or
8 somewhere in between. So I see the importance of
9 that, where I used to think it was a pain to do it.
10 But that is very important to do to get that catch-
11 per-unit-effort.

12 Geospatial. Maybe I've been at this for
13 too long, but I remember that the block type of system
14 that's in place for a federally-permitted multi-
15 species vessel where we say we're at fishing block 524
16 and we select the center point of where we fish for
17 the day, that was utilized for fishery management
18 purposes but it now has evolved to we need this
19 information for industrialization of our oceans. And
20 I understand that and understand the need for it.

21 I'd also like to point out that I think we
22 need to have that spatial location and temperature and

1 timing data for the climatic shift of our stocks to
2 help with that of when that's taking place to throw
3 that in there. But I'm surprised not to hear around
4 the table, because the hair is going up on the back of
5 many beyond these walls, there's a confidentiality of
6 that information. So if we could still do it and have
7 the block concept with block 524 that vessel fished
8 for the day, and, if you put more detailed information
9 concerning latitude and longitude, please keep it
10 confidential. And I think you'll get greater
11 participation by the public to do that.

12 I agree with what's said. Any needs we
13 need for ICCAT beyond bluefin tuna and BAYS and so on
14 with those species, please do it. What we catch, what
15 we release, to help when we go to the battle at the
16 table with the international, you know, all the
17 different contracting parties. So I would request
18 that that be expanded.

19 Just to note, though, when you say the
20 ICCAT list, I'll use an example of something we talked
21 about at the recent ICCAT meetings and at the Atlantic
22 States Marine Fishery Commission, Atlantic Bonito.

1 Atlantic Bonito is an ICCAT list, but it's not an HMS
2 species. But then would something like that be
3 included and what you would need to then report when
4 we talk about the ICCAT list. I would hope it would
5 be to make it all inclusive.

6 But also with what's mentioned earlier,
7 there's other sharks or species that may not be ICCAT
8 or HMS related, they may need to use it. But for me,
9 individually, I have to report everything. I've
10 always have for a long time. But if you're going to
11 require the public to do that, the data has to be
12 used, so why do it? So if I have to report sea
13 robins, if that's not being used, why do it? So I
14 want to keep that in mind, which this body is more HMS
15 related.

16 Let's see here. As far as the reporting
17 time lines for 24 to 48 hours that's mentioned, you
18 know, there's a lot of logistics. It's not everyone
19 that has a big vessel that sits up in the wheelhouse
20 and has a whole crew that they can sit there and fill
21 out everything completely before they get to the port.

22 So that needs to be kept in mind, and I would hope

1 that the flexibility is there for those that have
2 smaller vessels that the report has to be completed
3 and submitted electronically within that period of
4 time.

5 For E5, the angling end, I agree, but, you
6 know, it doesn't, in my opinion, it really doesn't
7 matter what kind of gear type you are. If you're not
8 reporting, you don't get the permit. I thought that
9 already existed, but maybe that's my morality of
10 complying with such. But I agree with that, but also
11 this seems to not recognize that there's been quite a
12 success up and down the coast, as well as on the East
13 and West Coast, within incentive-based programs with
14 the recreational community, and we can point to
15 different states where you win a \$50,000 boat if you
16 report what you catch and what you release. I would
17 encourage this body to look at opportunities to team
18 with national retail companies that could then provide
19 a mechanism to report, get the notoriety that some
20 want to get, and get the big reward at the end. I'm
21 sorry to say, but, with the recreational community,
22 there are many that are motivated by such, and there's

1 many state programs with catch and release categories
2 that have similar type of rewards, as well as many
3 private sector companies, whether they're magazines or
4 different clubs that utilize that.

5 I look at all of this, though, that
6 cooperative research, rec, for-hire, commercial, and
7 the need to fill in these data gaps needs to be
8 promoted to use these apps as mechanisms to get the
9 data.

10 Last thing. For instance, we just talked
11 about Walt's DNA study and getting the juvenile, as
12 well as the commercial, information to help us at the
13 table with ICCAT. Many of us around the table don't
14 need that motivation to do that, but, if the rec
15 community needs the motivation to get their picture
16 all over Facebook and the internet and need to win a
17 \$50,000 boat as a result of that, let's do things that
18 are going to motivate them to do it because it does
19 work.

20 MR. BROOKS: Thanks. Martha.

21 MS. GUYAS: Okay. Thanks. I've got a
22 couple of things. So just to start, big picture,

1 particularly thinking about the for-hire and private
2 rec, going to the need for action, I think it's going
3 to be really important when you take this out to
4 really do some soul-searching and flesh out the why
5 are we doing this electronic reporting. I think
6 that's going to help you narrow down the scope,
7 clearly, and really prioritize what you're after and
8 then also help people see the value, right. That's
9 going to be important. Kind of following up from what
10 Amy said, you know, part of that is going to be
11 considering what resources you're going to have at
12 your disposal on an ongoing basis.

13 Definitely a vote for the one-stop shop
14 integration with existing ELBs. Of course, the Gulf
15 is back to square-one, so, hopefully, you all will be
16 coordinating with them as they rebuild their SEFHIER
17 Version 2 or whatever that's going to be.

18 On the private rec side, one thought, you
19 know, there's a lot of folks that use existing apps to
20 follow the regulations, and there may be opportunities
21 to work with some of those apps to integrate the
22 reporting into the apps. That could be something to

1 look at.

2 I would caution you that I don't know that
3 this removes the need for survey-based catch and
4 effort estimates, particularly in a state like Florida
5 and a lot of the southeast where you've got a lot of
6 effort in state waters from charter and private
7 anglers that do not have HMS Angling permits. And
8 then there's also a lot of shore effort for sharks and
9 some of the other HMS species. So just it's another
10 thing to consider, you know.

11 On incentives, I think they can be useful
12 for private anglers, but I think, even if you use
13 incentives, one of the most important things that
14 you're going to need to do to get continued reporting
15 is continued communication and education on the need
16 for people to do this. I know with some of the state
17 reporting programs in the southeast, that's been
18 something that the states have worked on, like
19 continuing to remind people, yes, you have to do this,
20 this is what we are doing, you have to get this
21 permit, you have to fill this out. So education is
22 going to be really important.

1 In terms of reporting sharks on the
2 private angler side, I suspect there will be some ID
3 issues to be overcome. I know you all are working on
4 that education, but, again, something that thinking
5 about, you know, given those ID issues, is the
6 information you're going to get likely going to be
7 valuable for, you know, management assessment, what
8 have you.

9 And then kind of along those lines,
10 reporting discards for HMS Angling permits. I think
11 more about, you know, how are you going to use that
12 data because, of course, there's lots of non-HMS
13 permit holders, even fishing in federal waters that
14 are interacting with sharks and other HMS species, not
15 on purpose, discarding them. And so if you're doing
16 a, if you're having HMS Angling permit holders report
17 everything HMS, you're still going to be missing a big
18 piece of the puzzle, at least on the discard side,
19 from folks who are not HMS anglers. So, again, maybe
20 it's useful, maybe it's not, but something to think
21 about. Thanks.

22 MR. BROOKS: Thank you. These are all

1 really great comments. I really want to try too hard
2 to get folks we haven't heard from, so I'm going to
3 push a little bit beyond the time frame, if that's
4 okay, to my left here. I think we'll be okay. We can
5 make up some time later. But I ask folks we haven't
6 heard from yet to be as succinct as you can. And the
7 folks that are looking for a second bite, we're not
8 going to get there, so just be mindful of that.

9 Greg and then Jackson, then Chinh.

10 MR. HINKS: Thanks, Bennett. Randy hit it
11 on a little bit. My first question was going to be
12 about the method of verification for permit blocking,
13 but it sounds like we don't have the answer to that.
14 So just one idea, you know, if it's not already being
15 considered, you know, it requires some sort of regular
16 report from the HMS angling community, you know,
17 fishing, no fishing, regardless.

18 And then back to the incentives, yes, I
19 agree with Bob's comments about the low-reward
20 incentives. In my experience, I haven't seen them
21 work. If it does, it's probably with a small subset
22 of the community, I think. High value rewards make me

1 nervous because I feel that's attracting a different
2 set of the community, too. I don't know if it is or
3 has been an issue, but I would wonder if it would
4 attract misreporting. Something that's never ceased
5 to amaze me is the interest in, especially the HMS
6 recreational community, is the interest in citizen
7 science, and I wonder if those opportunities could
8 actually be used as a reward to continue
9 participation, opportunities to tag or submit tissue
10 samples, anything like that. I know of some shore-
11 based shark anglers that are actually, they won't go
12 fishing if they don't have the opportunity to tag
13 their fish. That becomes a primary goal of them going
14 fishing, so I would encourage you to consider that.

15 And I think that hit on all my points.

16 Thanks.

17 MR. BROOKS: Great. Let's go to Jackson.

18 MR. MARTINEZ: Great. Thank you. Can you
19 hear me okay? I'll echo the sentiments we've heard
20 around the table already. I'm really excited to see
21 this initiative, so thank you all.

22 I did want to ask a quick clarifying

1 question. On slide 11, are we kind of calling
2 discards, dead or alive, are we calling that bycatch,
3 or would we have a bycatch category in this logbook or
4 in these logbooks?

5 MR. BLANKINSHIP: The question of bycatch
6 is a very interesting one. So not necessarily but
7 maybe in some situations. And it depends on the
8 species, it depends on the issue. From a discard
9 standpoint, for certain species that we have quotas
10 for, we have to account for dead discards because
11 those count against quotas. That could be considered
12 bycatch in some form or fashion, but the species might
13 be the target. So it would be like undersized fish or
14 something along those lines that it might have been
15 discarded and might be dead, but we still have to
16 account for it.

17 In catch-and-release fisheries, by
18 definition, that is not considered bycatch. So for
19 instance, in billfish fisheries where catch and
20 release is your goal, the release is not bycatch. And
21 so that's why I say it depends.

22 MR. MARTINEZ: Great. Thank you.

1 MR. BROOKS: Great. Chinh.

2 MR. NGUYEN: Good morning. I think this
3 is a great move with the electronic reporting. The
4 reason I say that is I submit my logbooks, you know,
5 via the mail, and this is America but my logbooks were
6 stolen from the post office. And it was a big
7 nightmare trying to explain to the logbook program I
8 submitted it, and they're like, no, we didn't receive
9 it, so, like, long story short, I live in the New
10 Orleans area, so it made the news, so that's how I
11 knew it was stolen. So I had to backtrack everything
12 to get the weigh-in sheets, you know. I had copies at
13 home from the logbook, but I had to tediously go over
14 everything and resubmit it. So electronically, less
15 chance of being stolen, you know, less worry.

16 So now every time I submit the logbooks,
17 my heart rate goes up a little bit because, like, I
18 don't want to go through that again. And we've been
19 doing this for a long time, and that was just one
20 incident, but I never want to go through it again.

21 And the second thing that I want to add is
22 the time line for the reporting. I think the seven

1 days after you land is a perfect time line, especially
2 for the Vietnamese fishing community in New Orleans
3 because I know most of them, if not all of them, would
4 ask someone to review it or help them do the logbook.

5 They would take notes on the boat, but they won't
6 understand or they get confused with the sections
7 where they would put the information down. So me,
8 personally, I review everything that my dad comes in
9 and submit it because sometimes he'll write something
10 and put it in the wrong spot. So I would correct it
11 and the hook size, the water temperature, and things
12 like that, I would have to fix.

13 I know that the CCC, it's a nonprofit in
14 the New Orleans, they help the commercial fishermen
15 fill out the logbooks and submit it for them. So if
16 it's a holiday or the weekend, if they come in, so
17 that's at least two days' delay before they can help
18 them. So I think the seven days would be a good time
19 line.

20 MR. BROOKS: Great. Thanks, Chinh. I've
21 got two folks who want to get in who I haven't heard
22 from yet, so we'll go to Tom in the room and then Alan

1 Weiss online. Then we will go to a break.

2 MR. FRAZER: All right. Thanks, Bennett.

3 So just trying to take in all the comments that I've
4 heard around the table and maybe provide a little
5 experience, I guess, from the Gulf Council side of
6 things.

7 I like the idea of, you know, thinking
8 about streamlining and alignment with all the existing
9 programs out there. I mean, many of the issues that
10 were brought up aren't unique. I mean, everybody is
11 talking about how do you deal with geolocation data;
12 how do you deal with discards, whether they're dead or
13 just discarded; the socioeconomic questions are all
14 the same, right. And so you have to think very
15 carefully about what it is that you ask for. I did
16 hear somebody say, you know, let's put it all in, you
17 know. Be very careful about that.

18 I would really, really, I like the idea
19 that, as you're working through this, have a plan.
20 And I would suggest even further that, before you
21 actually move to a final stage, that you test drive
22 the plan, right. I don't see enough of that, and I

1 think you'll alleviate a lot of heartache by doing
2 that. Ask yourself what are the essential data.
3 Differentiate between wants and needs. What are your
4 statutory obligations and what can you actually do
5 with it.

6 And then, finally, I've heard this
7 comment, as well, what resources you have, right. Be
8 honest with yourself and live within your means and
9 design the programs accordingly.

10 MR. BROOKS: Thanks, Tom. There's
11 synthesis there. Let's bring Alan Weiss in online,
12 and then we'll move to close.

13 MR. WEISS: Thanks, Bennett. Just a
14 couple of things. One is that, as far as incentives
15 versus penalties for reporting, I think that when you
16 offer incentives it gives the feel that it's optional
17 and you're trying to incentivize people to do
18 something that they don't really have to do. The IRS
19 doesn't have to offer people free Starbucks in order
20 to file their tax returns. So I think you want to
21 give people the feel that this is mandatory and they
22 must do it, and if they don't then there's a

1 consequence, rather than give them an incentive where
2 they think, oh, you know, I don't feel like it, I
3 don't really need that cup of coffee.

4 And I had one other thing, but I didn't --
5 I'm in a rush. I have to do something, so I can't
6 hang in for it. Thanks.

7 MR. BROOKS: We'll give the second comment
8 that you were going to make to Peter, who hasn't
9 gotten into this conversation yet, and then we will
10 close.

11 MR. CHAIBONGSAI: Just really quick. I
12 hear the points by everybody in regards to the
13 incentive versus non-incentive, and my thought is why
14 not both? Why not do it to where you have to still
15 report, right, and if you don't report, you
16 potentially lose your license. But if you do report
17 and you report well and accurately and everything that
18 is required, that's when you get the incentive.
19 That's when you get your name on the leader board,
20 which will take no time, or you get a really special
21 certificate that probably costs, I don't know, \$20 or
22 maybe a \$50,000 -- I mean, I can't even imagine that.

1 But why not utilize both? Rather than do
2 one or the other, you have you have to report or
3 you'll lose your permit. But if you report really
4 accurate, really well for a consecutive amount of
5 time, then you can get incentivized. Just a thought.

6 MR. BROOKS: Okay. I know there's a lot
7 of energy to keep talking at this, but I'm going to
8 call it now. Thank you all. I'm not sure I've ever
9 heard a conversation where we've had as much
10 participation around the table, so it's great to hear
11 everybody weighing in. Clearly, very strong, good
12 direction. This is being very well received around
13 the table. The emphasis around one-stop shopping,
14 harmonizing, making the case, you know, let's do it
15 right, let's go wide now.

16 Some of the specifics I heard were to be
17 really clear on the discard live and dead, a lot of
18 interest around the lat-long piece and really trying
19 to get some information there with a bit of a caution
20 around be careful how precise you try to get. And
21 then I think, you know, on the penalize or
22 incentivize, clearly some voices to hold on to

1 incentives, but I think, certainly from what I was
2 hearing, a stronger call to the, you know, if we want
3 people to pay attention, there's got to be a penalty
4 here. With Peter's comment in there, maybe it isn't
5 either/or; you could do both.

6 So with that, let's go to a break. It's
7 10:27. Let's come back at 10:40, which will be a
8 little bit behind schedule, but I think we'll make it
9 up. And for anyone who had a comment left, just a
10 reminder, you know, public comments are welcome and,
11 of course, folks are here from HMS right now, so use
12 the break to go chat with them. Thanks.

13 (Whereupon, the above-entitled matter went
14 off the record at 10:27 a.m. and resumed at 10:41
15 a.m.)

16 MR. BROOKS: All right. As Jen makes her
17 way to the table, we are next going to pick up draft
18 Essential Fisheries Habitat Five-Year Review. We've
19 got about 40 minutes or so for this before we go to
20 enforcement. Jen.

21 MS. CUDNEY: Hi. I'm Jen, and I get
22 distracted easily apparently.

1 MR. BROOKS: I think you were extremely
2 focused.

3 MS. CUDNEY: I was very focused. All
4 right. So today I'm going to talk to you about the
5 draft Highly Migratory Species Essential Fish Habitat
6 Five-Year Review. So this presentation is going to
7 provide a refresher on EFH and HMS EFH processes, and
8 then I'm going to provide an overview of the five-year
9 review outcomes and talk about next steps.

10 So first of all, EFH, what is it? It is
11 those waters and substrate that are necessary to fish
12 for spawning, breeding, feeding, or growth to
13 maturity. EFH provisions in our fishery management
14 plan must include all federally-managed species in a
15 management unit. It can or it may or may not include
16 state waters, and it may describe, identify, and
17 protect habitats beyond the exclusive economic zone,
18 but that is not necessarily considered EFH. So
19 activities that adversely affect such habitats are
20 more typically addressed through international
21 agreement.

22 All right. All fishery management plans

1 are required under the Magnuson Act to, at minimum,
2 include the description and identify of EFH fishing
3 and non-fishing activities that may adversely affect
4 EFH. We have a description of them. They must
5 identify conservation and enhancement actions for
6 those activities to help mitigate or offset some of
7 the adverse effects on EFH.

8 The remaining five things that are listed
9 on this slide are things that should be or are
10 encouraged to be included. They include things like
11 cumulative impacts analyses, prey species, habitat
12 areas of particular concern, identification of
13 research and information needs, and also, where
14 necessary, an outline and review of the procedures
15 that are used to delineate EFH.

16 So with this document, we try to address all ten
17 components in our review document and, in general, in
18 our process.

19 So why are we updating it? So we are
20 required to use best scientific information for
21 measures under our fishery management plans and
22 regulations in general. This does include EFH and how

1 EFH is used. EFH documents are used in habitat
2 consultations, so all federal agencies are required to
3 consult on actions or proposed actions that are
4 authorized, funded, or undertaken by an agency that
5 may adversely affect EFH. So, for example, federal
6 BOEM is going to go out and do some type of marine
7 minerals mining or they're going to be doing some type
8 of offshore oil work or they're going to authorize
9 that type of thing, there has to be a consultation on
10 that activity. So we do assist with those on request.

11 Those consultations are undertaken by the Office of
12 Habitat Conservation.

13 Councils and NMFS are required to
14 periodically review provisions of FMPs and revise or
15 amend the EFH provisions as warranted based on
16 available information. These reviews need to include
17 but are not limited to evaluating published scientific
18 literature and reports, soliciting information from
19 interested parties, and searching for previously-
20 unavailable or inaccessible data and other
21 information. This type of a review needs to be
22 completed as recommended by the secretary but at least

1 once every five years.

2 So this is a time line of our HMS EFH
3 actions. We start all the way back in 1999 when EFH
4 was first designated for Atlantic HMS. We go through
5 our consolidated FMP to Amendment 1 for our first full
6 review and update. Then we come to the review and
7 update cycle that was initiated in 2015 and ended with
8 Amendment 10. And then five years later, we are now
9 at the re-initiation of our next five-year review
10 cycle, which we ended up submitting or we published a
11 request for information last summer and took a year to
12 develop this draft five-year review.

13 So, again, how do we update it? We have
14 an iterative two-phase process, and I want to
15 emphasize that, right now, we are in phase one of that
16 process, so you are here. This is not the stage where
17 we're actually changing anything. This is the stage
18 where we are trying to determine if something needs to
19 be changed.

20 This flow chart shows kind of graphically
21 how we do this. So the hourglass symbol on the upper
22 left corner of the screen indicates the start of our

1 process. It occurs, roughly, five years after the
2 previous EFH action, so we started thinking about this
3 five years after our last action published in 2017.
4 We started this in 2022. There kicks off the process.

5 In phase one, we do a very thorough
6 literature review. We also look for other types of
7 scientific information and data that might indicate
8 that EFH updates are warranted. We compile all of
9 that information, that summary, into a draft document.

10 We go through a public comment period and then
11 develop a final five-year review to ultimately answer
12 the question of are EFH updates warranted.

13 If they are not, then we would stop and
14 wait until the next cycle kickoff to open that
15 question up again. If EFH updates are warranted, then
16 we would proceed with a follow-up action that would
17 include the draft action, public comment process, and
18 a final follow-up action. Now, typically, these
19 follow-up actions are dealing with things that are in
20 our FMP, so they have, in the past, included an FMP
21 amendment.

22 I also want to point out that there are

1 times when we go through, like, we're looking at a lot
2 of different things. As I said, there are ten
3 different components of EFH. If you break this down
4 for all of our species, sometimes there is new
5 information and sometimes there is not. So we do try
6 to streamline this process and focus on the things
7 that are new. So as you'll see, there are some things
8 that we found no new information for, and so that
9 follows this stop sign and then we would flow back to,
10 you know, waiting five years to take a look again at
11 those particular topics or species to see if anything
12 new, once again, requires updating EFH.

13 I'm going to next walk you through the
14 outcomes of our five-year review, but I first wanted
15 to call out a format change in the document. We have
16 summarized the new species-specific information in
17 tables that look like this in Chapters 4 to 11. So in
18 the past, there's a lot of information that we're
19 trying to compile and it made for a very, very large
20 document. And we wanted to be a little bit more
21 efficient in how we were presenting the information,
22 and so we have these tables. The actual EFH component

1 number is listed across the top. We have an
2 abbreviated description of that component in the next
3 row, so, for example, we have component one which is
4 "describe and identify EFH", component two is "MSA
5 fishing activity", and so on and so forth. And then
6 we have the papers that we had identified with little
7 X's in the appropriate cell if we found new
8 information that was related to that particular topic.

9 Now, you'll see that some of the citations have
10 little stars next to them. That does mean that we
11 felt that there was data associated with the
12 information presented in that paper that could be used
13 to update the actual boundaries of EFH.

14 So this is a pretty big change, and I just
15 wanted to make sure everybody understood how to
16 navigate these tables. There is a definition for each
17 of these provided in a table in Chapter 1, so start
18 there and then go to the particular species that you
19 might be interested in.

20 All right. So now we're getting to the
21 question of whether EFH updates are warranted with the
22 next couple of slides, and I've color-coded our

1 preliminary conclusions, I guess. Conclusion might be
2 a little bit of a strong word, but our preliminary
3 findings on whether or not we felt that updates were
4 warranted or may not be warranted.

5 So, again, since this is the draft stage,
6 we haven't finalized anything yet. We're using may be
7 warranted, may not be warranted, instead of yes or no.

8 You will see more decisive language in the final
9 five-year review.

10 All right. So, again, we're going to
11 walk through these different components. With this
12 type of a table, you'll see, generally, a question on
13 whether new information was found and then a row
14 indicating whether updates were warranted. So for
15 generally describing and identifying EFH, yes, we did
16 find quite a lot of new information on our HMS
17 species. We found that 40 of our 53 species probably
18 need to be updated, and we did not find new
19 information for skipjack and albacore tuna, longbill
20 spearfish, and several of our prohibited sharks. Now,
21 a lot of our sharks, especially our prohibited sharks,
22 are considered data poor, so that wasn't really a

1 surprise to us.

2 Now, I do want to point out that, even
3 though we're saying now that updates might not be
4 warranted, we do still plan to look at these data in
5 the future. We have 40 different data sets that were
6 incorporated in our EFH process last time, and, for
7 many of those data sets, seven more years of data were
8 added. So as part of this process, we are going to
9 pull that data. And even though we didn't find any
10 new literature that might suggest updates were
11 warranted, there might be some data that comes out.
12 So that just is another reason for saying updates may
13 or may not be warranted instead of a little bit more
14 decisive language because we have not done that data
15 pull yet.

16 All right. Component two is the MSA
17 fishing activities. This is federally-managed
18 fisheries. We did not find any new fisheries that
19 were not previously analyzed with EFH effects
20 identified. What we did find was new information on
21 the fisheries and fishing gear that have been
22 previously analyzed. Some of this came out in some of

1 our species-specific literature reviews. We did find
2 new information on deep-set longline gear. There's
3 growing interest in that new way, not new way but in
4 that approach to using longline. And then we think
5 that there is new observer data that is available to
6 inform the existing analyses on the impacts of HMS
7 fisheries on coral EFH and HAPCs. And, again, this is
8 another place where we think that an analysis that was
9 done in Amendment 10 could be expanded with the,
10 roughly, seven more years of available data. So if
11 you're interested in that, I would be happy to direct
12 you to the old analysis that was done in Amendment 10.

13 So updates might be warranted here.

14 Component three. These are non-MSA
15 fishing activities, so call this state water
16 fisheries. We did not find or identify new activities
17 that were not previously analyzed. We did not find
18 new information in the scientific literature that
19 suggested updates were warranted, so we concluded that
20 updates may not be warranted. Again, this is all open
21 to public comment, so it is possible that we'll get
22 some information through the public comment process

1 that would change these findings.

2 All right. Component four is non-fishing
3 activity. Again, no new activities were identified
4 that we wanted to include in this analysis, but we did
5 find quite a lot of new scientific literature on many
6 of the activities that were previously analyzed, and
7 these are going to include things like seismic
8 surveys, oil and gas exploration, decommissioning of
9 oil infrastructure, marine sand and minerals mining,
10 aquiculture. You know, some of these activities had
11 quite a lot of new information that came available, so
12 we did find that updates might be warranted for those
13 analyses.

14 Component five, cumulative impacts. We
15 did not find new activities, mostly because we did not
16 find new fishing and non-fishing activities. We just
17 found more information related to those. So that's
18 why we have no new activities found here. But because
19 that new information was found, it can inform a
20 cumulative impacts analysis that would be in a follow-
21 up action. So we felt that the updates might be
22 warranted due to new information, updates to ongoing

1 analyses, and some new agency and federal government
2 initiatives.

3 All right. The actions to promote
4 conservation and enhancement in response to activities
5 that may adversely be affecting EFH. Shorthand,
6 conservation and enhancement. So, again, no new
7 activities were analyzed, so no new actions were
8 recommended for new activities. However, we did find
9 new information, again, for several of our non-fishing
10 activities, and so we felt that new actions from a
11 conservation and enhancement of EFH might be
12 warranted. In particular, I want to highlight marine
13 sands and minerals mining, renewable energy projects
14 such as offshore wind and aquaculture. For all three
15 of these, there has been considerable resources put
16 towards doing site suitability analyses, developing
17 geospatial modeling processes to help inform those
18 site suitability decisions. And so our recommendation
19 for all three of these is to engage in that type of
20 activity as a new action from conservation and
21 enhancement of EFH.

22 In regards to offshore wind, we did also

1 have action recommendations to develop a robust
2 sampling, biological sampling and abiotic sampling,
3 program to understand the impacts before, during, and
4 after a new program is implemented, and there were
5 some other things in there. So I don't want to take
6 too much time on that right now.

7 All right. Prey species. They're
8 component seven. We did find new information, and so
9 we felt that updates may be warranted. We also noted
10 that, as we were going through our processes, that the
11 information could be reorganized on prey to include a
12 section in each species' profile on the role of prey
13 in HMS EFH. So if you go to Amendment 10 and you look
14 up your species of interest, you're going to see a
15 life history profile of that species. And for some of
16 those species in Amendment 10, we have a very separate
17 prey section, and in others we do not. So we thought
18 that it might be a good idea to reorganize things so
19 that things are presented in a little bit more
20 consistent manner.

21 Habitat areas of particular concern. We
22 had new information found for some species that might

1 warrant exploring HAPCs. Specifically, for white
2 sharks in the New York Bight. We also found quite a
3 lot of new literature on bull sharks in the Indian
4 River Lagoon, and for coastal and nursery habitat in
5 Texas. Those were all considered in our five-year
6 review document, so if you go to the HAPC chapter,
7 you'll see a couple of paragraphs on each of these.
8 We did not find new information on our existing HAPCs,
9 so, basically, no new scientific literature that re-
10 analyzed our sandbar shark HAPC, for example, to see
11 if it should still meet the definition of a HAPC. So
12 we don't feel that updates are warranted for our
13 existing HAPCs, but we do feel that it might be worth
14 looking into whether a HAPC is warranted to protect
15 white shark nursery habitat in areas of the New York
16 Bight.

17 Preliminary results for research and
18 information needs. So we did find new information,
19 and we felt that updates might be warranted. So as
20 many folks are aware, we do produce a management-based
21 research needs and priorities document. The last one,
22 I believe, was published in 2020, so this came after

1 our last EFH action. And so we thought it would
2 probably be a good idea to make sure that things that
3 are mentioned in this management-based research needs
4 and priorities document that relate to EFH are
5 actually reflected in our EFH content of our FMP.

6 There are also many recommendations in the
7 scientific literature based on research and
8 information needs. So you look at any type of
9 scientific paper, it's going to often include
10 recommendations for next steps in a discussion
11 section. And so we have a table in Chapter 15 that
12 summarizes the research needs identified by the
13 authors of scientific papers that were reviewed for
14 this document. I want to be very clear that this
15 should not be interpreted as an exhaustive list of all
16 research needs. We do have a process that we go
17 through as an agency to kind of compile what we think
18 are research needs, that is this document that you see
19 on the screen, but we did want to note what some of
20 these scientists were recommending in their
21 literature. So we had some questions about that, and
22 I just want to be very clear about what that is.

1 I also want to highlight that there is a
2 need for additional research that can help refine EFH
3 on adverse effects of fishing and non-fishing
4 activities on HMS EFH and on HAPCs. For HAPCs in
5 particular, we look for application of the HAPC
6 criteria. When you're talking about the HAPC
7 criteria, one of them that is commonly cited is the
8 ecological importance of an area. Often, we look at
9 nursery habitats as a rationale for our HAPCs, and I
10 want to highlight that we have very specific papers
11 and a scientific body that we draw on for applying
12 this particular HAPC criteria. So that is all
13 discussed in our HAPC chapter and in our research and
14 information needs chapter, but we are pretty specific
15 about that.

16 All right. Reviewing and revising EFH.
17 Is the overall methodology good? Do we need to look
18 at a new way to draw these boundaries? In general, we
19 don't feel that a new methodology may be warranted,
20 but we felt that tweaks to our current methodology
21 might be appropriate. So the previous software that
22 we used to delineate EFH is no longer supported, so

1 that creates some technical needs to explore new
2 options. We also felt that some minor adjustments to
3 existing methodology could reduce bias and better
4 incorporate acoustic and PSAT data into our EFH
5 delineation process.

6 Updates to EFH text descriptions. So we
7 try to use the EFH boundaries to describe the broad
8 spatial extent of where EFH is for Atlantic HMS, but
9 there's also the text descriptions that are in each
10 species-specific section of the document. And those
11 text descriptions are very important for habitat
12 consultations. And so we do try to provide a specific
13 text description of the EFH, so, for example, it might
14 say, you know, these sharks are found from Texas to
15 the west coast of Florida to 200 meters in depth, so
16 it's a fairly generalized text description and it's a
17 fairly big area. Within that, we might also be able
18 to note habitat associations, this particular species
19 uses X, Y, Z habitat; they use deep-water coral
20 habitats; they use hard-bottom habitats. So we do
21 look for those types of associations in the
22 literature.

1 We do have some challenges with doing
2 that, though, because a lot of times, when you're
3 talking about the scientific literature, you've got
4 information that's hyper focused in certain research
5 areas that researchers like to study, and so we might
6 have a lot of information for one area but not so much
7 for another. So it does present some challenges in
8 trying to identify associations in text descriptions
9 that are kind of range-wide or at least region
10 specific. So we are asking for comments on how best
11 to do that. We have some suggestions in the document
12 for how we could improve that.

13 All right. So public comment is
14 requested. We want any information or thoughts that
15 you have related to any of the ten components of EFH.

16 Specifically, we're looking for new information or
17 comments regarding future analyses to redefine those
18 boundaries. That happens at phase two, not right now.

19 But we can certainly start thinking about how we're
20 going to do about that now. Methodologies to
21 delineate HMS EFH and those text descriptions,
22 modifications to existing HAPCs, identification of new

1 HAPCs, analysis on the adverse effects of fishing and
2 non-fishing activities on HMS EFH. We'd love to get
3 some feedback on whether or not there are new actions
4 that we should include to promote conservation and
5 enhancement of EFH affected by non-fishing activities.

6 What do you think of the actions that we proposed in
7 the document, is there anything that we're missing?
8 We want to hear about that.

9 And then also metadata for data sets that
10 could be used in future analysis. So I want to make a
11 special comment on the metadata and the data sets. So
12 we would love to get any information on data, data
13 sets that you think would be useful for our future
14 analyses. But at this time, you don't need to submit
15 all your raw data to us. We are asking for a
16 description, we're asking for the metadata for these
17 data sets so that we can adequately describe them in
18 our documents. But there will be a process that will
19 be described in the next action when we actually
20 compile that data, due the analyses, that we will
21 provide you with step-by-step instructions on how to
22 do that. So stay tuned on that.

1 You can submit comments by July 3rd to
2 regulations.gov. There is the docket number that you
3 would enter into the search box.

4 I want to acknowledge all of the team that
5 worked on this. There are some folks that aren't
6 included on here, but these folks could answer any
7 questions you have. You can also direct them to me,
8 as well. So thank you.

9 MR. BROOKS: Great. Thanks so much, Jen.

10 Let's see if there's any questions or comments in the
11 room or online. David, we will start with you. Thank
12 you for the card. That really helps me.

13 MR. SCHALIT: Thank you, Jen. Excellent
14 presentation. Just a clarification question. We have
15 the offshore wind development that's going to be going
16 on for a very long time, and I'm referencing the
17 approximately 26,000 HMS permits that are out there
18 that do not carry geolocation equipment. So what we
19 found in the presentations we've been getting from
20 BOEM is that they are, more or less, entirely
21 dependent upon your GIS data to determine where we're
22 fishing, which, of course, doesn't tell them where

1 we're fishing, it tells them where our species exist.

2 But this is just sort of a long-winded way
3 of coming to the question, which is how you acquire
4 the data. I mean, I'm familiar with the fact that
5 longline is providing you with accurate geolocation
6 data wherever they do a set, so that should be, you
7 know, that is a good indicator of where longline fish
8 is. But with these other 26,000 permits that don't
9 carry longline, that aren't longline, aren't using
10 longline gear, I'm wondering how you obtain that data.

11 I'll just give you a small illustration.
12 In the last couple of -- we've had bluefin tuna show
13 up off of Hatteras Point every year, and, in more
14 recent years, they've been showing up off of Morehead
15 City. But then just in the last couple of years,
16 they've been showing up further down the coast of
17 South Carolina. Now, I don't know that this really
18 matters. I'm just giving you an illustration. How
19 would you acquire the knowledge that a particular
20 species, its range is somewhat changing, let's say,
21 over time in a situation in which you don't have
22 geolocation data coming from the permit holders?

1 Thanks.

2 MS. CUDNEY: Yes. So that's an excellent
3 question and speaks to part of the reason why we do
4 this on a five-year rolling basis because things are
5 changing and we want to make sure that we're getting
6 this data. So I mentioned that we had 40-plus data
7 sets that were included in Amendment 10. That did
8 include a lot of the fishery independent data,
9 surveys, ichthyoplankton surveys, the shark bottom
10 longline survey. We have our Coast-span and Gulfspan
11 projects that are ongoing by the Science Center.

12 So we have these sort of standard
13 scientific surveys that the agency does. From the
14 recreational standpoint, we have an extremely robust
15 cooperative tagging program that is both for sharks
16 out of the Apex Predators Program up in New England,
17 and the Southeast Fishery Center runs a similar
18 program for tuna and billfish and swordfish.

19 So we do have a way to get capture
20 information. It's somewhat reflective of what the
21 recreational fishermen are seeing. We do try to, for
22 this particular analysis, we are trying to focus more

1 on fishery independent data than fishery dependent
2 data because we don't want the EFH to reflect the
3 behavior of the fishery. We want it to reflect the
4 behavior of the fish, if that makes sense. And so if
5 you're too reliant on fishery dependent data, then
6 it's going to reflect to where the successful fishing
7 is and not necessarily where all the critters are
8 going. So you can get around that using acoustic
9 data, PAST data, and it's part of the reason why we
10 incorporate so many different data types in here.

11 Now, we don't exclude 100 percent fishery
12 dependent data. There is information that comes in
13 through our observer programs. They do research, they
14 do tagging, and so we do get that observer program
15 data in there, too.

16 MR. BROOKS: Great answer. All right.
17 Let's go to Rick, then Marcos, then over to Mike.

18 MR. WEBER: Yeah. Jen, I would just want
19 to begin with congratulating you on the organization
20 and the way you're doing that with those, those ten
21 factors. I think that will be really helpful.

22 I do not know this document as well as I

1 should for as long as I've been here. So forgive me.

2 My interaction with EFH had been through more
3 intraspecies where I was the one being impacted by
4 EFH, specifically with winter flounder.

5 But when I pulled up those reports, two
6 things struck me. And it really, it resonates back to
7 a note I said yesterday, which was I was told at the
8 time that once again EFH was too informed but not make
9 decisions.

10 And as someone needs some boundaries of
11 where do these fish go, the next thing we know is that
12 EFH is being used to set the boundary, not just inform
13 the boundary. And there's just some risk in general
14 in EFH.

15 And, therefore, along those lines what I
16 noticed in looking at a lot of the intraspecies is
17 there was do you guys have to do the egg, larvae,
18 juvenile, and adult? And frequently then, the answer
19 is we are short on data in this and we are using
20 adults as a proxy. We don't know where eggs are,
21 therefore we're using adults as a proxy.

22 I mean, you can go through some of the

1 intraspecies and it's page, after page, after page of
2 we're supposed to tell you where the eggs are. And we
3 don't know where the eggs are and, therefore, we're
4 going to use adults as a proxy. And that, there's a
5 lot of proxying going.

6 Do you have that situation within the,
7 within the --I mean, there's so many things we have to
8 be data short on, even in the species we know well.
9 Can you just speak to these uncertainties?

10 And when, when another agency asks you for
11 where do these fish go, does your EFH map give -- I
12 like words -- and technically this is the essential
13 fish habitat not the all potential fish habitat.

14 And, yet, when we talk about a fish's
15 boundaries, it feels like you're giving them the all
16 potential habitat under the guise of essential fish
17 habitat. And I don't always love that because the
18 word essential should have a meaning, and it's not
19 just the essential sometimes.

20 Can you just speak to this in general so
21 we understand how it's used, what the uncertainty is,
22 and those type things? Thank you.

1 MS. CUDNEY: Yes. So I am putting this --
2 okay, it's on that slide -- so I am putting this map
3 up here just because it's a nice demonstration of the
4 methods that we do. This is Slide 29.

5 Yes. Okay, I see it there. So, good,
6 great questions in there. I will try to remember all
7 of them.

8 The life stage, you are correct, so for
9 bluefin tuna, for billfishes, well, all of our tunas
10 that we analyze for billfishes and swordfish, we have
11 spawning eggs and larvae. So the spawning aspect does
12 cover spawning adults.

13 As lot of this, this example is bluefin
14 tuna, spawning eggs, and larvae. This is based on IP
15 tows. And so in this case, this, these EFH boundaries
16 are specifically related on larval fish
17 identification.

18 You will notice that there's colored kind
19 of density surface that's color graded. And it
20 doesn't include all of the sites where these were
21 found. So we use a 95 percent volume contour. So it
22 excludes the 5 percent outlier.

1 So it's our attempt at trying to not
2 delineate all of the habitat. It is a fairly coarse
3 way of approaching this, admittedly, but it gives us
4 that sort of ability to acknowledge that these, you
5 know, we have to cover all seasons with this, with
6 these delineations. We have to cover all the possible
7 locations. As we note, they are highly migratory.

8 And that's where the text descriptions are
9 so important, because we can refine and dial down the
10 most important associations with the text
11 descriptions.

12 Our primary users of this right now are
13 the Office of Habitat Conservation for those
14 consultations. And they need both the boundaries and
15 the text descriptions to be most effective. So I hope
16 that this addresses that question.

17 MR. WEBER: And the extent that you're
18 using proxy, you know.

19 MS. CUDNEY: So if we don't have
20 information, we work with our -- well, we evaluate the
21 amount of information that's available for these, for
22 our HMS species. And if we don't have sufficient

1 information to delineate EFH, we don't do it.

2 So if you go through amendment 10 you're
3 going to see for certain life stages that we don't
4 have EFH delineated. And it's because we, in
5 consultation with our NOAA scientists that work on
6 these species, did not find a reason to delineate EFH
7 for that particular life stage.

8 MR. BROOKS: Great. Thanks.

9 I've got a few other people in the queue.
10 I want to do just a quick check on public comment
11 just so I can manage time accordingly.

12 Is there anyone in the room or online,
13 non-AP members who will want to be making public
14 comments today? Anybody in the room?

15 Okay. Anybody online? If there's anybody
16 online who will want to make a public comment if you
17 would just raise your hand, then I'll just know how
18 much time we're looking at.

19 Okay, I'm not seeing anybody right now.
20 Okay, great. So back to the queue. I've got Marcos,
21 Mike, Jeff, and Bruce. So Marcos.

22 MR. HANKE: Hello. Thank you for the

1 presentation again. And I want to take this
2 opportunity to understand something that I don't
3 understand with the two concepts of EFH and HAPCs.

4 Once we analyze or talk about the effects
5 of something on EFH, on HAPCs, we talk with no
6 measurements. What I mean by that is it would be very
7 helpful, you know, for the industry, the scientists,
8 and the Government to understand on any given place
9 what is the main problem that is affecting the
10 essential habitat.

11 Because very often when we get into a
12 discussion about EFH on the council, we just discuss
13 about fisheries, but it's such a small portion of it,
14 and we don't have a way to put a measurement of how
15 much we are helping or supporting the EFH by changing
16 a fishing regulation.

17 If we are talking about something else
18 that is so big, so major, then we don't have much to
19 say.

20 And I would really appreciate that on the
21 simplified approach to the community we receive what
22 are the things that are affecting or are potentially

1 affecting the EFH and so on.

2 And that's the only comment I have.

3 Because everyone, guide everybody for a more fruitful
4 discussion. Thank you.

5 MR. BROOKS: Thanks, Marcos. Mike.

6 MR. PIERDINOCK: Thank you, Jen, for your
7 presentation. Just a few questions about non-fishing
8 impacts.

9 If increased temperatures, shifting
10 stocks, shifting and changing predator-prey
11 relationships for an EFH or an HAPC area, was that
12 taking into consideration that now you have new
13 species moving in or moving out and, for instance,
14 forage and predator-prey relationships and how that
15 may change the dynamics for an intrusive species that
16 now comes in and is displacing or impacting what's
17 there and the reason for it?

18 So that's question one, number one, if
19 that's considering non-fishing impact, and whether
20 that level of evaluation and assessment took place.

21 Depending upon the location of some of
22 these, some of them may be near shore or near

1 tributaries that discharge into the bays, or oceans,
2 or so on. So as a result, with increased
3 temperatures, especially in New England we have more
4 incidences of toxic algae blooms, and die-offs, and
5 anaerobic conditions that are making the fish die off,
6 or lobster, or so on in different areas, so was that
7 also looked at, increased temperatures, impacts of
8 runoff?

9 I'll use an example. With COVID Cape Cod
10 and the islands now are a year-round residency for
11 people since they can work from home. And now the
12 discharge of sanitary waste that would go into non-
13 conforming septic systems is a year-round event with
14 additional water use and additional sewage discharge.

15 And then as a result, that's discharging
16 and impacting, and we're seeing significant impacts of
17 that in Cape Cod Bay and elsewhere, which I think
18 there is a sharp EFH or HAPC around the Plymouth area.

19 So has that also been looked at in certain
20 areas? Because there's definitely examples of where
21 that's taking place.

22 MS. CUDNEY: Yes. So increased

1 temperatures, climate change is considered a non-
2 fishing activity. It is analyzed in our EFH. We
3 added that as something that we wanted to look at in
4 Amendment 10. And so we updated our analysis of that
5 in this amendment.

6 And I also want to say that the
7 information that's going to come out of the CVA, it's
8 the CVA for all intents and purposes is an opportunity
9 to analyze new information very specifically related
10 to the impact of climate change on our species.

11 And so the outcomes from that could be
12 used to inform our EFH analyses. So there's that.
13 So, yes, it was considered.

14 Near shore and near effluent discharge
15 pollution, it's all, it's all included. So there is,
16 there is a section in there about -- that does that.

17 I don't remember seeing a lot of new
18 scientific literature. But what I'm hearing from you
19 is that we need to look at that. So we can mark that
20 down as a suggestion.

21 MR. BROOKS: Great. Thanks.

22 Jeff and then Bruce.

1 DR. KNEEBONE: Awesome. Thanks, Jen.

2 I'm going to get pretty technical here.

3 I'm glad to see that you're considering new
4 methodologies, the Hawth's method I always had a
5 problem with. For example, I'm looking at the
6 yellowfin tuna.

7 Current EFH now, which includes the waters
8 of Narragansett Bay up until almost Providence, all of
9 Buzzard's Bay, and half of Vineyard and Nantucket
10 Sound. And I think Mike might agree that these are
11 not areas that yellowfin tuna are commonly found or
12 ever found. And I believe the reason for that is the
13 smoothing parameter that you use in your kernel.

14 So the smoothing parameter, for people who
15 don't know, it kind of lets, controls how much the
16 sprawl of the model can be. And that sprawl is what
17 puts EFH into areas where species don't exist.

18 So I see there's a lot of text in the
19 document. I perhaps should have read it so I was
20 better prepared to comment on it. But I just strongly
21 encourage you to really scrutinize your methods.

22 And when you look at you EFH maps to say

1 does this match reality, are the fish really there?
2 Because one of the issues that I have with EFH in
3 general is it's dilution.

4 So much area is essential, I feel like by
5 drawing maps that are broadly diffuse in identifying
6 large areas, you're really diluting the impact of
7 specific areas that are truly essential to species.

8 So that is my comment. I'd be happy to
9 talk more. Just really, really scrutinize what
10 methods you're doing and try to hone in on the areas
11 that are of true importance and weed out the areas
12 that do not need to be identified as EFH. Thank you.

13 MR. BROOKS: Thanks. Thanks, Jeff. And
14 that certainly echoes Rick's earlier comment.

15 Take one more comment now and then we will
16 shift to enforcement update.

17 So, Bruce, you get the last word here.

18 MR. POHLOT: Okay. Just want to say
19 thanks for all you do. I think this is a really
20 important program.

21 When it comes to incorporating prey, I
22 think it is warranted if the data is available. I

1 think it should be used, especially in an ecosystem-
2 based fishery management context, looking at where the
3 prey is going.

4 Especially related to climate change, in a
5 lot of cases the prey is more effective than the
6 predators, and then the predators are following the
7 prey, potentially adapting what their essential fish
8 habitat is failing rapidly.

9 So, yeah, if you can, please try to look
10 at these HMS species relative to the role that the
11 prey plays.

12 And then regarding incorporating acoustic
13 and PSAT data, I think this is a really good idea.
14 And I just want to say that you don't have to look
15 just to know those programs, the cooperative programs.

16 There are a lot of different groups, some of them are
17 here, that have a lot of satellite tag data and
18 acoustic data. And we'd be more than happy, a lot of
19 them would love to see that data used by you guys.

20 So if, you know, there's anything we can
21 do to give you that, we have enough to look at
22 basically global habitat suitability of blue marlin

1 and some of the other billfish species. So we're, you
2 know, more than happy to share that. Thanks.

3 MS. CUDNEY: And we appreciate that. And
4 I'll reach out.

5 MR. BROOKS: Great. Thanks all for that
6 conversation. And I just want to confirm I'm not
7 seeing any hands up online. So I think we are okay to
8 move on.

9 Jen, thanks so much for the presentation
10 and discussion.

11 So, with that, want to get to the last
12 topic of this meeting and invite Kevin Swiechowicz to
13 come up here.

14 And is Miles Dover here as well? If not -
15 - online. Okay, we've got Miles online.

16 So we'll hear from OLE. We do not have
17 Katie Moore today, but I believe a presentation was
18 posted. Is that right?

19 MR. JEFFERSON: That's correct.

20 MR. BROOKS: Okay. So, Kevin, come on up.
21 Okay. And I am seeing Miles online. Great.

22 All yours. Want to start with Miles?

1 Okay, Miles, I think your mike should be
2 open.

3 MR. DOVER: Can you all hear me?

4 MR. BROOKS: Yes.

5 MR. DOVER: Hello, can you hear me?

6 MR. BROOKS: Maybe you're not seeing us.
7 Yes, we can hear you.

8 MR. DOVER: Yeah, okay. Thank you. Yeah,
9 under a little screen glare, so hard to see you all
10 there.

11 Okay. My name is Miles Dover. I'm the
12 enforcement officer out of North Carolina. I'll be
13 presenting the highlights from OLE from the Southeast
14 Division.

15 Since the last AP meeting, so I've got on
16 here that over 41 dedicated HMS patrols. Our guys are
17 patrolling all the time. We happened to run across
18 HMS, but just patrolling, specifically looking for
19 HMS, had a 41 on there.

20 Had three dedicated operations targeting
21 HMS since the last AP meeting. We had Operation Blue
22 going out of North Carolina which was specifically for

1 bluefin tuna out of Morehead City, Carteret County
2 area. Had one vessel underway.

3 The couple days that we were underway we
4 hit a northeaster. It was winter. Seven boardings
5 underway. And this time we did one potential bluefin
6 transfer at sea. We basically heard them on a radio,
7 went over there and stopped them before it happened.

8 Had Operation Blue Trophy down in the Gulf
9 which was targeting HMS charter headboats in the Gulf.

10 During that, that was just completed a few days ago,
11 had 30 boardings were completed. And I'm still
12 awaiting the after action report from them to see what
13 they had off of those boardings down there.

14 Had Operation Titan Punchout which the
15 National Marine Fisheries had one of our enforcement
16 officers get underway with the U.S. Coast Guard and
17 participated with Bermuda fisheries wardens targeting
18 pelagic longliners in the EEZ or just outside the EEZ
19 of Bermuda.

20 When they got underway, transited over to
21 Bermuda, picked up a warden, and started doing their
22 work over there. They were able to locate three

1 Taiwanese pelagic longline vessels, one of which was
2 running AIS dark. However, when they requested a
3 statement of no objection to board the vessel from
4 Taiwan, they were denied.

5 But they pulled in a bunch of intel,
6 shadowed the vessel the whole time they were out
7 there. And they pulled in a lot of good intel which
8 was forwarded up by the Coast Guard.

9 Future operations we have planned in the
10 Southeast, Operation Florida Bay which is going to be
11 out of Miami, Florida, in the late August or mid to
12 late August time frame. It's not been quite set in
13 stone yet. Still working on the ops plan for that
14 one.

15 For me myself, working out of North
16 Carolina, a lot of guys that are, people that are
17 there at the AP meeting, they're around them a lot.
18 Completed 41 boat boardings in the second half of the
19 season. Had a bunch of other boardings during the
20 November-December time frame. But since January did
21 41 intended boardings out of Wanchese. Have done 6
22 pelagic longline offloads out of Wanchese.

1 The Gulf, I know during the Operation Blue
2 Trophy down there they completed 30 HMS boardings as
3 far as headboats in the Gulf last week.

4 Some highlights that we've had, stuff
5 that, incidents that have closed and been prosecuted.

6 We had a -- or Special Agent, out of Jacksonville,
7 Barkoff and his ASAC attended a sentencing hearing for
8 two defendants that were formally found guilty of
9 charges of felony theft of pelagic longline gear.

10 The U.S. district judge sentenced both
11 defendants to one year probation, 50 hours community
12 service, and restitution to the victim totaling
13 \$3,343.72, along with court costs.

14 We had a Slidell, Louisiana, Special Agent
15 who served a notice of violation totaling \$19,000 to a
16 commercial longline vessel. Violations were prepared
17 that they obtained and possessed bluefin tuna and
18 removing tails from yellowfin tuna at sea.

19 Had a Harlingen, Texas, enforcement
20 officer received a complaint regarding a social media
21 post from fisherman landing white marlin in Port
22 Mansfield, Texas. EO checked the HMS permit, shop did

1 not have the valid HMS permit. Person was interviewed
2 and admitted to not having an HMS permit and was
3 issued a \$500 summary settlement offer.

4 We're continually looking out there to do
5 the enforcement to enforce the regulations. Always
6 looking for HMS.

7 I work a lot with my guys in North
8 Carolina. Captain Matt, Captain Marty, Dewey that's
9 there, talk to them a lot out on the docks when I see
10 them. And so at least here in North Carolina have a
11 good rapport with my fishermen, both longline and
12 general category. Like working HMS and happy to be
13 here with you.

14 That's about all I've got on my end. So,
15 Kevin, I'll turn it over to you.

16 MR. SWIECHOWICZ: Okay. I'm Kevin
17 Swiechowicz. I'm an enforcement officer out of
18 Narragansett, Rhode Island. Just going to cover what
19 we did in the Northeast Division since the last AP
20 meeting in September.

21 As you guys already know, it's relatively
22 our kind of shorter time of year between September and

1 now. It's an order of magnitude, actually, less as
2 far as activity than we normally encounter between now
3 and the next meeting in September.

4 As typical, during this time frame over
5 the winter most of our HMS fishing activity and
6 landing activity drops. So what we do have is
7 typically holdover referrals or delayed referrals that
8 took a while to get through to us before the last AP
9 meeting from activities that most likely occurred in
10 the late summer/early fall.

11 But since September 7th , 8th meeting we've
12 had 43 new investigations opened by OLE in the
13 Northeast. Thirty-three of those were from our
14 partners, JDA partners who can be state or U.S. Coast
15 Guard.

16 Again, those are just somewhat of a little
17 bit of a delay because they have to go through their
18 chain of command, then they get kicked over to the JDA
19 program coordinator before they get to us. So it
20 doesn't necessarily mean we're not acting on them
21 immediately upon receiving them, it just takes a
22 little bit of time for us to get a lot of those.

1 Ten of those investigations were initiated
2 by the National Marine Fisheries Service
3 independently. On brief review, as a lot of those are
4 either all still ongoing or technically still going to
5 be considered ongoing because they're in the penalty
6 assessment phase.

7 The most predominant violations of most of
8 those referrals were for fishing for HMS or possessing
9 HMS without a permit, followed by failure to report
10 HMS, being both fluke and tuna and non-tournament
11 swordfish, billfish, and such as.

12 A couple notable ones that would be of
13 importance since the last meeting, we did have, we had
14 two vessels were charged for violation of the
15 restricted fishing base in place last year for
16 retaining commercial size bluefin tuna on RFDs.

17 We had a permitted vessel was forwarded to
18 the general counsel in charge for failure to report
19 multiple bluefin tuna, both commercial category and
20 recreational category, over a one-year period of time.

21 And we had another vessel that was charged
22 for commercially fishing for HMS species without an

1 HMS permit, as well as the dealer that was involved in
2 that situation.

3 This year, going forward our continued
4 enforcement priorities we're going to spend a lot of
5 time still focusing on the HMS permit requirements.
6 That permit requirement, I would caution, is largely
7 shifted towards the recreational angling community
8 that we're encountering, pelagic longliners that don't
9 have permits.

10 So when we say vessels fishing without
11 permits, it's typically focused on the hand gear
12 fisheries.

13 Bluefin reporting, again remain some of
14 our top priorities, again both between handline
15 commercial fisheries as well as the recreational
16 community.

17 Restricted fishing days are again going to
18 be a focus that we're going to look at, as those are
19 implemented this year, because obviously it creates
20 some inequitable situations for those that are abiding
21 by it and staying off the water, versus those that are
22 getting a competitive advantage.

1 Bag limits, we are going to continue to
2 enforce that, both for bluefin tuna, obviously, as
3 well as your other species. Most of our bag limit
4 violations are typically associated with either
5 billfish or the BAYS tunas. Just depending on what,
6 you know, what those anglers and those vessels happen
7 to get during that time.

8 Katie Moore's not here to address it, but
9 last year we took a big step forward. The Coast Guard
10 began taking a much deeper, more in-depth look at the
11 commercial fishing vessel safety requirements for
12 general category permit holders. That had long been
13 an issue of equity and competitive advantage when you
14 consider financial investment in the fishery. It was
15 something that we, as NMFS alone do not have the
16 authority to do.

17 It is not in our statutory authority to
18 hold somebody accountable for their commercial fishing
19 vessel safety requirements and examination
20 requirements and, essentially, the upfront costs that
21 it would take an angler to comply with those
22 requirements. We need to rely on the U.S. Coast Guard

1 to work that on their end.

2 And to their credit, they did a
3 significant amount of work on the water, especially in
4 the New England Region, tackling the smaller
5 owner/operator vessels, charter headboat vessels with
6 endorsement to sell, the day boat rod and reel
7 vessels. That's where we were seeing most of the
8 problems.

9 And they have conducted patrols
10 specifically looking at that. And I know they did
11 terminate quite a few trips over the last year or so.

12 So just be advised we are aware of that
13 issue. We heard everybody who knew about it. And we
14 do have a pretty process in place to help to address
15 it.

16 As far as some comments that were brought
17 up. One that was yesterday, I'm not sure if she is
18 still on the call, it was a question that was asked
19 relating to -- I'm not sure if it was directed towards
20 enforcement or if was just a general comment, and it
21 was regarding the, basically mentioned taking a look
22 at vessels that are importing seafood into the United

1 States. And by seafood, it was pertaining to
2 swordfish and HMS species like white tunas.

3 And I'm not entirely sure what that was,
4 but if it was related to, say, ICCAT vessels and why
5 we're not looking at those vessels, as was briefly
6 just mentioned, we don't have boarding authority when
7 we do patrols, when we do target these vessels from
8 foreign nations that are operating outside our EEZ.

9 So as is often the problem, even if we
10 coordinate with the Coast Guard to get out on scene,
11 we have to go through the Department of State to
12 request permission to board that vessel and inspect
13 it, which is typically denied by the flag state.
14 Which leaves us only intelligence gathering
15 capabilities at that point.

16 But if it wasn't particularly for that, if
17 it was asking about why we aren't looking at vessels
18 importing the seafood, well, we don't know which
19 vessels are importing the seafood to the United States
20 until those documents are provided to the Seafood
21 Import Monitoring Program.

22 So we can't proactively look at those

1 vessels because we're not exactly sure where that
2 seafood's being sourced from until we actually get
3 those documents and it goes through the review
4 process. And if during that review process we do
5 detect IUU vessels or vessels of concern, then we can
6 proceed to look at them in the future, which is a
7 process that we do. But there's no way to proactively
8 target these vessels at sea to try to determine if we
9 can source some issue before it even gets to us.

10 And today I believe there was a comment
11 made about rec swordfish, especially in Florida
12 because, obviously, deep drop swordfish is a much
13 bigger issue in the southern states. It is creeping
14 its way up north. But based on just the general
15 interest in the fishery, as well as the knowledge and
16 the access to those fish, it's more prevalent in the
17 south.

18 But a comment was made about rec swordfish
19 tickets not being issued. I can assure that they are.

20 We do follow up on those cases.

21 People have been charged for failure to
22 report recreational swordfish. Their own ticket

1 generally refers to what would be a criminal citation.

2 We operate in the civil realm, so we're issuing
3 what's typically a typical summary settlement offer
4 for those violations. Those are not public. They're
5 confidential between the National Marine Fisheries
6 Service and the person who violated that regulation.

7 But I just want to assure you they are
8 being issued. People have been charged for that. When
9 you say you haven't seen it, well, it's kind of done
10 discretely. It's not really going to be a public
11 show. Those are issued after the fact by Certified
12 Mail or a service system.

13 And there's office interest of that
14 fisherman, dock talk, one of prestige. They're
15 usually not willing to talk openly to the people in
16 their marina or their docket but, yeah, they were
17 charged and they paid a fine for breaking the law.

18 We often hear that, too. Occasionally
19 members of this panel or other concerned parties will
20 come to us with comments, concerns, or to turn
21 somebody in for a violation they saw. And then
22 they're outraged and angry two months later because

1 nothing was done about it when, in fact, it was done.

2 The person may have already paid a significant fine
3 for it. But they return to their dock and brag that
4 they fought it in court and won or deny that anything
5 came of it.

6 So I just want to let you know that we do
7 follow up on your complaints, we do take them
8 seriously. And we are out there working, just not
9 necessarily something you're going to have front page
10 visibility on.

11 And I will open up, I'll be available for
12 questions, comments, concerns again.

13 MR. BROOKS: Great. Would you hit the
14 mike just for a sec?

15 Yeah, thanks. Thanks, Kevin. Thanks,
16 Miles. Let's see if there's any questions or comments
17 from AP members. Steve and then Dewey.

18 MR. GETO: Thanks, Kevin. Could you
19 provide some clarity on HMS activity in Rhode Island
20 state waters? This came up last year, but potentially
21 you have a situation where you have boats from
22 Massachusetts or New York fishing in Rhode Island

1 state waters for HMS, primarily bluefin. What is the
2 permit requirement for boats that are not from Rhode
3 Island?

4 MR. SWIECHOWICZ: Yeah, absolutely. That
5 obviously became an issue the last year or two.
6 Bluefin Tuna and HMS, particularly Bluefin Tuna, a
7 certain subgroup of that have apparently found a
8 valuable food source Narragansett Bay. They will
9 leave Cape Cod and come back around to the south end
10 of Narragansett Bay late in the summer.

11 That caused some issues. We are aware of
12 it. Vessel that have -- obviously the National Marine
13 Fishery Service has jurisdiction over Bluefin Tuna
14 from shore to 200 miles. We cannot prohibit more
15 restrictive state regulations.

16 My understanding of that situation is when
17 those fish have recently become a viable commercial
18 target within state waters. The State of Rhode Island
19 -- your HMS permit issued by NMFS covers you for HMS
20 fishing. The State of Rhode Island has more
21 restrictive regulations covering any commercial
22 fishing activity occurring on any vessels within their

1 waters and that is their prerogative to do.

2 My understanding is the State of Rhode
3 Island would require a non-resident commercial fishing
4 vessel declaration permit/sticker that would go on the
5 boat identifying yourself as a commercial fishing
6 vessel in the State of Rhode Island.

7 My understanding is that was information
8 not entirely known to the HMS fleet, whereas it was
9 known to vessels, say, from New York or Massachusetts
10 that were interested in fishing for other target
11 species like Fluke, Stripped Bass, Black Sea Bass,
12 whatever. That was more common knowledge among them.

13
14 It wasn't among the HMS fleet because it
15 was a relatively new fishery. My understanding is the
16 permit you would need to both commercially fish as a
17 vessel in Rhode Island would be a commercial fishing
18 vessel declaration permit.

19 If you wish to land, even those you have
20 an HMS commercial permit, you would also need a non-
21 resident landing license to be able to conduct
22 commercial fishing transactions in the State of Rhode

1 Island.

2 But I would direct you after if you want
3 to get in touch, I could probably put you in touch
4 with Rhode Island Division of Environmental Management
5 Authority so they could put you -- I believe the
6 individual who processes those is Dan Costa of Rhode
7 Island DEM, but I would be happy to follow up with you
8 on that.

9 MR. BROOKS: Thanks.

10 Dewey and then over to Willy.

11 MR. HEMILRIGHT: Yeah, my question is
12 about the Taiwanese vessels that fish in the southeast
13 part of our EEZ, probably off North Carolina, around
14 Bermuda, and down in that area. It seems like for the
15 last three or four years we've had vessels fishing in
16 there and the Coast Guard tracks them.

17 I'm just curious about where do they end
18 up at? How far do you all track them? You're
19 observing them but you can't board them because there
20 is no high seas boarding. Any idea what species
21 they're fishing for? How long do you track them and
22 where do they go to unload or trans ship at? Thank

1 you.

2 MR. SWIECHOWICZ: Yeah, so regarding those
3 Taiwanese vessels, I'm going to limit my comments
4 because some of those situations are still active and
5 ongoing and we do have international cooperation on
6 some fronts to address that.

7 The tracking of those vessels is actually
8 pretty substantial. In some cases those vessels have
9 been identified all the way to the port where they
10 were offloaded. I won't describe where that was but
11 we were able to follow some of those all the way to
12 the point of offloading and were actually able to
13 somewhat track some of that fish all the way into the
14 chain of commerce internationally. I'm not trying to
15 be obtuse.

16 I have to be pretty vague on that because
17 I do know some of those are still actively ongoing,
18 but we do have some capabilities to follow that stuff
19 pretty far down. It's not lost on us. We do have
20 some very specialized agents who work international
21 affairs and stuff like that and have contact with
22 INTERPOL and a few other agencies.

1 In some cases, yeah, they can disappear on
2 us fast if they are doing dark and we lose them.
3 There's not a heck a lot we can do with that with our
4 resources and what else we have to monitor. In some
5 situations we are able to actually get really good
6 track on that stuff.

7 MR. BROOKS: Kevin, can you say anything
8 about species?

9 MR. SWIECHOWICZ: Yeah, it's been a
10 multitude of species. Yes, it covers the gambit of
11 BAYS and Bluefin Tuna.

12 MR. BROOKS: Thanks. Willy.

13 MR. GOLDSMITH: Thanks, Kevin. This kind
14 of goes off of what Steve was talking about with the
15 excitement off Newport last year with those Bluefin in
16 shore. Needless to say, that information was not kind
17 of kept quiet in terms of the tickets that were issued
18 and all of that.

19 I know many states will often kind of
20 show, you know, it will be shared on social media when
21 those kinds of interdictions and penalties happen. We
22 had a long conversation this morning about reporting

1 and compliance and that sort of stuff. You might have
2 mentioned this, and if you did, my apologies.

3 The guidance for the confidentiality and
4 all that, is that a NOAA OLE policy? At what level of
5 governance is kind of the directive to kind of keep
6 all that information private among those who are
7 violating and being caught?

8 MR. SWIECHOWICZ: Yeah, I would have to
9 defer that to our Office of General Counsel.

10 MR. BROOKS: Pardon? Do we have someone
11 online? Loren?

12 MR. COOPER: Hey, Loren. Go ahead.

13 MS. REMSBERG: How is that working?

14 MR. DOVER: I can hear you fine, Loren.

15 MS. REMSBERG: Okay, great.

16 Hi everyone. This is Loren Remsberg from
17 the Office of General Counsel Enforcement Section. I
18 can try to speak to that question. As an agency we do
19 publish information about notices of violation issued
20 by my office and I can put the link to that website in
21 the chat for everyone. For cases that are elevated to
22 the Office of General Counsel, we will publish brief

1 information about the violation and the names of the
2 respondents. For summary settlements, we don't
3 publish publicly every summary settlement that is
4 issued by the Office of Law Enforcement.

5 I'm not aware of a policy that prohibits
6 us from doing that. I think it's a matter of volume.

7 There are many, many more summary settlements that
8 are issued by the Office of Law Enforcement for lower-
9 level violations than there are notices of violation
10 issued by General Counsel.

11 I think it might be more of an
12 administrative task, or burden rather. I can chase
13 that down. I mean, from time to time conversations
14 come up about how we should handle that.

15 I think right now we're not making that
16 information public but we do try to publicize when
17 there's been kind of a push on a certain type of
18 violation and we have issued several citations to try
19 to get the word out about some type of non-compliance.

20
21 We'll put out web stories or things of
22 that nature to try to get the word out when we're

1 trying to make a compliance push. That's where we
2 are. Does that answer the question?

3 MR. GOLDSMITH: Yeah, that's very helpful.

4 Thanks. It was kind of more to your latter point
5 there about the outreach part, I think. Some states
6 have been successful in using demonstrations of those
7 violations as kind of (a) to reiterate what the
8 regulations are, and then (b) to demonstrate that
9 there is enforcement out there kind of paying
10 attention. That was kind of the thrust of my
11 question. Thanks.

12 MR. BROOKS: Right. Thanks to both of
13 you. All right. I don't see any other hands up at
14 this point online or in the room and we should get to
15 public comments. Thank you, Kevin and Miles, for
16 being here as always.

17 All right. At this point I want to go to
18 public comment. If there's anyone in the room who
19 wants to make a public comment, please raise your hand
20 so I know. If you are online and want to make public
21 comment, please raise your virtual hand so we can see
22 that, too.

1 Marty, if you want to come on up to the
2 table. As always, if folks could start with a name,
3 affiliation, and topic, that would be great. Limit
4 remarks to just a couple of minutes would be helpful
5 as well. Then if there's anyone online -- I see
6 Alana.

7 If you want to make a comment as well, we
8 will bring you in next.

9 If there is anyone online who wants to
10 make a comment but would rather do it in the chat, you
11 are welcome to do that, too.

12 Marty.

13 MR. SCANLON: Yes, Marty Scanlon,
14 president of Blue Water Fisherman's Association. I
15 just want to comment on the e-trips that we deal with
16 GulfCo and just was going over that just a little
17 while ago.

18 They are very difficult to navigate, very
19 difficult to do. If we're going to move forward with
20 electronic log book reporting in the PLL fleet, we
21 actually have to have it set up particularly for PLL
22 fishing.

1 My suggestion would be to simplify. Just
2 take our existing paper logs and put it in an e-form
3 so what the fisherman have been accustomed to filling
4 out for the past 25, 30 years can just move forward.
5 It would be simpler.

6 Right now with the safety reports that we
7 fill out, they are really designed for day trips.
8 They are not designed for multi-day trips and it
9 becomes very, very difficult to navigate them. That's
10 really my comment there. If we are going to move
11 forward with that, make it simpler. You have to make
12 it specifically designed for the PLL fleet itself, you
13 know.

14 Forget about all the rest of the stuff
15 that's in there, all the bells and whistles. We don't
16 need 90 percent of the stuff that's in there. That
17 would be a big help to us. Thank you.

18 MR. BROOKS: Thanks, Marty. Appreciate
19 it.

20 Let's go to Alana online. Again, if you
21 could start with name, affiliation, and whatever it is
22 you want to comment on. Thanks.

1 We're working to get your line open. There it is.

2 MS. CRAWFORD: We can hear you.

3 PARTICIPANT: Okay. I'm Alana and is it
4 my time?

5 MR. BROOKS: Yes, it is.

6 PARTICIPANT: I think it's interesting
7 comparing today's discussion with yesterday's
8 discussion and seeing the different level of oversight
9 for the two sectors. The fact that you all are
10 incentivizing the recreational sector, or the angling
11 sector, for reporting is really like out of the realm
12 of anything I've heard in fisheries management.

13 I mean, why can't we just do mandatory
14 compliance? As a dealer I have mandatory compliance
15 as the commercial fishermen have it so it goes back to
16 the fair and equitable discussion.

17 I don't know. That sounds more so like a
18 tagging program you have incentives like that, but not
19 for reporting. If you're trying to get -- you already
20 have a permit set up so why not have mandatory
21 reporting so they have to be compliant to get the
22 permit.

1 So there's a lot there. I'm also
2 wondering is Wicked Tuna as far as the video
3 monitoring is going to go through that sector, or are
4 we looking to expand that as well? That's all I have
5 for today. Thank you.

6 MR. BROOKS: Thanks so much. Appreciate
7 the comments.

8 All right. Let me just check again in the
9 room if there's any other public comment or online.
10 All right. If not, I think we should move to wrap up
11 here. Just as far as any specific next steps, pieces
12 I have over the last couple of days are I know there
13 were a number of asks on the Bluefin Tuna
14 presentation.

15 I assume that information will be coming
16 out as it gets pulled together. There was interest in
17 seeing the list of climate vulnerability assessment
18 experts. I think that was already made available.
19 It's on the presentation itself. That's right.

20 There was interest in getting on day two
21 the links to the site-ease data online. If that
22 hasn't been sent around yet, that should happen. On

1 the Deepwater Horizon there was interest in finding
2 out what groups they were working with in the
3 Caribbean so that any outreach effort could be made
4 and sort of better connections made there and interest
5 in getting any final reports on any of the working
6 being done there.

7 Then just now interest in getting from OGC
8 the link to Notice of Violations which I know was put
9 in the chat but for folks in the room who don't have
10 access to the chat, that would be good to capture and
11 send around elsewhere. Then Loren said she would be
12 trying to dig up some more information on the
13 confidentiality rules and share that back out to
14 folks.

15 Just a reminder, the September meeting
16 will happen Labor Day week as planned. I think that's
17 right. And then I'll let Randy talk about the summary
18 that they do and timing.

19 Anything else you want to say to close
20 out?

21 MR. BLANKINSHIP: Thank you, Bennett.

22 Thank you all for being here over the last

1 couple of days. The discussions have been very good
2 and informative. We have taken a lot of notes and we
3 are going to take your advice and input certainly into
4 consideration as we continue to deliberate on all the
5 things that we discussed here.

6 I want to -- one thing is the summary
7 presentation that we normally do after each of our
8 meetings we will do for this one and it will be posted
9 online on the agenda website. There will be a link at
10 the top there when we have that ready and it will be
11 popped on there when it's available.

12 Can I do a plug for getting travel in?

13 MR. COOPER: Sure.

14 MR. BLANKINSHIP: Okay. So plug for
15 getting your travel documents together and done.
16 Follow the instructions as provided to you, I think,
17 by Pete about that. Please do that as soon as you
18 possibly can after you get back to your homes.

19 I want to give a big thank you shout-out
20 to Pete Cooper, Branch Chief in our Products and
21 Services Branch, for doing a great job again with
22 organizing this meeting. Also especially for HMS

1 staff that have worked so hard to make all of that
2 happen under Pete's leadership. Thank you to HMS
3 staff and to our invited presenters for presenting.

4 And thank you, Bennett, for another great
5 job of facilitating. Really appreciate your work.
6 Thanks everybody for being here and we look forward to
7 seeing you in September. Thanks.

8 (Whereupon, the above-entitled matter went
9 off the record at 11:58 a.m.)

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\$19,000 115:15	activities 76:19 77:3,6 84:17 85:15,16 86:3,6	agree 59:12 61:5,10 66:19 108:10
\$20 73:21	86:10,15,16,18 87:4,7	agreement 57:6 76:21
\$3,343.72 115:13	87:8,10 91:4 94:2,5	ahead 31:8 47:7 131:12
\$50,000 61:15 62:17 73:22	117:9	aid 19:15
\$500 116:3	activity 78:10 82:5 86:3 87:20 107:2 117:2,5,6	aimed 44:12
a.m 1:12 5:2 75:14,15 140:9	125:19 126:22	air 48:1
abbreviated 82:2	actual 25:4 81:22 82:13	AIS 114:2
ABBY 3:4	adapting 110:7	AL 1:20
abiding 119:20	add 39:13 69:21	Alan 2:1 70:22 72:11
ability 22:4 102:4	added 84:8 107:3	Alana 134:6 135:20 136:3
abiotic 88:2	additional 9:1,12 19:15 20:16 45:3 48:3 49:21	albacore 20:3 83:19
able 6:3 22:2 26:4 42:15 42:22 43:1,14,16 45:2	91:2 106:14,14	algae 106:4
47:14 92:17 113:22	additionally 54:1	align 46:7
127:21 129:11,12	address 21:3 32:7,18 77:16 120:8 121:14	alignment 29:13 71:8
130:5	129:6	alive 68:2
above-entitled 75:13 140:8	addressed 76:20	alleviate 72:1
absolute 40:5	addresses 41:9 102:16	Alliance 2:11
absolutely 39:19 40:3 126:4	adequately 94:17	allocate 47:14
abundance 30:8,13 40:17 41:5 54:4	Adjoin 4:5	allocation 47:5
Academic 1:15	adjustments 92:2	allow 10:9 15:7 24:2
academics 35:4	ADMINISTRATION 1:3	Ally 56:16
access 22:7,8 123:16 138:10	administrative 132:12	amaze 67:5
accessible 43:13	admitted 116:2	amend 78:15
account 18:9 40:4 68:10,16	admittedly 102:3	amendment 19:16,18 20:12 79:5,8 80:21
accountable 120:18	ADRIANCE 2:19	85:9,12 88:13,16 97:7
ACCSP 28:17	adult 99:18	103:2 107:4,5
accuracy 37:18	adults 99:20,21 100:4 101:12	America 69:5
accurate 20:14 51:7 74:4 96:5	Advance 7:13 8:15	American 1:18,22 2:6,7
accurately 73:17	advanced 4:3 6:7	amount 24:16 74:4 102:21 121:3
accustomed 135:3	advantage 119:22 120:13	Amy 2:20 45:8 47:20 48:10 63:10
achieving 48:6	adverse 77:7 91:3 94:1	anaerobic 106:5
acknowledge 95:4 102:4	adversely 76:19 77:3 78:5 87:5	analyses 17:19,21,22 36:13 77:11 85:6
acknowledging 37:12	advice 32:3 139:3	86:13 87:1,16 93:17
acoustic 92:4 98:8 110:12,18	advised 121:12	94:14,20 107:12
acquire 96:3,19	Advisory 1:5 3:6	analysis 85:8,12 86:4 86:20 94:1,10 97:22
Act 77:1	Advocates 2:3	107:4
acting 117:20	affairs 129:21	analyze 21:5 101:10 104:4 107:9
action 7:17 9:3 25:2 63:2 80:2,3,16,17,18	affect 41:18,18,19 76:19 77:3 78:5	analyzed 84:19,22 85:17 86:6 87:7 89:10
86:21 87:20 88:1 90:1	affiliation 134:3 135:21	107:2
94:19 113:12	agencies 44:22 78:2 129:22	anchor 27:10
actions 45:18 77:5 78:3 78:3 79:3 80:19 87:3	agency 9:10,22 28:14 33:18 39:10,20 48:8	anchored 27:2,9
87:7,10 94:3,6	53:3 78:4 87:1 90:17	ANGEL 3:4
active 129:4	97:13 100:10 131:18	angler 55:18 65:2 120:21
	agenda 40:9 139:9	anglers 21:7 48:19 50:11 64:7,12 65:19
	Agent 115:6,14	67:11 120:6
	agents 129:20	angling 8:6 19:11,14
	aggregate 22:20 37:1	37:15 51:20 53:7 61:5 64:7 65:10,16 66:16 119:7 136:10
		angry 124:22
		annual 23:13 24:3 54:13
		ANPR 8:15 9:4 24:14 53:21
		answer 25:8 50:13 66:13 80:11 95:6 98:16 99:18 133:2
		anybody 7:5 103:14,15 103:15,19
		anyway 35:21 36:7
		AP 45:20 112:15,21 114:17 116:19 117:8 125:17
		Apex 97:16
		apologies 131:2
		app 13:20 14:1 30:19 31:19 55:13
		apparently 75:22 126:7
		application 91:5
		apply 18:7 26:6 28:19 32:19
		applying 91:11
		appreciate 26:2 42:1 45:19 48:12 104:20 111:3 135:18 137:6 140:5
		appreciated 45:13
		appreciation 24:14
		approach 11:18 49:5 85:4 104:21
		approaches 12:1
		approaching 102:3
		appropriate 82:7 91:21
		approved 15:14
		approximate 31:14
		approximately 31:6 95:17
		apps 44:7 57:8 62:8 63:19,21,22
		April 51:4
		aquaculture 18:2 87:14
		Aquarium 1:16
		aquiculture 86:10
		area 17:17 27:18 32:3 33:11 36:16 55:7 58:4 69:10 91:8 92:17 93:6 105:11 106:18 109:4 113:2 128:14
		areas 58:4 77:12 88:21 89:15 93:5 106:6,20 108:11,17 109:6,7,10 109:11
		ASAC 115:7
		asked 17:22 54:1

121:18
asking 29:9 47:22
 93:10 94:15,16
 122:17
asks 100:10 137:13
aspect 25:19 39:11,12
 46:21 47:2 101:11
aspects 44:6,21
assessment 41:1,1
 65:7 105:20 118:6
 137:17
assessments 15:9
 17:20 22:15 26:18
 41:4
assist 78:10
assistance 50:17
associated 12:2 38:13
 82:11 120:4
Association 1:18,22
 2:6,7,12,13 134:14
associations 92:18,21
 93:8 102:10
assume 137:15
assumed 58:7
assure 123:19 124:7
Atlantic 7:14 8:1,2 9:20
 10:6 13:2 15:18 16:14
 16:22 17:1 27:17
 35:19 40:17 57:13
 59:21,22 60:1 79:4
 92:8
ATMOSPHERIC 1:3
attempt 102:1
attended 115:7
attention 75:3 133:10
attract 67:4
attracting 67:1
augment 9:10
August 24:19 114:11
 114:12
authenticity 37:18
authorities 28:16
authority 120:16,17
 122:6 128:5
authorize 78:8
authorized 78:4
authors 90:13
automate 23:20
automatic 24:2
availability 19:3 47:9
available 19:5 32:9
 78:16 85:5,10 86:11
 102:21 109:22 125:11
 137:18 139:11
Avenue 1:11
awaiting 113:12
award 21:14
aware 7:4 30:5 89:20

121:12 126:11 132:5
Awesome 36:10 108:1

B

b 32:10 133:8
B1 30:18
B2 14:17,20
B3 14:17,20 26:6
back 5:8 6:21 7:7 25:22
 35:2,2 39:5 42:3 47:8
 48:15,17 57:16 59:4
 63:15 66:18 75:7 79:3
 81:9 99:6 103:20
 126:9 136:15 138:13
 139:18
backtrack 69:11
bag 120:1,3
ballpark 35:14
barely 39:22
Barkoff 115:7
base 44:9 118:15
based 27:18 67:11
 78:15 90:7 101:14
 110:2 123:14
basically 35:7 89:9
 110:22 113:6 121:21
basis 17:8 63:12 97:4
Bass 127:11,11
battle 59:15
Bay 2:8 106:17 108:8,9
 114:10 126:8,10
bays 20:4,8 23:2 36:2
 40:3 51:22 59:13
 106:1 120:5 130:11
bear 26:3
began 120:10
beginning 46:15
behavior 98:3,4
believe 31:2 42:8 47:9
 47:21 89:22 108:12
 111:17 123:10 128:5
bells 135:15
beneficial 45:2
benefit 42:20 44:18
benefits 45:3
Bennett 1:12 7:11 30:3
 42:5 50:5 66:10 71:2
 72:13 138:21 140:4
BERGMANN 1:18
Bermuda 113:17,19,21
 128:14
best 11:12 37:12 45:6
 77:20 93:10
better 36:18 37:21 49:7
 49:9 55:22 92:3
 108:20 138:4
beyond 13:5 59:5,13
 66:3 76:17

bias 19:1 92:3
big 36:5,6,16 41:13,21
 48:1 52:9 53:5 55:11
 55:16 56:14 60:19
 61:20 62:22 65:17
 69:6 82:14 92:17
 104:18 120:9 135:17
 139:19
bigeye 20:3
bigger 123:13
biggest 47:10
Bight 89:2,16
billfish 2:5 16:7 19:21
 68:19 97:18 111:1
 118:11 120:5
billfishes 101:9,10
biological 88:2
bit 45:12 54:21 66:3,11
 69:17 74:19 75:8
 81:20 83:2 84:13
 88:19 117:17,22
bite 66:7
biweekly 23:7
Black 127:11
BLANKINSHIP 3:9 5:7
 47:20 52:18 53:1 68:5
 138:21 139:14
block 33:7,10,11 53:13
 58:13,15 59:7,7
blocking 50:12 66:12
blocks 21:12,22 22:6
 53:4,11
blooms 106:4
blue 2:1 49:2 110:22
 112:21 113:8 115:1
 134:14
bluefin 1:18,22 2:8
 13:11,12,19,19 14:2,5
 14:19 16:6 19:20 21:7
 22:5,12,19 23:7 26:9
 34:21 40:15,18 41:17
 50:18,22 51:1 52:13
 59:13 96:12 101:9,13
 113:1,5 115:17
 118:16,19 119:13
 120:2 126:1,6,6,13
 130:11,15 137:13
board 73:19 114:3
 122:12 128:19
boarding 122:6 128:20
boardings 113:4,11,13
 114:18,19,21 115:2
boards 21:15
boat 49:2,3 55:13 56:19
 61:15 62:17 70:5
 114:18 121:6 127:5
boated 27:10
boats 42:9,9 56:19

125:21 126:2
Bob 2:8 26:1 27:7 29:22
 37:3 48:20 52:12
Bob's 66:19
body 60:14 61:17 91:11
BOEM 78:6 95:20
BOHORQUEZ 2:2
Bonanza 2:8
Bonito 59:22 60:1
bonus 49:9
book 134:20
bottom 44:19 97:9
bounce 25:22
bouncing 6:20
boundaries 82:13
 91:18 92:7 93:18
 99:10 100:15 101:15
 102:14
boundary 99:12,13
box 95:3
Brad 36:11 45:13
brag 125:3
bragged 50:18
Branch 139:20,21
break 6:12 16:1 71:1
 75:6,12 81:3
breaking 124:17
breeding 76:12
brief 118:3 131:22
briefly 122:5
bring 29:13 72:11 134:8
bringing 43:1
brings 51:11 56:3
broad 9:3 92:7
broadly 109:5
Brooks 1:12 5:3,13
 25:14 29:22 31:10
 32:21 34:6,11,16 36:9
 39:4 42:2 45:8 48:10
 48:13 50:1 52:20
 54:17 56:16 57:4,18
 62:20 65:22 67:17
 69:1 70:20 72:10 73:7
 74:6 75:16 76:1 95:9
 98:16 103:8 105:5
 107:21 109:13 111:5
 111:20 112:4,6
 125:13 128:9 130:7
 130:12 131:10 133:12
 135:18 136:5 137:6
brought 10:19 37:3
 42:16 49:2 51:22
 71:10 121:16
Bruce 2:11 103:21
 107:22 109:17
bull 89:3
bunch 34:8 114:5,19
buoy 56:18,22

burden 12:2 132:12
business 55:17 56:8
button 55:13
Buzzard's 108:9
bycatch 68:2,3,5,12,18
 68:20

C

C3 17:4
C4 17:13
calibration 52:8
call 74:8 75:2 81:15
 85:15 121:18
calling 68:1,2
Canadians 41:19
capabilities 122:15
 129:18
capacity 43:14
Cape 106:9,17 126:9
captain 11:16 31:12
 116:8,8
Captains 2:12
capture 11:12 97:19
 138:10
captured 11:11
capturing 12:19
card 38:3 95:12
cards 35:17 48:16 50:2
careful 71:17 74:20
carefully 71:15
Caribbean 2:17 32:20
 43:5 44:1,13 138:3
Carolina 2:20 96:17
 112:12,22 114:16
 116:8,10 128:13
Carrie 7:10,12 25:15
 36:10 50:6
carried 25:5
carrot 50:10
carry 95:18 96:9
Carteret 113:1
Casco 2:8
case 12:15 32:10 74:14
 101:15
cases 110:5 123:20
 129:8 130:1 131:21
catch 1:19 12:9,14,19
 13:6,7 15:4 16:16
 26:8 32:16 35:18,19
 38:3 41:12 49:2 51:14
 51:15 53:14 55:18
 57:14,21 58:10 59:14
 61:16 62:1 64:3 68:19
catch-and-release
 68:17
catch-per-unit-effort
 13:8 14:19 15:8 41:16
 58:6

catches 42:12
catching 26:20 36:4,5
categories 62:1
category 8:3 13:2 26:7
 37:15 41:6 51:20 53:7
 68:3 116:12 118:19
 118:20 120:12
caught 13:13,20 14:6
 14:11,14 16:11 30:11
 30:12 41:4 43:22
 56:22 131:7
caused 126:11
caution 64:2 74:19
 119:6
CCC 70:13
ceased 67:4
cell 82:7
center 11:4 43:15 58:16
 97:11,17
centers 43:16
centimeter 40:19
certain 25:10,11 50:21
 58:4 68:9 93:4 103:3
 106:19 126:7 132:17
certainly 50:11 51:16
 75:1 93:19 109:14
 139:3
certificate 73:21
certificates 21:14
Certified 124:11
cetera 6:22 18:3
CHAD 2:9
CHAIBONGSAI 2:5
 73:11
chain 117:18 129:14
challenge 21:2,4 31:1
challenges 53:6 93:1,7
challenging 27:8
chance 24:15 39:22
 69:15
change 23:5 24:9 54:10
 54:14 81:15 82:14
 86:1 105:15 107:1,10
 110:4
changed 79:19
changes 22:12 23:11
 24:4 46:16 52:16 54:2
 54:2,6,16
changing 24:7 79:17
 96:20 97:5 104:15
 105:10
CHAPMAN 1:15
chapter 82:17 89:6
 90:11 91:13,14
Chapters 81:17
charge 118:18
charged 118:14,21
 123:21 124:8,17

charges 115:9
CHARLIE 1:18
chart 79:20
charter 64:6 113:9
 121:5
Charter/Headboat 8:5
 15:12 16:5 17:5 18:20
 26:7 27:1 51:20
Charterboat 2:12
Charters 2:8,10
chase 132:12
chat 52:21 75:12
 131:21 134:10 138:9
 138:10
check 103:10 137:8
checked 115:22
checks 17:3
chew 50:6
Chief 3:9 139:20
child 33:15
children 49:6
Chinh 1:20 66:9 69:1
 70:20
CHRISTINE 3:2
chum 33:17
chumming 33:14 34:6
chunk 25:15
citation 124:1
citations 82:9 132:18
cited 91:7
citizen 67:6
City 2:12 96:15 113:1
civil 124:2
clarification 37:11
 48:21 95:14
clarify 37:5
clarifying 37:2 67:22
clarity 125:19
class 26:22
clear 25:19 37:7 74:17
 90:14,22
clearly 63:7 74:11,22
click 55:13
climate 107:1,10 110:4
 137:17
climatic 59:1
close 47:7,8 54:18
 72:12 73:10 138:19
closed 115:5
closer 57:18
clubs 62:4
coarse 102:2
coast 35:4 61:12,13
 92:15 96:16 113:16
 114:8 117:14 120:9
 120:22 122:10 128:16
Coast-span 97:10
coastal 8:1 9:21 20:17

28:19 89:4
Cod 106:9,17 126:9
coffee 73:3
collaborate 29:3
collaborative 45:15
collect 9:12 46:12,13
collected 15:5 23:8
 46:6
collecting 17:18 37:22
collection 24:11 54:6
color 101:19
color-coded 82:22
colored 101:18
combine 26:5
come 5:4 27:19 33:18
 35:2 42:3 48:15,16
 55:14 70:16 75:7 79:6
 107:7 111:13,20
 124:20 126:9 132:14
 134:1
comes 51:11 55:13
 70:8 84:11 98:12
 105:16 109:21
coming 21:6 35:2 39:9
 50:4 96:3,22 137:15
command 117:18
comment 4:4 6:14 7:3
 24:18 29:16 31:15,16
 34:20 37:8 44:12
 45:13 53:21 72:7 73:7
 75:4,9 80:10,17 85:21
 85:22 93:13 94:11
 103:10,16 105:2
 108:20 109:8,14,15
 121:20 123:10,18
 133:18,19,21 134:7
 134:10,15 135:10,22
 137:9
commenting 25:18
comments 5:12 8:13
 24:13,20 31:11 40:2
 47:11 52:21 53:20
 66:1,19 71:3 75:10
 93:10,17 95:1,10
 103:14 121:16 124:20
 125:12,16 129:3
 133:15 137:7
commerce 1:1 129:14
commercial 1:17 8:1,4
 9:6,8,20 12:22 13:3
 17:2 18:19 26:20
 34:21 40:2,18 41:14
 45:16 55:4,22 56:5
 62:6,12 70:14 115:16
 118:16,19 119:15
 120:11,18 126:17,21
 127:3,5,17,20,22
 136:15

commercially 118:22
 127:16
Commission 3:2 59:22
Committee 3:6
common 127:12
commonly 91:7 108:11
communication 64:15
community 61:14,21
 62:15 66:16,22 67:2,6
 70:2 104:21 115:11
 119:7,16
companies 43:12 61:18
 62:3
compare 38:19
comparing 136:7
comparison 37:17 39:1
comparisons 38:4
compensation 36:15
compete 42:15 43:1
competitive 119:22
 120:13
compile 80:8 81:19
 90:17 94:20
complaint 115:20
complaints 125:7
completed 61:2 78:22
 113:10,11 114:18
 115:2
completely 60:21
completing 18:16
compliance 8:8 9:16
 17:2 20:22 21:2,19
 29:16 31:1 34:2 37:21
 38:11 47:12,15,16,18
 49:11,18 50:17 55:8
 131:1 133:1 136:14
 136:14
compliant 136:21
comply 29:20 31:22
 120:21
complying 56:6 61:10
component 81:22 82:2
 82:3,4 84:16 85:14
 86:2,14 88:8
components 77:17
 81:3 83:11 93:15
comprehensive 13:5
concept 59:7
concepts 104:3
concern 31:19 77:12
 88:21 123:5
concerned 124:19
concerning 59:9
concerns 124:20
 125:12
concerted 28:20
Concervación 2:3
ConCiencia 2:3

concluded 85:19
conclusion 40:6 83:1
conclusions 83:1
conditions 24:9 106:5
conduct 38:10 127:21
conducted 121:9
confidence 19:2
confidential 59:10
 124:5
confidentiality 59:5
 131:3 138:13
confirm 111:6
conforming 106:13
confused 70:6
confusion 57:7
congratulating 98:19
Congratulations 39:8
conjunction 14:15
connect 43:15
connection 44:7
connections 138:4
cons 8:21
consecutive 74:4
consequence 73:1
conservation 3:2 77:5
 78:12 87:4,6,11,20
 94:4 102:13
consider 9:4 32:10
 64:10 67:14 120:14
considerable 87:15
consideration 49:11
 105:12 139:4
considered 53:18 66:15
 68:11,18 76:18 83:22
 89:5 107:1,13 118:5
considering 10:1,8
 11:10,15 13:4,22
 15:13 19:13 23:6,18
 63:11 105:19 108:3
consistent 9:9 12:21
 16:12,19,21,22 88:20
consolidated 79:5
consult 78:3
consultation 78:9
 103:5
consultations 78:2,11
 92:12 102:14
consumption 12:1
contact 129:21
content 90:5
CONTENTS 4:1
context 110:2
continually 116:4
continue 13:11 29:12
 36:11 37:19 44:1,20
 67:8 120:1 139:4
continued 5:12 48:4
 53:20 64:14,15 119:3

continues 43:7 49:11
 49:18
continuing 13:18 64:19
continuously 44:20
contour 101:21
contracting 59:17
contrast 21:16,18
contribute 6:18 15:9
controls 108:15
conversation 5:18 6:1
 7:1,2 48:7 50:10 73:9
 74:9 111:6 130:22
conversations 29:10
 132:13
converting 9:6
conveyed 28:21
Cooper 131:12 139:13
 139:20
cooperation 129:5
cooperative 62:6 97:15
 110:15
coordinate 31:18
 122:10
coordinating 63:16
coordinator 117:19
copies 69:12
coral 85:7 92:19
corner 79:22
correct 70:10 101:8
 111:19
correctly 32:13,18 56:6
cost 12:2 15:22 17:4,8
 46:5
cost-effective 23:22
Costa 128:6
costs 17:6 45:3 48:7
 73:21 115:13 120:20
council 2:15,16,17,18
 71:5 104:12
councils 10:7 78:13
counsel 118:18 131:9
 131:17,22 132:10
count 68:11
counting 34:13
country 41:15 44:2 58:5
County 113:1
couple 5:7 6:6 22:12
 23:10 28:8 30:17
 34:19 39:6 53:1 62:22
 72:14 82:22 89:7
 96:12,15 113:3
 118:12 134:4 137:12
 139:1
course 44:3 63:14
 65:12 75:11 95:22
court 115:13 125:4
court 6:6 7:18 101:12
 102:5,6 116:18

covering 7:17 126:21
covers 126:19 130:10
COVID 106:9
CPCs 54:15
CPF 2:10
CRAWFORD 136:2
created 40:21 46:16
creates 92:1 119:19
creating 11:17,18
creation 11:19
credit 121:2
creeping 123:13
crew 11:16 60:20
criminal 124:1
criteria 91:6,7,12
critical 36:12
criticism 26:16
critters 98:7
CUDNEY 75:21 76:3
 97:2 101:1 102:19
 106:22 111:3
cumulative 77:11 86:14
 86:20
cup 73:3
curious 50:14 128:17
current 13:5 18:9 91:20
 108:7
currently 9:21 12:7
 13:13,20,21 15:5 17:5
 23:11 24:5 41:2 47:13
currently-reported
 13:14
customized 32:2
cut 49:3
CVA 107:7,8
cycle 79:7,10 80:14

D

D1 55:2
dad 70:8
Daily 4:5
Dan 128:6
dark 114:2 130:2
data 9:10 12:20 13:7
 18:22 19:2,2,4,9,14
 20:8,14,17 22:3,14
 23:7,16,20,21 26:13
 29:4 30:6 35:11 36:12
 36:14,18 37:19,22
 39:13 40:11,12,14,20
 41:8,18 42:21 43:19
 46:7,14 50:12 51:7
 52:4,5,7 54:6 59:1
 60:11 62:7,9 65:12
 71:11 72:2 78:20 80:7
 82:11 83:22 84:4,5,7
 84:7,9,11,14 85:5,10
 92:4 94:9,11,12,12,15

94:17,20 95:21 96:4,6
 96:10,22 97:6,6,8
 98:1,2,5,9,9,10,12,15
 99:19 100:8 109:22
 110:13,17,18,19
 137:21
David 1:22 39:5,7 42:2
 51:21 95:11
day 5:5,10,15 6:4 30:20
 33:2 55:20 58:17 59:8
 121:6 135:7 137:20
 138:16
days 18:19 24:6 47:4
 56:22 58:7 70:1,17,18
 113:3,10 119:17
 137:12 139:1
dead 14:3 37:6,10 68:2
 68:10,15 71:12 74:17
deal 71:11,12 134:15
dealer 8:10 10:21,22
 11:1,16,22 22:10 23:8
 56:20 57:1 119:1
 136:14
dealers 9:13 22:17
dealing 10:13 80:19
decades 34:22
decent 25:15
decisions 87:18 99:9
decisive 83:8 84:14
declaration 127:4,18
decommissioning 86:8
dedicated 112:16,20
deep 32:17 123:12
deep-set 85:2
deep-water 92:19
deeper 120:10
Deepwater 138:1
defendants 115:8,11
Defense 2:4
defer 131:9
definite 55:16
definitely 5:15 25:8
 35:13 40:9 63:13
 106:20
definition 68:18 82:16
 89:11
degree 28:8
delay 70:17 117:17
delayed 117:7
deliberate 139:4
delineate 77:15 91:22
 93:21 102:2 103:1,6
delineated 103:4
delineation 92:5
delineations 102:6
DEM 128:7
DEMIAN 1:15
demonstrate 133:8

demonstration 101:3
demonstrations 133:6
denied 114:4 122:13
density 101:19
deny 125:4
Department 1:1 2:19,20
 3:1,3,4 122:11
dependent 95:21 98:1,5
 98:12
depending 6:15 105:21
 120:5
depends 68:7,8,21
depth 92:15
describe 76:16 82:4
 92:7 94:17 129:10
described 94:19
describing 83:15
description 77:2,4 82:2
 92:13,16 94:16
descriptions 92:6,9,11
 93:8,21 102:8,11,15
design 72:9
designated 79:4
designed 135:7,8,12
detail 5:19 13:18
detailed 13:7 15:4,8
 59:8
details 25:3
detect 123:5
determine 13:8 14:18
 79:18 95:21 123:8
develop 79:12 80:11
 88:1
developed 54:9
developing 23:18 87:16
development 95:15
developments 18:1
Dewey 2:16 32:21 34:6
 34:18,19 35:12,20
 47:17 116:8 125:17
 128:10
dial 102:9
dialed 28:2 39:3
did-not-fish 46:4
die 106:5
die-offs 106:4
different 18:10 25:7
 27:7 28:15 33:4 50:16
 57:8 59:17 61:15 62:4
 67:1 81:2,3 83:11
 84:5 98:10 106:6
 110:16 136:8
Differentiate 72:3
difficult 134:18,19
 135:9
diffuse 109:5
dig 138:12
diligence 28:11

diluting 109:6
dilution 109:3
direct 43:17 85:11 95:7
 128:2
directed 121:19
direction 43:7 74:12
directive 131:5
directly 12:10 44:18
disappear 130:1
discard 37:10,10,10
 49:4 65:18 68:8 74:17
discarded 68:15 71:13
discarding 65:15
discards 13:12,19 14:3
 16:6 19:20 20:5 37:5
 37:6,9 65:10 68:2,10
 71:12
discharge 106:1,12,14
 107:14
discharging 106:15
disclose 39:1
discretely 124:10
discuss 6:9 104:12
discussed 47:13 91:13
 139:5
discussing 18:8 20:11
discussion 5:12 28:1
 37:16 52:8 90:10
 104:12 105:4 111:10
 136:7,8,16
discussions 139:1
disincentive 49:7,19
displacing 105:16
display 24:11
disposal 63:12
distracted 75:22
distribution 17:19
district 115:10
Division 2:22 3:9,10
 11:2 45:14 50:14 51:8
 112:14 116:19 128:4
divisions 45:15
DNA 62:11
DNER/Recreational
 2:22
DNR 32:12
dock 10:20 124:14
 125:3
docket 95:2 124:16
docks 116:9
dockside 38:18
document 8:17 37:12
 39:22 54:14 77:16,17
 80:9 81:15,20 89:6,21
 90:4,14,18 92:10
 93:11 94:7 98:22
 108:19
documents 78:1 94:18

122:20 123:3 139:15
doing 30:17 33:6 35:13
 40:7 42:13,19 63:5
 64:20 65:15 69:19
 72:1 78:7 87:16 93:1
 98:20 109:10 113:21
 130:2 132:6 139:21
domestic 28:4
donate 33:21
double 39:4
double-dipping 55:6
Doubletree 1:11
doubling 7:7
Dover 111:14 112:3,5,8
 112:11 131:14
DR 34:18 36:10 108:1
draft 4:3 75:17 76:5
 79:12 80:9,17 83:5
draw 91:11,18
drawing 109:5
drift 27:12
drifting 27:4,11
drive 71:21
drop 123:12
drops 117:6
due 28:11 86:22 94:20
DUKES 2:20 45:9 48:11
dynamics 105:15

E

e-form 135:2
e-trips 134:15
E2 20:10
E3 20:10
E5 20:10 26:6 37:14
 61:5
earlier 6:15 18:8 45:13
 60:6 109:14
earning 46:5
earnings 15:22 17:4,6,9
easier 37:1 56:2
easily 75:22
East 35:4 61:12
echo 49:6 67:19
echoes 109:14
ecological 91:8
economic 17:21 76:17
ecosystem 110:1
EDT 1:12
education 64:15,21
 65:4
EEZ 113:18,18 122:8
 128:13
effective 53:11 102:15
 110:5
effects 77:7 84:19 91:3
 94:1 104:4
efficient 19:9 23:22

46:17 81:21
effluent 107:14
effort 13:7 14:5 15:4
 16:16 17:17 25:5
 27:22 28:20 38:5
 42:13,17 45:15 64:4,6
 64:8 138:3
efforts 9:10 28:14 42:1
 43:9 44:15 50:16
EFH 4:3 76:7,7,10,13,18
 77:2,4,7,15,22 78:1,1
 78:5,15 79:2,3 80:2,8
 80:12,15 81:3,12,22
 82:4,13,21 83:15 84:6
 84:19 85:7 87:5,11,21
 88:13 90:1,4,5 91:2,4
 91:16,22 92:4,6,7,8
 92:13 93:15,21 94:2,5
 98:2 99:2,4,8,12,14
 100:11 101:15 103:1
 103:4,6 104:3,5,12,15
 105:1,11 106:18
 107:2,12 108:7,17,22
 109:2,12
AFP 9:17 23:9,12,20
 36:20
AFPs 56:19
egg 99:17
eggs 99:20 100:2,3
 101:11,14
eight 32:5 50:2
either 22:2 29:12 49:4
 118:4 120:4
either/or 75:5
ELBs 63:14
electronic 6:8 7:14 9:7
 9:9,13,17 10:3,5,8,9
 10:10 11:10 12:3,18
 13:5,6,15,16 14:4,8
 15:12,14,16 18:5
 21:17 23:10,19 30:19
 31:18 32:8,11 42:11
 42:19 43:6,10 45:19
 46:16 63:5 69:3
 134:20
electronically 52:7 61:3
 69:14
element 39:13
elements 19:4 29:4
 46:14
elevated 131:21
eliminate 32:17,18
email 23:14 36:15
embark 39:1
emphasis 74:13
emphasize 26:13 79:15
emphasizing 46:11
encounter 48:22 117:2

encountering 119:8
encourage 37:7,11
 61:17 67:14 108:21
encouraged 30:16
 39:19,20 41:22 77:10
endeavor 29:1
ended 79:7,10
endorsement 121:6
energy 74:7 87:13
enforce 116:5 120:2
enforcement 4:4 6:10
 24:11 56:9 75:20
 109:16 112:12 113:15
 115:19 116:5,17
 119:4 121:20 131:17
 132:4,8 133:9
engage 38:5 87:19
England 1:16 15:17
 16:14,19 49:1 58:4
 97:16 106:3 121:4
enhancement 77:5 87:4
 87:6,11,21 94:5
enter 95:3
entered 23:16
entering 26:22
entire 38:15 45:6
entirely 95:20 122:3
 127:8
entity 11:16 55:4
Environmental 2:2,4
 3:1 128:4
EO 115:22
equipment 95:18
equitable 136:16
equity 120:13
eReporting 4:3
Eric 2:9 48:16
error 19:9
especially 27:8 34:21
 67:5 70:1 83:21 106:3
 110:1,4 121:3 123:11
 139:22
ESPINOZA 2:3 42:5
essential 6:9 72:2
 75:18 76:5 100:12,16
 100:18,19 104:10
 109:4,7 110:7
essentially 43:17
 120:20
establish 53:11,13
established 20:12
estimates 16:15 20:19
 22:16 52:10,14,17
 54:4 64:4
et 6:22 18:2
eTrips 28:17
evaluate 102:20
evaluating 78:17

evaluation 15:10
 105:20
EVAN 2:7
evening 5:9
event 20:17 106:13
everybody 5:14 7:12
 31:13 71:10 73:12
 74:11 82:15 105:3
 121:13 140:6
evolve 29:2
evolved 58:18
evolves 28:1
eVTR 12:14,14 28:16
 29:6 32:8 57:16
exactly 33:9 37:5 38:9
 38:17 40:8 55:5 123:1
examination 120:19
example 19:5 20:18
 22:5 24:3 51:16 59:20
 78:5 82:3 89:10 92:13
 101:13 106:9 108:5
examples 21:13 106:20
Excel 23:15
excellent 95:13 97:2
exception 41:15
excited 46:19 67:20
excitement 130:15
exclude 98:11
excludes 101:22
exclusive 76:17
Exempted 8:11
exhaustive 90:15
exist 96:1 108:17
existed 61:9
existing 9:6,12 46:3
 63:14,19 71:8 85:6
 89:8,13 92:3 93:22
 135:2
expand 9:7 13:13,15
 137:4
expanded 15:3,3 59:18
 85:9
expanding 14:7
expansion 48:3
expedite 19:2
experience 56:4 66:20
 71:5
experiencing 41:5
experts 137:18
explain 54:10 69:7
explains 54:15
exploration 86:8
explore 92:1
exploring 89:1
expressing 32:12
extension 48:20
extent 18:16 92:8
 102:17

extremely 45:18 76:1
 97:14

F

F/V 1:20
Facebook 62:16
facilitate 9:14 17:2
facilitating 1:12 140:5
fact 45:20 96:4 124:11
 125:1 136:9
factors 98:21
failing 110:8
failure 118:9,18 123:21
faint 52:22
fair 136:16
fairly 54:18 92:16,17
 102:2
fairness 22:6
fall 117:10
familiar 10:4 96:4
fantastic 36:21 55:20
far 60:16 72:14 115:3
 117:2 121:16 128:18
 129:19 137:2,11
fashion 68:12
fast 130:2
fastest 18:13
federal 25:4 65:13 78:2
 78:5 87:1
federally-managed
 76:14 84:17
federally-permitted
 58:14
feedback 8:20 9:1 50:4
 94:3
feeding 76:12
feel 25:8 67:1 72:16,21
 73:2 89:12,13 91:19
 109:4
feels 100:15
felony 115:9
felt 82:11 83:3 86:21
 87:10 88:9 89:19
 91:20 92:2
FERRER 2:21
fifth 20:4
fight 26:18
figure 10:17 34:5 38:9
 38:17 47:17
file 72:20
filed 24:14
fill 60:20 62:7 64:21
 70:15 135:7
filled 5:10 10:22 23:15
filling 56:6 135:3
final 20:20 71:21 80:11
 80:18 83:8 138:5
finalized 83:6

finally 9:16 18:18 24:13
33:2 72:6
financial 120:14
find 83:16,18 84:9,18
84:20 85:1,16,17 86:5
86:12,15,16 87:8 88:8
89:8,18 103:6
finding 138:1
findings 83:3 86:1
fine 49:4 124:17 125:2
131:14
finish 6:17
first 9:19 11:19 13:18
14:10 15:20 16:3 24:5
31:11,15 50:9 53:2
66:11 76:10 79:4,5
81:14
fish 2:11 3:2 6:9 10:19
11:6,20,21 14:6,13
16:11 22:11,13,18
26:14,21,22 27:11
30:10,12,13,20 31:14
35:18 41:12 50:12
51:5 53:14,15 55:15
56:22 58:2,6,16 67:13
68:13 76:5,11 96:7
98:4 99:11 100:11,13
100:13,16 101:16
106:5 109:1 110:7
123:16 126:17 127:16
128:12 129:13
fish's 100:14
fished 30:11,12 59:7
fisheries 2:20,22 3:3
8:2 9:10,21 14:20
15:7,18 16:13,20 19:3
19:12 23:17 27:9 30:5
35:5 41:16 42:20 44:4
44:13,16 45:5,17 46:7
68:17,19 75:18 84:18
84:18,21 85:7,16
104:13 113:15,17
118:2 119:12,15
124:5 136:12
fisherman 11:2 41:10
115:21 124:14 135:3
Fisherman's 134:14
fishermen 10:22 30:19
39:15 49:7,20 70:14
97:21 116:11 136:15
fishers 42:21,21 44:13
fishery 2:15,16,17 9:11
11:4 14:20 17:2,20
31:2 40:18 41:15 43:1
43:15 57:2 58:17
59:22 76:13,22 77:21
97:8,17 98:1,1,3,5,11
110:2 120:14 123:15

126:13 127:15
fishing 2:1,10,11 8:11
15:21 16:17,18,21
17:17 30:9 32:16 33:9
49:17 56:18,19 58:15
65:13 66:17,17 67:12
67:14 70:2 77:2 82:5
84:17,21 85:15 86:16
91:3 94:1 95:22 96:1
98:6 104:16 107:2
117:5 118:8,15,22
119:10,17 120:11,18
125:22 126:20,22
127:3,5,10,17,22
128:15,21 134:22
five 24:6 49:17 77:8
79:1,8 80:1,3 81:10
86:14
five-by-five 33:11
five-year 6:9 75:18 76:6
76:8 79:9,12 80:11
81:14 83:9 89:5 97:4
fix 70:12
fixed 40:6
flag 122:13
flavor 5:16
fleet 28:19 127:8,14
134:20 135:12
flesh 63:4
flew 45:10
flexibility 19:7 28:6
61:1
flexible 36:20
Florida 3:2 56:11 64:4
92:15 114:10,11
123:11
flounder 99:4
flow 79:20 81:9
fluke 118:10 127:11
Fly 2:10
FMP 79:5 80:20,20 90:5
FMPs 78:14
focus 39:21 81:6 97:22
119:18
focused 5:20 40:2,16
76:2,3 93:4 119:11
focusing 119:5
fold 7:8
folks 5:3,21 6:11 33:12
39:6 42:11 45:2 46:20
51:4 52:2 54:17,20
63:19 65:19 66:2,5,7
70:21 75:11 89:20
95:5,6 134:2 138:9,14
follow 34:18 63:20
86:20 123:20 125:7
128:7 129:11,18
139:16

follow-up 31:15 53:10
80:16,18,19
followed 30:4 118:9
following 16:2 51:5
63:9 110:6
follows 81:9
food 126:8
for-hire 9:8 15:16 16:13
16:20 45:17 62:6 63:1
forage 105:14
FORDHAM 2:3
foregone 40:5
foreign 122:8
forget 33:10 135:14
forgive 99:1
forgot 55:11
form 9:22 11:9 68:12
formally 115:8
format 12:3 81:15
forms 23:16
Fort 25:1
forth 6:21 25:22 82:5
forward 5:9,11 11:13,15
19:17 45:19 119:3
120:9 134:19 135:4
135:11 140:6
forwarded 114:8
118:17
fought 125:4
found 21:7 81:8 82:7
83:13,17 86:17,18,19
88:22 89:2 92:14
95:19 101:21 108:11
108:12 115:8 126:7
Foundation 2:2,5
four 15:19 34:14 55:19
55:19 56:21 86:2
128:15
fourth 15:22 20:2
frame 18:22 19:7 66:3
114:12,20 117:4
framework 20:12
FRAZER 2:15 71:2
free 25:9 72:19
frequently 99:18
Fresh 1:19
front 125:9
fronts 129:6
fruitful 105:3
full 79:5
full-court 39:9
Fund 2:4
funded 78:4
funding 47:13,22 48:8
funds 47:15
further 29:12 49:19
51:17 71:20 96:16
future 15:7 22:14 32:20

40:9 84:5 93:17 94:10
94:13 114:9 123:6

G

gambit 130:10
game 2:11 5:22
gap 26:13,17
gaps 62:7
GARFO 10:4 12:11,12
14:22 18:10 28:9,17
29:3,6 57:12
gas 86:8
gathering 122:14
gear 56:22 61:7 84:21
85:2 96:10 115:9
119:11
general 8:3,4 13:2,3
26:7 31:4,11 33:11
41:6 44:12 77:17,22
91:18 99:13 100:20
109:3 116:12 118:18
120:12 121:20 123:14
131:9,17,22 132:10
generalized 92:16
generally 18:21 19:6
51:19 83:12,15 124:1
generation 24:2
geolocation 71:11
95:18 96:5,22
GEORGE 1:21
Georgia 1:11
geospatial 16:1 17:13
17:15,18 46:5 58:12
87:17
get-go 46:18
GETO 125:18
getting 13:22 26:14
33:13 38:18 47:7 49:9
62:11 82:20 95:19
97:5 119:22 137:20
138:5,7 139:12,15
GETTO 1:18 30:3
GIS 95:21
give 31:15 33:11 34:22
35:9,14 40:11,12
72:21 73:1,7 96:11
100:11 110:21 139:19
given 65:5 104:8
gives 55:14 72:16 102:3
giving 50:19 96:18
100:15
glad 108:3
glare 112:9
global 110:22
go 6:5,14 14:4 24:19
26:18 29:18 30:9 32:6
38:21 39:5 42:2 46:11
47:4,7 52:4,7 53:8

54:20 56:20 57:1
 59:15 67:11,17 69:13
 69:18,20 70:22 71:1
 74:15 75:6,12,19 78:6
 79:4 80:10 81:1 82:18
 88:13 89:6 90:16
 98:17 99:11,22
 100:11 103:2 106:12
 117:17 122:11 127:4
 128:22 131:12 133:17
 135:20 137:3
goal 67:13 68:20
goes 52:12 69:17 123:3
 130:14 136:15
going 5:4 6:5 7:18,18
 7:20 24:21 25:17,21
 26:8 29:22 32:17,18
 33:8,16,18,20 37:19
 39:4 43:7 45:18 46:12
 47:4,11 48:14,17
 49:16 52:9 54:19 57:2
 59:4 60:10 62:18 63:2
 63:2,6,9,10,11,17
 64:14,22 65:6,6,11,17
 66:2,8,11 67:13 73:8
 74:7 75:17 76:4,6,8
 78:6,7,8 81:13 83:10
 84:8 86:7 88:10,14
 90:9 93:20 95:15,15
 98:6,8 100:4,5 103:3
 107:7 108:2 110:3
 112:22 114:10 116:18
 118:4 119:3,4,17,18
 120:1 124:10 125:9
 129:3 134:16,19
 135:10 137:3 139:3
GOLDSMITH 2:6 50:5
 130:13 133:3
GOLET 3:6 34:18
good 5:9,11,14,16,22
 7:11 22:1 24:16 30:7
 30:19 31:3 33:3 34:20
 36:8 41:8 45:9 52:18
 69:2 70:18 74:11
 88:18 90:2 91:17 96:7
 101:5 110:13 114:7
 116:11 130:5 138:10
 139:1
goodbye 45:10
gotten 73:9
governance 131:5
government 87:1 104:8
graded 101:19
grand 29:14
graphically 79:20
great 5:13 25:14 31:9
 34:13,15 35:19 36:9
 36:22 48:13 49:17

50:4 52:18 66:1 67:17
 67:18 68:22 69:1,3
 70:20 74:10 95:9
 98:16 101:6 103:8,20
 107:21 111:5,21
 125:13 131:15 134:3
 139:21 140:4
greater 27:17 40:19
 59:10
Greg 3:1,3 66:9
Ground 6:18
groundfish 41:16 51:15
group 31:4 53:6
groups 110:16 138:2
growing 85:3
growth 76:12
Guard 113:16 114:8
 117:15 120:9,22
 122:10 128:16
guess 36:11 37:2 50:9
 71:5 83:1
guidance 131:3
guide 31:13 105:3
Guides 2:6
guilty 115:8
guise 100:16
Gulf 1:16 2:15 3:7 10:6
 35:7 63:14 71:5 113:8
 113:9 115:1,3
GulfCo 134:16
Gulfspan 97:10
Guy 19:18
GUYAS 2:7 62:21
guys 28:10 47:9 52:1
 56:5 99:17 110:19
 112:16 114:16 116:7
 116:21

H

H2 36:20
habitat 75:18 76:5
 77:11 78:1,12 88:21
 89:4,15 92:11,18,19
 100:13,13,16,17
 102:2,13 104:10
 110:8,22
habitats 6:9 76:17,19
 91:9 92:20,20
hair 59:4
half 44:15 108:9 114:18
hand 21:21 22:1 29:19
 43:19 103:17 119:11
 133:19,21
handgear 27:8 30:5
 40:3,18
handle 132:14
handline 119:14
hands 111:7 133:13

hang 73:6
HANKE 2:17 31:11
 103:22
HAPC 89:6,10,11,14
 91:5,6,12,13 105:11
 106:18
HAPCs 85:7 89:1,8,13
 91:4,4,9 93:22 94:1
 104:3,5
happen 35:15 40:8
 53:17 120:6 130:21
 137:22 138:16 140:2
happened 112:17 113:7
happening 29:11
happens 35:21 51:12
 54:7 56:11 93:18
happy 85:11 109:8
 110:18 111:2 116:12
 128:7
hard 34:18 66:1 112:9
 140:1
hard-bottom 92:20
Harlingen 115:19
harmonization 39:12
harmonize 28:20
harmonizing 74:14
harpoon 8:3 13:2 31:1
 41:6
hat 49:9
Hatteras 96:13
Hawth's 108:4
he'll 70:9
head-on 41:9
headboat 121:5
headboats 113:9 115:3
hear 6:7 53:20 59:3
 67:19 71:16 73:12
 74:10 94:8 111:16
 112:3,5,7 124:18
 131:14 136:2
heard 66:2,6 67:19
 70:21 71:4 72:6 74:9
 74:16 113:6 121:13
 136:12
hearing 25:3 50:11 75:2
 107:18 115:7
hearings 24:22
heart 69:17
heartache 72:1
heavily 40:16
heck 130:3
Hello 103:22 112:5
help 17:18,20,21 20:8
 20:14 22:15,16 25:8
 26:18 33:19 57:21
 59:2,15 62:12 63:6,8
 70:4,14,17 77:6 87:17
 91:2 121:14 135:17

helped 25:6
helpful 45:18 98:21
 104:7 133:3 134:4
helping 54:19 104:15
helps 44:22 95:12
HEMILRIGHT 2:16
 32:22 34:9,12 128:11
Hey 131:12
Hi 75:21 131:16
high 20:19 47:12 66:22
 128:20
higher 36:17
highest-ranked 21:8
highlight 32:13 87:12
 91:1,10
highlights 112:13 115:4
highly 1:5 3:9 76:5
 102:7
Hilton 1:11
HINKS 3:1 66:10
HIPSLEY 2:7
hire 17:20
history 36:5,6 51:2
 88:15
hit 66:10 67:15 113:4
 125:13
hits 56:1
hitting 53:5
HMS 7:14 8:1,4,6,11,16
 9:14,20 11:1 14:10,15
 16:8 17:1 18:9 20:5
 20:22 23:1 25:5 28:19
 29:5,7 31:21 35:5
 42:11 44:13 45:5,14
 46:7 47:14 51:14,14
 51:21 53:7 57:13 60:1
 60:8,14 64:7,9 65:10
 65:14,16,17,19 66:16
 67:5 75:11 76:7 79:2
 79:4 83:16 85:6 88:13
 91:4 92:8 93:21 94:2
 95:17 102:22 110:10
 112:16,18,19,21
 113:9 115:2,22 116:1
 116:2,6,12 117:5
 118:8,9,10,22 119:1,5
 122:2 125:19 126:1,6
 126:19,19 127:8,14
 127:20 139:22 140:2
hold 12:11,12 14:22
 74:22 120:18
holders 10:4,16 12:7,8
 12:11,20 16:5 17:6
 23:12,20 24:1 48:4
 65:13,16 96:22
 120:12
holdover 117:7
holes 51:12

holiday 70:16
home 69:13 106:11
homes 139:18
hone 109:10
honest 72:8
hook 31:14,14 70:11
hope 5:8 22:1 60:4,22
 102:15
hopefully 24:15 58:1
 63:15
hoping 21:3
hopped 39:5
Horizon 138:1
hourglass 79:21
hours 18:15,15,17,18
 30:11,12 60:17
 115:11
huge 26:13,17,17,21
 39:12,17 40:21 52:15
 53:17
Hull 1:19,19
humble 29:17
HUMPHREY 2:8 26:2
 26:12 28:7 29:15
hunting 49:14
hurdle 32:19
HUTH 1:19
hyper 93:4

I

ICCAT 3:6 13:9 19:15
 20:9 22:16 23:4 26:19
 29:5 31:22 36:3 40:5
 40:13,13 52:3,4 54:12
 59:13,20,21 60:1,4,7
 62:13 122:4
ichthyoplankton 97:9
ID 65:2,5
idea 33:12 36:1 37:21
 41:10 45:22 51:22
 66:14 71:7,18 88:18
 90:2 110:13 128:20
ideas 5:17
identification 77:12
 93:22 101:17
identified 82:6 84:20
 86:3 90:12 109:12
 129:9
identify 35:5 76:16 77:2
 77:5 82:4 85:16 93:8
identifying 83:15 109:5
 127:5
II 54:4
illicit 56:1
illustration 96:11,18
imagine 73:22
immediately 49:16
 117:21

impact 52:4,14 105:19
 107:10 109:6
impacted 99:3
impacting 105:16
 106:16
impacts 18:2 52:16
 77:11 85:6 86:14,20
 88:3 105:8 106:7,16
impediments 29:13
implemented 88:4
 119:19
implementing 13:4
 53:8
implication 36:6
implications 42:18
Import 122:21
importance 58:8 91:8
 109:11 118:13
important 5:18 28:22
 46:9 47:2 58:5,10
 63:3,9 64:13,22 92:11
 102:9,10 109:20
importing 121:22
 122:18,19
imposed 49:22
impossible 55:3
improve 8:7 12:19 13:8
 18:22 19:1 20:21 21:8
 22:3,14,15 93:12
improved 23:21 44:11
 54:6
improvement 30:22
 54:2
improving 21:19 31:7
in-depth 120:10
inaccessible 78:20
inadequate 40:20,21
incentive 49:8 73:1,13
 73:18
incentive-based 33:14
 61:13
incentives 21:8,11,13
 21:16,21 29:17 50:10
 64:11,13 66:18,20
 72:14,16 75:1 136:18
incentivize 9:15 72:17
 74:22
incentivized 74:5
incentivizing 136:10
inches 26:15
incidences 106:4
incident 56:11 69:20
incidental 51:14,14
incidents 115:5
include 26:8,8,10 29:7
 57:9 76:14,15 77:2,10
 77:22 78:16 80:17
 86:4,7 88:11 90:9

94:4 97:8 101:20
included 11:20,20
 21:13 45:20 57:21
 58:1 60:3 77:10 80:20
 95:6 97:7 107:15
includes 37:6 108:7
including 9:15 11:21
 12:17 14:12 20:5
 21:14 51:22
inclusive 60:5
incorporate 92:4 98:10
incorporated 29:5
 39:15 84:6
incorporating 46:14
 109:21 110:12
increase 19:8 20:10
 22:3,4,6
increased 105:9 106:2
 106:7,22
increasing 20:6 22:21
independent 97:8 98:1
independently 118:3
index 40:17,19,20,22
 41:17
Indian 89:3
indicate 80:7
indicates 79:22
indicating 83:14
indicator 96:7
indices 54:4
individual 11:6 22:11
 22:13,18,22 24:8
 128:6
individually 22:20 23:1
 23:3 60:9
industrialization 58:19
industries 45:2
industry 33:20,20 55:12
 104:7
inefficient 43:18
inequitable 119:20
inevitably 40:6
influencing 30:8
inform 17:20 85:6 86:19
 87:17 99:12 107:12
information 5:11 9:12
 10:1 11:11,13,14
 12:13,19 14:18 15:4,8
 15:22 16:1,3 17:5,7
 17:14,15,16,18 18:18
 24:16 26:14,16 28:4
 28:21,22 35:1,7 38:21
 44:22 46:5,6 47:6
 54:4,11 58:19 59:6,8
 62:12 65:6 70:7 74:19
 77:13,20 78:16,18,21
 79:11 80:7,9 81:5,8
 81:16,18,21 82:8,12

83:13,16,19 84:20
 85:2,18,22 86:11,17
 86:19,22 87:9 88:8,11
 88:22 89:8,18,18 90:8
 91:14 93:4,6,14,16
 94:12 97:20 98:12
 102:20,21 103:1
 107:7,9 127:7 130:16
 131:6,19 132:1,16
 137:15 138:12
informative 139:2
informed 99:8
infrastructure 86:9
initiated 79:7 118:1
initiative 31:9 41:8 46:1
 48:2,6 67:21
initiatives 87:2
input 38:22 139:3
inspect 55:15 122:12
instance 62:10 68:19
 105:13
instances 51:4
Institute 1:16 3:7
instituted 48:19
instructions 94:21
 139:16
integrate 46:2 63:21
integration 63:14
intel 114:5,7
intelligence 122:14
intended 114:21
intent 45:22
intentionally 49:1
intents 107:8
interacting 65:14
interaction 99:2
intercept 38:19
interdictions 130:21
interest 44:17 67:5,6
 74:18 85:3 88:14
 123:15 124:13 137:16
 137:20 138:1,4,7
interested 7:21 51:16
 78:19 82:19 85:11
 127:10
interesting 68:6 136:6
interim 23:13 24:5
international 2:3,11
 28:5 59:16 76:20
 129:5,20
internationally 129:14
internet 62:16
INTERPOL 129:22
interpreted 90:15
interviewed 116:1
intraspecies 99:3,16
 100:1
intrusive 105:15

investigations 117:12
 118:1
investment 120:14
invite 111:12
invited 140:3
involve 11:5
involved 40:4 52:2
 119:1
IP 101:14
IRS 72:18
Island 116:18 125:19
 125:22 126:3,18,20
 127:3,6,17 128:1,4,7
islands 106:10
issuance 50:13
issue 12:5 39:10,11
 49:11 54:12 67:3 68:8
 120:13 121:13 123:9
 123:13 126:5
issued 34:4 116:3
 123:19 124:8,11
 126:19 130:17 131:19
 132:4,8,10,18
issues 5:15,17 8:18
 11:13 27:14 43:11
 47:3 65:3,5 71:9
 109:2 126:11
issuing 124:2
iterative 79:14
IUU 123:5

J

Jackson 2:4 66:9 67:17
Jacksonville 115:6
JACOBSEN 2:9
JACOBSON 48:17
JAMES 1:19
January 114:20
Japanese 41:20
JASON 2:19
JDA 117:14,18
Jeff 1:16 35:3 36:9 38:2
 48:20 103:21 107:22
 109:13
JEFFERSON 111:19
Jen 75:16,20,21 95:9,13
 98:18 105:6 108:1
 111:9
Jersey 2:13 3:1
job 139:21 140:5
JOHN 2:2
Johnny 34:14
Joseph 1:20
judge 115:10
July 95:1
jump 7:9 39:6 52:15
jumps 52:9
June 25:1

jurisdiction 126:13
justify 35:5
juvenile 62:11 99:18

K

Katie 111:17 120:8
keep 31:8 34:14,15,15
 40:2 41:14 48:14 50:4
 54:19 59:9 60:14 74:7
 131:5
kept 11:22 60:22
 130:17
kernel 108:13
Kevin 111:12,20 116:15
 116:16 125:15,18
 130:7,13 133:15
kicked 117:18
kickoff 80:14
kicks 80:4
kid 34:7
kind 27:17,22 28:2,12
 37:4 38:7,8,11,12,15
 38:16,21,22 39:1 48:9
 50:8,10,17,18 51:2,11
 51:18 52:4,8,10,14
 53:9 54:5 55:6,15
 56:3 61:7 63:9 65:9
 68:1 79:20 90:17 93:9
 101:18 108:15 116:22
 124:9 130:13,16,19
 131:5,5 132:17 133:4
 133:7,9,10
kinds 5:16 50:16
 130:21
KITTLE 3:2
KNEEBONE 1:16 36:10
 108:1
knew 69:11 121:13
know 7:20 9:1 15:16
 18:13 19:17 20:11,14
 27:7,19,20 29:19
 30:17,22 32:12 34:9
 34:22 35:13,14,16,18
 36:2,4 38:20 40:8,13
 41:4 45:4 47:3 48:4
 49:5,5,10,12,14,20
 50:12,15,16,18 51:1
 52:5,8 53:12 54:3
 55:5,11,12,19,21 56:3
 56:8,21 57:6 58:2
 59:16 60:18 61:6
 63:10,19 64:2,10,16
 65:3,5,7,11 66:14,15
 66:16 67:2,10 69:4,12
 69:15 70:3,13 71:7,16
 71:17 73:2,21 74:6,14
 74:21 75:2,10 81:10
 86:10 92:14 96:7,17

98:22 99:11,20 100:3
 100:8 102:5,18
 103:17 104:7 108:15
 110:15,20 111:2
 115:1 116:21 120:6
 121:10 122:18 125:6
 129:17 130:19,20
 133:20 135:13 136:17
 137:12 138:8
knowing 36:13 49:20
knowledge 96:19
 123:15 127:12
known 127:8,9

L

Lab 1:15
Labor 138:16
lack 35:6 55:7
Lagoon 89:4
land 30:21 70:1 127:19
landed 10:20
landing 18:14,17 19:5
 55:3,10 56:13 115:21
 117:6 127:21
landings 13:12,19 14:3
 16:6,7 19:20,21 21:4
 36:5
language 31:13 83:8
 84:14
large 15:5 35:16 38:3,8
 38:13 51:19 52:5 53:6
 81:19 109:6
largely 119:6
larvae 99:17 101:11,14
larval 101:16
lat 27:1 31:12
lat-long 27:14,20 74:18
late 45:11 114:11,12
 117:10 126:10
latitude 17:16 33:9
 54:22 59:9
Lauderdale 25:1
laughing 35:21
law 24:10 56:8 124:17
 132:4,8
layer 44:10 49:21
leader 21:14 73:19
leadership 140:2
learned 45:17
leave 126:9
leaves 122:14
left 39:7 50:3 66:4 75:9
 79:22
legitimate 56:4
Lessons 45:17
let's 7:9 25:21 37:2 42:2
 42:3 54:2,19 60:16
 62:17 67:17 71:16

72:11 74:14,15 75:6,7
 95:10 96:20 98:17
 125:16 135:20
level 22:22 36:14 47:12
 105:20 131:4 132:9
 136:8
license 49:14 73:16
 127:21
life 88:15 101:8 103:3,7
limit 50:8 120:3 129:3
 134:3
limitations 38:12
limited 22:7 78:17
limits 120:1
Lindgren-Pitman 1:21
line 13:21 42:4 43:17
 44:19 47:2 69:22 70:1
 70:19 79:2 136:1
lines 60:17 65:9 68:14
 99:15
link 25:3 131:20 138:8
 139:9
linked 47:16
links 137:21
list 32:15,15 59:20 60:1
 60:4 90:15 137:17
listed 24:22 25:3,6 77:8
 82:1
literature 78:18 80:6
 84:10 85:1,18 86:5
 89:3,9 90:7,21 92:22
 93:3 107:18
little 13:17 18:6 26:4
 33:15 34:14 35:20
 45:12 54:21 66:3,11
 69:17 71:4 75:8 81:20
 82:6,10 83:2 84:13
 88:19 112:9 117:16
 117:22 134:16
live 26:9,10 37:6,10
 69:9 72:8 74:17
lobster 106:6
local 32:3 43:9
locally 43:3
locate 113:22
location 27:9,12 34:20
 35:17,17 58:22
 105:21
locations 35:1,8,9
 102:7
log 134:20
logbook 9:5,7 10:3 11:3
 11:8 12:18 13:5,15,16
 14:4,9 15:12 17:1
 28:18 32:11 48:3 68:3
 69:7,13 70:4
logbooks 8:2 9:6,7,9,21
 9:21 10:8,9,15 15:14

15:16,20 18:5 56:6
68:4 69:4,5,16 70:15
Logistically 53:8
logistics 53:17 60:18
logs 135:2
long 5:15 7:19 27:2
31:12 39:9 58:13
60:10 69:9,19 95:16
99:1 120:12 128:21
130:22
long-winded 96:2
longbill 83:19
longer 19:6 54:21 91:22
longitude 17:17 33:8
59:9
longline 28:19 33:20
85:2,4 96:5,7,9,10
97:10 114:1,22 115:9
115:16 116:11
longliners 113:18 119:8
look 18:9 21:19 24:7
27:5 37:18 38:9 40:1
54:3 61:17 62:5 64:1
80:6 81:10,17 84:4
88:13 90:8 91:5,8,17
92:21 107:3,19
108:22 110:9,14,21
119:18 120:10 121:21
122:22 123:6 140:6
looked 18:6 30:18
106:7,19
looking 5:9,11 7:22
8:20,22 9:4,7,11,20
10:12 11:14 12:5,16
13:6,17 16:3,17 20:7
21:6,10 22:11,20 23:9
24:5 27:14,16 34:14
38:12 55:1 66:7 81:1
89:14 93:16 99:16
103:18 108:5 110:2
112:18 116:4,6
121:10 122:5,17
137:4
looks 10:19 36:7 39:9
loose 49:3
Loren 131:11,12,14,16
138:11
lose 73:16 74:3 130:2
losing 49:8
lost 129:19
lot 5:15 30:9 32:1 35:6
42:15 43:12 44:5
46:20 48:3 55:21 56:1
57:1 60:18 63:19 64:5
64:5,8 72:1 74:6,17
81:1,18 83:16,21 86:5
86:11 89:3 93:2,6
97:8 99:16 100:5

101:13 107:17 108:18
110:5,16,17,18 114:7
114:16,17 116:7,9
117:22 118:3 119:4
130:3 137:1 139:2
lots 50:6 65:12
Louisiana 2:19 115:14
love 34:7 94:2,12
100:17 110:19
loving 34:8
low 11:21
low-precision 20:19
low-reward 66:19
lower 132:8
LPS 15:6 37:16,19
luck 31:3

M

magazines 62:3
magnitude 117:1
Magnuson 77:1
mail 23:15 69:5 124:12
mailed 11:7
main 43:11 104:9
Maine 1:16 3:6,7 35:7
maintain 44:1
major 104:18
making 36:20 42:22
46:16 53:17 74:14
103:13 106:5 132:15
manage 20:13 103:11
management 2:15,17
2:17 3:10 8:19 9:1,11
10:13 11:1 13:10
15:10,19 18:1 19:3,16
23:21 42:18 44:21
45:6 58:17 65:7 76:13
76:15,22 77:21 110:2
128:4 136:12
management-based
89:20 90:3
managers 38:8
mandated 38:16
mandatory 72:21
136:13,14,20
manner 88:20
Mansfield 115:22
manually 23:16
map 100:11 101:2
maps 108:22 109:5
Marcos 2:17 31:10
32:21 43:9 98:17
103:20,21 105:5
marina 2:13 124:16
marine 1:15 3:3,7 18:2
59:22 78:6 86:9 87:12
113:15 118:2 124:5
126:12

mark 2:12 107:19
marketing 43:2
marlin 110:22 115:21
marry 37:20
Martha 2:7 62:20
MARTINEZ 2:4 67:18
68:22
Marty 116:8 134:1,12
134:13 135:18
Maryland 1:12 3:4
Massachusetts 3:3
57:11 125:22 127:9
match 109:1
matched 37:16
Matt 1:19 116:8
matter 61:7 75:13 132:6
140:8
matters 96:18
maturity 76:13
McHALE 27:6 28:12
38:2
McINTYRE 2:9
mean 27:2 30:10 33:7
33:21 34:19 50:21
53:5 56:20,21 71:9,10
73:22 82:10 96:4
99:22 100:7 104:6
117:20 132:13 136:13
meaning 100:18
means 37:5 40:7,10,10
41:3,9 72:8
measure 30:13
measurement 104:14
measurements 104:6
measures 8:7 20:21
77:21
mechanically 27:5
mechanism 11:17
61:19
mechanisms 9:13 62:8
media 50:18 115:20
130:20
meet 29:4,10 46:1
89:11
meeting 1:5 111:12
112:15,21 114:17
116:20 117:3,9,11
118:13 138:15 139:22
meetings 59:21 139:8
member 11:17
members 1:14 6:13 7:3
25:6 45:20 103:13
124:19 125:17
mention 8:14 42:6 43:5
mentioned 14:18 32:9
43:10 48:21 60:6,17
90:3 97:6 121:21
122:6 131:2

mentioning 11:8 14:21
19:18
MERCIER 1:20 56:17
mesh 28:9
met 1:11
metadata 94:9,11,16
meters 92:15
method 66:12 108:4
methodologies 39:2
93:20 108:4
methodology 91:17,19
91:20 92:3
methods 101:4 108:21
109:10
Mexico 2:15 10:6
Miami 114:11
MICHAEL 2:10
mid 57:12 114:11
Mid-Atlantic 2:16 15:17
16:14,19
migratory 1:5 3:10 76:5
102:7
mike 57:4,18,19 98:17
103:21 105:5 108:10
112:1 125:14
mikes 54:18
mile 33:11
miles 111:14,15,21,22
112:1,11 125:16
126:14 133:15
million 33:19
mind 41:14 60:14,22
mindful 66:8
minerals 78:7 86:9
87:13
minimum 77:1
mining 78:7 86:9 87:13
minor 92:2
minute 6:6
minutes 49:15 50:3
75:19 134:4
misreporting 67:4
missing 65:17 94:7
Mississippi 3:4
mitigate 77:6
mix 6:2
mobile 32:19
model 108:16
modeling 87:17
modernize 9:5
modifications 93:22
modifying 19:13
money 33:16 48:7
monitor 22:4 130:4
monitoring 21:17 42:11
42:20 44:10 122:21
137:3
months 58:3 124:22

monuments 18:2
Moore 111:17
Moore's 120:8
morality 61:9
Morehead 96:14 113:1
morning 5:8,14 7:12
 36:15 45:9 69:2
 130:22
Mote 1:15
motivate 62:18
motivated 61:22
motivation 62:14,15
move 11:15 19:17
 53:18,21 69:3 71:21
 72:12 111:8 134:19
 135:4,10 137:10
moves 45:19
moving 10:8 11:10,12
 31:4,8 34:16 50:17
 105:13,13
MRIP 20:18
MSA 82:4 84:16
MSE 30:4,6 41:2,3
multi 58:14
multi-day 135:8
multi-species 57:12
multiple 118:19
multitude 130:10

N

name 73:19 112:11
 134:2 135:21
names 32:1 132:1
Nantucket 108:9
Narragansett 108:8
 116:18 126:8,10
narrow 63:6
nasty 39:10
nation 44:5
national 1:3 43:8 61:18
 113:15 118:2 124:5
 126:12
nations 122:8
Natural 2:21 3:4
nature 132:22
NAVARRO 2:10
navigate 82:16 134:18
 135:9
near 105:22,22 107:14
 107:14
necessarily 49:17 68:6
 76:18 98:7 117:20
 125:9
necessary 5:20 76:11
 77:14
need 5:17 7:17 9:3 15:6
 16:15 29:8 31:20,21
 40:1,11,12 43:22 44:9

44:11 46:10,13 48:21
 49:4 50:13 51:12 55:5
 58:18,20,22 59:13
 60:3,8 62:7,14,16
 63:2 64:3,14,15 73:3
 78:16 83:18 91:2,17
 94:14 102:14 107:19
 109:12 120:22 127:16
 127:20 135:16
needed 44:8
Needless 130:16
needs 29:5 39:16 53:18
 59:12 60:22 62:7,15
 72:3 77:13 78:21
 79:18 89:18,21 90:3,8
 90:12,16,18 91:14
 92:1 99:10
negative 53:15
negatives 41:21
nervous 67:1
never 49:1 56:9 67:4
 69:20
new 1:16 3:1 7:1 15:17
 16:14,19 48:22 52:6
 58:4 69:9 70:2,14
 81:4,7,8,12,16 82:7
 83:13,16,18 84:10,18
 84:20 85:2,3,5,16
 85:18 86:3,5,11,15,16
 86:18,19,22 87:1,6,7
 87:8,9,10,20 88:4,8
 88:22 89:2,3,8,9,15
 89:18 91:18,19 92:1
 93:16,22 94:3 97:16
 105:12 106:3 107:9
 107:17 108:3 117:12
 121:4 125:22 127:9
 127:15
Newport 130:15
news 69:10
NGUYEN 1:20 69:2
nice 31:20 101:3
night 39:22 45:11
nightmare 69:7
nine 43:8 50:2 54:20
NMFS 3:8 78:13 120:15
 126:19
NOAA 1:3 3:8 19:12
 23:17 35:15 45:14
 103:5 131:4
non 19:20 21:1 106:12
 107:1 127:20
non-AP 103:13
non-compliance
 132:19
non-fishing 77:3 86:2
 86:16 87:9 91:3 94:2
 94:5 105:7,19

non-for-hire 49:12
non-HMS 14:12 65:12
non-incentive 73:13
non-MSA 85:14
non-reporting 21:12
 50:13
non-resident 127:3
non-targeted 51:14
non-tournament
 118:10
noncompliance 9:16
nonprofit 70:13
normally 117:2 139:7
north 112:12,22 114:15
 116:7,10 123:14
 128:13
Northeast 116:19
 117:13
northeaster 113:4
notable 118:12
note 51:3 52:20 56:17
 59:19 90:19 92:18
 99:7 102:7
noted 88:9
notes 26:4 70:5 139:2
notice 4:3 6:7 7:13 8:15
 25:4 101:18 115:15
 138:8
noticed 99:16
notices 131:19 132:9
notification 57:10
notified 57:17
notify 24:10
noting 14:21
notoriety 61:19
November-December
 114:20
number 24:22 27:7 82:1
 95:2 105:18 137:13
numbers 52:10,15
numerical 30:14
numerous 17:19 33:1
nursery 89:4,15 91:9

O

o'clock 5:5
objection 114:3
obligations 72:4
observer 85:5 98:13,14
observing 128:19
obtain 96:10
obtained 115:17
obtuse 129:15
obviously 38:20,22
 119:19 120:2 123:12
 126:5,12
Occasionally 124:18
occurred 117:9

occurring 35:6 54:10
 54:15 126:22
occurs 80:1
Ocean 2:2,12 35:19
OCEANIC 1:3
oceans 58:19 106:1
off-shore 18:1
offer 13:21 72:16,19
 116:3 124:3
offering 9:17 23:10,19
office 24:10 27:17 38:6
 47:16 69:6 78:11
 102:13 124:13 131:9
 131:17,20,22 132:4,8
officer 112:12 115:20
 116:17
officers 113:16
offloaded 11:6 129:10
offloading 10:18 11:20
 18:19 129:12
offloads 114:22
offset 77:6
offshore 18:1 35:3
 36:13 78:8 87:14,22
 95:15
OGC 138:7
oh 55:10 73:2
oil 78:8 86:8,9
okay 5:19 7:9 22:9
 26:12 34:16 47:7
 48:12,13 62:21 66:4,4
 67:19 74:6 101:2,5
 103:15,19,20 109:18
 111:7,15,20,21 112:1
 112:8,11 116:16
 131:15 136:3 139:14
old 85:12
OLE 111:16 112:13
 117:12 131:4
once 18:19 32:16 43:19
 47:1 53:14 79:1 81:12
 99:8 104:4
one-stop 33:3 46:1 48:6
 57:6,8 63:13 74:13
one-year 118:20
ones 23:4 28:8 118:12
ongoing 48:7 63:12
 86:22 97:11 118:4,5
 129:5,17
online 6:14,21 23:19
 26:1 39:5 42:3 44:8
 52:22 71:1 72:11
 95:11 103:12,15,16
 111:7,15,15,21
 131:11 133:14,20
 134:5,9 135:20 137:9
 137:21 139:9
open 21:20 22:7 24:18

25:18 42:4 47:8 80:14
85:20 112:2 125:11
136:1
open-access 20:22
opened 117:12
openly 124:15
operate 124:2
operating 122:8
Operation 112:21 113:8
113:14 114:10 115:1
operationalize 53:3
operationalizing 50:15
operations 112:20
114:9
operator 28:3
opinion 29:17 41:13
61:6
opportunities 61:17
63:20 67:7,9
opportunity 19:8 41:8
45:11 67:12 104:2
107:8
ops 114:13
optically 21:15,18
option 12:16 13:18 14:2
14:7,14 15:2 16:20
17:15 19:22 20:1,2,4
21:22 26:6 30:7 32:15
55:2
optional 72:16
options 8:19,20 9:2
10:13 13:10,17 14:17
15:19 16:2 17:4,10,13
18:12 19:19 20:9 21:6
21:10,20 22:1,22
27:15,19 30:18 32:5,7
33:4 92:2
order 18:12 53:10,12
54:10 72:19 117:1
organization 98:19
organizing 139:22
Orleans 69:10 70:2,14
outcomes 76:9 81:14
107:11
outlier 101:22
outline 7:16 77:14
outraged 124:22
outreach 133:5 138:3
outside 43:13 113:18
122:8
overall 48:1 91:17
overcome 65:3
overlapping 10:11
oversight 47:12 136:8
overview 7:17 9:3 76:8
owner/operator 11:2
121:5
owners 9:8,14 14:21

15:13 19:8,14 20:22
22:7

P

P-R-O-C-E-E-D-I-N-G-S
5:1
page 4:2 26:6 32:5
37:15 100:1,1,1 125:9
paid 124:17 125:2
pain 58:9
painfully 30:5
panel 1:5,11 7:3 124:19
pansying 34:1
paper 9:6,22 10:2,15
11:7,11 54:8,9 57:16
82:12 90:9 135:2
papers 82:6 90:13
91:10
paragraphs 89:7
parameter 108:13,14
Pardon 131:10
parents 34:10,12
Parks 3:3
part 21:5 36:8 42:13,17
42:18,22 48:1 53:18
53:19 63:10 84:8 97:3
98:9 128:13 133:5
PARTICIPANT 136:3,6
participate 43:9
participated 113:17
participating 36:3
44:14
participation 15:6
29:18 59:11 67:9
74:10
particular 15:2,10
77:12 81:11 82:8,18
87:12 88:21 91:5,12
92:18 96:19 97:22
103:7
particularly 14:19 20:7
21:4 49:12 63:1 64:4
122:16 126:6 134:21
parties 59:17 78:19
124:19
partners 29:4 38:6 48:5
117:14,14
passing 41:7
passion 5:19
pathways 43:15
patrolling 112:17,18
patrols 112:16 121:9
122:7
pay 75:3
paying 133:9
PDF 23:16
pelagic 20:1,7,16 23:2
33:19 48:18 113:18

114:1,22 115:9 119:8
pelagics 15:5 28:19
38:3,8,13 52:5
penalize 9:16 74:21
penalties 72:15 130:21
penalty 75:3 118:5
people 6:2 32:16,19
33:17 35:12,16 37:4
43:18 63:8 64:16,19
72:17,19,21 75:3
103:9 106:11 108:14
114:16 123:21 124:8
124:15
per-unit-effort 57:22
58:11
perceived 22:6
percent 12:10 31:2 34:2
42:8,10 98:11 101:21
101:22 135:16
perfect 70:1
period 24:19 53:22 61:3
80:10 118:20
periodically 78:14
permission 122:12
permit 8:4,5,6,11 10:4
10:16 12:7,8,11,17,20
16:5 17:5 19:11 21:12
21:22 22:6 23:12,20
24:1 29:20 32:19 34:1
34:4 47:16,19 48:4
49:8 50:12,19,21 51:6
53:4,11,13 57:12 61:8
64:21 65:13,16 66:12
74:3 96:22 115:22
116:1,2 118:9 119:1,5
119:6 120:12 126:2
126:19 127:16,18,20
136:20,22
permit/sticker 127:4
permits 8:3 12:9,11,12
12:22 13:3,3 14:22
21:1 22:8 24:8,12
44:14 53:8 64:7 65:10
95:17 96:8 119:9,11
permitted 118:17
PERRY 3:3
Perseverance 2:10
person 25:11 50:19
116:1 124:6 125:2
personal 12:1 35:9,10
personally 70:8
perspective 42:7 55:22
pertaining 122:1
pertinent 27:13
Pete 139:17,20
Pete's 140:2
Peter 1:20 2:5 73:8
Peter's 75:4

phase 27:16 79:15 80:5
93:18 118:6
phone 13:21
phrase 34:7,8
pick 48:15 49:15 75:17
picked 113:21
PICKETT 1:21 55:1
picture 62:15,22
pictures 31:21
pie 26:19
piece 65:18 74:18
pieces 137:11
PIERDINOCK 2:10 57:5
57:20 105:6
place 15:17 32:12 57:10
57:22 58:14 59:2 85:8
104:8 105:20 106:21
118:15 121:14
places 57:2
plan 37:17 71:19,22
76:14 84:4 114:13
planned 114:9 138:16
plans 76:22 77:21
platform 9:17 45:19
platforms 46:3,16
play 45:16 46:9
plays 110:11
please 7:3 59:9,14
110:9 133:19,21
139:17
PLL 134:20,21 135:12
plug 139:12,14
plus 19:22 20:2,3
Plymouth 106:18
POHLOT 2:11 109:18
point 7:22 10:21 26:13
32:14 36:19 37:7
48:11 55:16 57:9
58:16,21 61:14 80:22
84:2 96:13 122:15
129:12 133:4,14,17
points 52:19 67:15
73:12
policy 131:4 132:5
pollution 107:15
poor 49:18 83:22
popped 139:11
port 10:20 11:19,19
60:21 115:21 129:9
portal 23:19
portion 104:13
position 27:3
positive 30:21 41:20
possessed 115:17
possessing 118:8
possible 18:16 41:15
85:21 102:6
possibly 139:18

post 5:21 69:6 115:21
posted 111:18 139:8
potential 25:19 27:15
 100:13,16 113:5
potentially 22:2 27:20
 38:16 52:6 73:16
 104:22 110:7 125:20
precise 27:21 74:20
precision 27:19
predator-prey 105:10
 105:14
predators 97:16 110:6
 110:6
predict 47:6
predominant 118:7
preliminary 83:1,2
 89:17
prepared 108:20
 115:16
prerogative 127:1
present 1:14 3:8 93:7
presentation 4:4 7:16
 7:19,22 24:17 25:12
 26:3 50:7 76:6 95:14
 104:1 105:7 111:9,17
 137:14,19 139:7
presentations 95:19
presented 82:12 88:19
presenters 140:3
presenting 7:13 8:18
 8:21,22 81:21 112:13
 140:3
president 134:14
press 39:10
prestige 124:14
presume 37:19
pretty 30:18 33:21 36:7
 82:14 91:14 108:2
 121:14 129:8,16,19
prevalent 123:16
previous 51:6 80:2
 91:21
previously 78:19 84:19
 84:22 85:17 86:6
prey 77:11 88:7,11,12
 88:17 109:21 110:3,5
 110:7,11
price 42:14
prices 45:3
primarily 23:14 126:1
primary 67:13 102:12
prior 18:14,16 19:5 41:3
 55:2 56:13
priorities 89:21 90:4
 119:4,14
prioritize 63:7
private 33:20 50:11
 62:3 63:1,18 64:6,12

65:2 131:6
prizes 21:14,16
proactively 122:22
 123:7
probably 6:1 7:21 15:16
 25:7 66:21 73:21
 83:17 90:2 128:3,13
probation 115:11
problem 104:9 108:5
 122:9
problems 40:21 121:8
procedures 77:14
proceed 80:16 123:6
process 30:4,7 52:3
 54:8 77:18 79:14,16
 80:1,4,17 81:6 84:6,8
 85:22 90:16 92:5
 94:18 121:14 123:4,4
 123:7
processes 44:8 54:7
 76:7 87:17 88:10
 128:6
processing 19:10 23:22
produce 30:6 89:20
Products 139:20
profile 88:12,15
program 8:11 9:18 23:9
 23:12 28:16 35:16
 38:3,7 47:15,16 69:7
 88:3,4 97:15,16,18
 98:14 109:20 117:19
 122:21 136:18
programs 18:11 28:18
 28:18 33:1 45:15 51:3
 61:13 62:1 64:17 71:9
 72:9 98:13 110:15,15
prohibit 126:14
prohibited 83:20,21
prohibits 132:5
projects 36:22 87:13
 97:11
promote 44:20 87:3
 94:4
promoted 62:8
proof 26:20
proponent 46:12
proportion 26:21
proposed 4:3 6:7 7:13
 8:15 78:3 94:6
pros 8:21
prosecuted 115:5
protect 76:17 89:14
Protection 3:1
provide 14:18 15:4
 61:18 71:4 76:7,8
 92:12 94:21 125:19
provided 82:17 122:20
 139:16

Providence 108:8
providers 43:8
providing 21:11,15,21
 96:5
provisions 76:13 78:14
 78:15
proxy 99:20,21 100:4
 102:18
proxying 100:5
PSAT 92:4 110:13
PSEs 20:19
public 4:4 6:13,14 7:1,3
 24:22 37:8,9 59:11
 60:11 75:10 80:10,17
 85:21,22 93:13
 103:10,13,16 124:4
 124:10 132:16 133:15
 133:18,19,20 137:9
publicize 132:16
publicly 132:3
publish 24:17 131:19
 131:22 132:3
published 78:17 79:10
 80:3 89:22
publishes 24:18
Puerto 2:21 32:2 42:7
 42:10,16 43:10
pull 84:9,15
pulled 99:5 114:5,7
 137:16
Punchout 113:14
purchased 10:21
PURMONT 1:21
purpose 65:15
purposes 28:5 29:10
 58:18 107:8
push 29:3,12 66:3
 132:17 133:1
put 8:16 27:3,3 33:7,10
 45:3 59:8 70:7,10
 71:16 87:15 104:14
 128:3,5 131:20
 132:21 135:2 138:8
puts 108:17
putting 101:1,2
puzzle 65:18

Q

quality 11:21 18:22
 23:21 37:22 52:21
 56:4
question 27:1 37:3,14
 39:14 47:10,21 51:8
 51:18 53:3,6 66:11
 68:1,5 80:12,15 82:21
 83:12 95:14 96:3 97:3
 102:16 105:18 121:18
 128:11 131:18 133:2

133:11
questions 6:19 7:5,7
 25:8 26:5 29:9 52:18
 71:13 90:21 95:7,10
 101:6 105:7 125:12
 125:16
queue 6:20 103:9,20
quick 5:7 28:8 34:5
 47:21 67:22 73:11
 103:10
quickly 8:14 42:6
quiet 130:17
quite 7:19 38:4 61:11
 83:16 86:5,11 89:2
 114:12 121:11
quo 12:8 16:4,18 17:14
 19:19,22 20:2,2 22:17
quota 40:14 47:4
quotas 20:13 22:5 40:7
 68:9,11

R

rabbit 51:11
radio 113:6
Raimundo 2:3 42:4
 45:8
Raimundo's 42:4
raise 42:14 103:17
 133:19,21
random 51:5
Randy 3:9 5:6,13 6:4
 66:10 138:17
range 8:18 22:1 96:20
range-wide 93:9
rapidly 110:8
rapport 116:11
rare 20:17
rate 34:2 38:12 69:17
rates 22:3
rationale 91:9
raw 94:15
re-initiation 79:9
reach 25:9,9 111:4
read 24:15 39:21,22
 108:19
reading 26:4
ready 139:10
real 25:18 41:9
real-time 21:5
reality 109:1
really 5:11,16,18 8:20
 25:5 26:12 30:6,7,10
 34:19 36:1 39:10 42:6
 42:6,14,19 46:19 53:5
 57:3 61:6 63:3,4,7
 64:22 66:1,1 67:20
 71:18,18 72:18 73:3
 73:11,20 74:3,4,17,18

- 83:22 95:12 96:17
98:21 99:6 104:20
108:21 109:1,6,9,9,19
110:13 124:10 130:5
135:7,10 136:11
140:5
realm 124:2 136:11
reason 35:6 69:4 84:12
97:3 98:9 103:6
105:17 108:12
rebuild 63:16
rec 62:6,14 63:2,18
123:11,18
recall 19:1,9
receive 69:8 104:21
received 19:15 22:3
74:12 115:20
receiving 117:21
recognize 61:11
recognized 45:4
recommendation 87:18
recommendations 88:1
90:6,10
recommended 78:22
87:8
recommending 90:20
record 75:14 140:9
recorded 11:7
recreational 2:5,11
9:14 20:13 26:15
48:19 49:13 51:19
55:9,12,17,18 56:14
61:14,21 67:6 97:14
97:21 118:20 119:7
119:15 123:22 136:10
recruitment 52:14
redefine 93:17
reduce 15:6 19:1 92:3
reel 121:6
referencing 95:16
referrals 117:7,7 118:8
referred 40:19
refers 124:1
refine 35:20 38:15 91:2
102:9
reflect 98:2,3,6
reflected 90:5
reflections 7:8
reflective 97:20
refresher 76:7
regard 42:1
regarding 17:22 40:15
93:17 110:12 115:20
121:21 129:2
regardless 14:6,13
16:10 66:17
regards 46:4 73:12
87:22
- region** 10:7 93:9 121:4
Regional 27:17
regions 15:15
Register 25:4
regular 17:8 66:15
regulate 44:22
regulation 49:21
104:16 124:6
regulations 23:11 29:6
63:20 77:22 116:5
126:15,21 133:8
regulations.gov 24:20
95:2
reiterate 133:7
relate 90:4
related 6:8 8:6,19 13:14
15:19 47:22 60:8,15
82:8 86:17 93:15
101:16 107:9 110:4
122:4
relating 121:19
relationships 105:11
105:14
relative 110:10
relatively 116:21
127:15
release 26:9,11 59:15
61:16 62:1 68:20,20
released 37:13
releases 52:13
reliant 98:5
rely 120:22
remain 119:13
remaining 77:8
remarks 134:4
remember 58:13 101:6
107:17
remind 7:2 64:19
reminder 75:10 138:15
remove 16:15 23:6
removes 64:3
removing 24:10 115:18
Remsberg 131:13,15
131:16
renewable 87:13
reorganize 88:18
reorganized 88:11
report 10:5,10 12:9
14:22 16:5,8,9 17:6
17:11,12 18:13 20:9
22:18 27:3 31:13
33:17,22 34:4 38:11
41:11 47:18 49:3,20
50:20 51:12 54:11,13
55:14,19 56:20 60:3,9
60:12 61:2,16,19
65:16 66:16 73:15,15
73:16,17 74:2,3
- 113:12 118:9,18
123:22
reported 22:19,21 23:1
23:3 37:18 39:17 51:5
52:7 57:3,14
reporting 6:8 7:14 8:4,5
8:6,7,7,9,11,12,19 9:2
9:4,5,8,13,15,15,17
9:19 10:15,19 11:1
12:6,21 13:1,6,8,11
13:13,16,18,21 14:1,2
14:3,10,11,13,15,16
15:2,3,11,15,21 16:10
16:12 17:10,12 18:13
18:21 19:6,7,11,13,16
19:20,22 20:1,4,7,9
20:10,15,21,21 21:2,9
21:11 22:3,10,10,12
22:16 23:4,8,10,19
24:1 25:11 26:7 28:15
30:20 31:3,19 32:9,11
33:7,14 36:2,20 37:15
37:20 38:16 39:11,14
43:6,6,11,17,18 44:10
46:1,3,8,21 48:3,6,18
51:20 52:16 53:9,15
54:2 55:8 60:16 61:8
63:5,22 64:14,17 65:1
65:10 69:3,22 72:15
119:13 130:22 134:20
136:11,19,21
reports 10:5 15:21
16:17,18,21 18:16
22:11 23:7,13 24:3,6
46:4 58:2,6 78:18
99:5 135:6 138:5
Representatives 2:15
2:19
request 8:12 24:13
31:17 59:17 78:10
79:11 122:12
requested 93:14 114:2
require 14:10,11,12
16:10,18,21 17:10,14
17:16 23:1,2 53:12
60:11 127:3
required 10:5 12:9,12
14:5,22 16:5 17:6
20:6,9 22:18 23:6,12
24:6 46:14 73:18 77:1
77:20 78:2,13
requirement 12:18 17:1
53:12 119:6 126:2
requirements 6:8 7:15
8:5 10:11,16 12:6,21
13:14,16 14:8 15:15
16:13 18:4,6,8,9,10
19:12,14 21:2 22:13
- 23:8 24:10 31:21
39:14 44:7 46:4,8,22
55:2 119:5 120:11,19
120:20,22
requires 66:15 81:12
requiring 14:15,16
15:13 22:11,13
research 1:16 3:7 62:6
77:13 89:17,21 90:3,7
90:12,16,18 91:2,13
93:4 98:13
researchers 93:5
residency 106:10
resident 127:21
resolution 36:12,18
resonates 99:6
resources 2:21 3:5
63:11 72:7 87:15
130:4
respondents 132:2
response 47:21 53:2
87:4
responses 38:18
responsible 45:5
rest 44:2,4 135:14
restitution 115:12
restricted 118:15
119:17
restrictive 19:4 126:15
126:21
resubmit 43:19 69:14
result 23:21 62:17
106:2,15
results 38:10 89:17
resumed 75:14
retail 61:18
retaining 118:16
return 125:3
returns 72:20
revenue 22:15
review 4:3 6:9 70:4,8
75:18 76:6,9 77:14,17
78:14,21 79:6,6,9,12
80:6,11 81:14 83:9
89:6 118:3 123:3,4
reviewed 90:13
Reviewing 91:16
reviews 78:16 85:1
revise 32:14 78:14
revising 91:16
Revolution 36:15
reward 61:20 67:8
rewards 62:2 66:22
RFDs 118:16
Rhode 116:18 125:19
125:22 126:2,18,20
127:2,6,17,22 128:4,6
rich 5:19

Rick 2:13 98:17
Rick's 109:14
Rico 2:21 32:2 42:7,10
 42:16 43:10
rid 13:22
right 5:3 7:9 28:13 29:9
 29:15 33:5 39:3 42:8
 43:11,14 48:14 50:14
 54:19 63:8 71:2,14,22
 72:7 73:15 74:15
 75:11,16 76:4,22
 79:15 82:20 83:10
 84:16 86:2 87:3 88:6
 88:7 91:16 93:13,18
 98:16 102:12 103:19
 111:18 132:15 133:12
 133:13,17 135:6
 137:8,10,19 138:17
risk 99:13
River 89:4
road 49:18
ROBERT 2:10
robins 60:13
robust 88:1 97:14
rod 121:6
RODRIGUEZ 2:21
role 88:12 110:10
rolling 97:4
room 6:13,21 26:1 39:7
 42:3 50:3 70:22 95:11
 103:12,14 133:14,18
 137:9 138:9
roughly 80:1 85:10
row 82:3 83:13
rub 29:8
Rule 4:3
rulemaking 6:7 7:14
 8:16
rules 6:18 138:13
run 6:20 38:14,14 42:21
 47:15 112:17
running 114:2
runoff 106:8
runs 97:17
rush 73:5

S

safety 44:8 120:11,19
 135:6
Saltwater 2:6
sample 35:19
samples 38:17 67:10
sampling 35:16,17 88:2
 88:2,2
SAMPSON 2:12
sand 86:9
sandbar 89:10
sands 87:13

sanitary 106:12
satellite 110:17
satisfy 10:10
save 31:22
saw 124:21
saying 44:13 47:17
 84:3,12
Scanlon 134:13,13
scene 122:10
scenes 29:11
SCHALIT 1:22 39:8
 95:13
schedule 6:16 75:8
scheme 29:14
School 3:6
science 11:4 38:6 43:16
 67:7 97:11
Sciences 3:7
scientific 77:20 78:17
 80:7 85:18 86:5 89:9
 90:7,9,13 91:11 93:3
 97:13 107:18
scientist 30:14
scientists 40:12 90:20
 103:5 104:7
scope 63:6
scoping 27:15
SCOTT 1:22
screen 79:22 90:19
 112:9
SCRS 52:2 54:8,12
scrutinize 108:21 109:9
scup 57:15
sea 60:12 113:6 115:18
 123:8 127:11
seaboard 38:15
seafood 1:19,19 42:15
 121:22 122:1,18,19
 122:20
seafood's 123:2
search 24:21 95:3
searching 78:19
seas 128:20
season 114:19
season-long 36:21
seasons 102:5
sec 125:14
second 10:15 14:2,10
 15:21 16:7 19:22 66:7
 69:21 73:7 114:18
secretary 78:22
section 10:12 12:6
 13:11 18:4 19:12
 20:21 22:10 88:12,17
 90:11 92:10 107:16
 131:17
sections 25:7 70:6
sector 1:15,17 2:2,5

17:9 20:13 22:5 34:21
 49:13 55:9 56:14 62:3
 136:10,11 137:3
sectors 6:22 41:18,19
 136:9
security 44:8
see 30:9 31:12 32:7
 37:2 41:22 42:14
 43:22 44:19 52:15
 58:8 60:16 63:8 67:20
 71:22 81:7,11 82:9
 83:8,12 88:14 89:7,10
 90:18 95:10 101:5
 103:3 108:3,18
 110:19 112:9 113:12
 116:9 125:16 133:13
 133:21 134:5
seeing 42:19 52:21
 97:21 103:19 106:16
 107:17 111:7,21
 112:6 121:7 136:8
 137:17 140:7
seen 44:16 56:9 66:20
 124:9
SEFHIER 63:16
segment 56:9
seismic 86:7
select 58:16
selected 17:7,8,11
self-report 38:20
self-reporting 51:3
sell 121:6
send 138:11
sense 28:1,3 49:14 98:4
sent 137:22
sentenced 115:10
sentencing 115:7
sentiments 67:19
separate 88:16
September 116:20,22
 117:3,11 138:15
 140:7
septic 106:13
seriously 125:8
SERO 18:10
served 115:15
service 115:12 118:2
 124:6,12 126:13
Services 139:21
session 5:22
set 18:6 27:10 28:10
 40:11 67:2 96:6 99:12
 114:12 134:21 136:20
sets 84:5,7 94:9,11,13
 94:17 97:7
settlement 116:3 124:3
 132:3
settlements 132:2,7

seven 18:19 47:4 69:22
 70:18 84:7 85:10 88:8
 113:4
seven-day 47:1
Seventy 31:6
sewage 106:14
shadowed 114:6
share 6:19 26:19 111:2
 138:13
shared 130:20
shark 2:3 10:16 12:7,8
 12:10,17,21,22 19:16
 49:2 67:11 89:10,15
 97:9
sharks 20:1,2,7,11,13
 20:15,16 23:3 48:18
 48:19,22 60:7 64:8
 65:1,14 83:20,21,21
 89:2,3 92:14 97:15
sharp 106:18
sheets 55:5 69:12
shift 59:1 109:16
shifted 119:7
shifting 105:9,10
ship 128:22
shop 63:13 115:22
shopping 33:3 57:6,8
 57:10 74:13
shore 64:8 67:10
 105:22 107:14 126:14
 130:16
short 69:9 99:19 100:8
shorter 5:10 6:4 18:22
 116:22
Shorthand 87:5
shout-out 139:19
show 96:12 124:11
 130:20
showing 30:8 96:14,16
shows 79:20
shy 35:13
side 26:15 39:7 63:18
 65:2,18 71:5
sign 81:9
significant 106:16
 121:3 125:2
Silver 1:11,11
similar 27:16 31:16
 54:13 62:2 97:17
similarly 54:11
simple 33:22
simpler 135:5,11
simplified 104:21
simplify 18:5 135:1
simply 34:3
single 10:10 41:11,12
 41:14
singular 41:7

- sit** 60:20
site 87:16,18
site-ease 137:21
sites 101:20
sits 60:19
situation 49:5 96:21
100:6 119:2 125:21
126:16
situations 68:7 119:20
129:4 130:5
six 18:12 58:3
size 26:22 70:11 118:16
skipjack 20:3 83:19
SKOMAL 3:3
slap 29:19
slide 48:18 50:9 68:1
77:9 101:2,4
Slidell 115:14
slides 16:2 82:22
slips 10:14,17,22 11:3,5
11:9,12,17,18,21 12:2
small 33:10 39:17 41:14
44:3,3 66:21 96:11
104:13
small-scale 44:16
smaller 26:21 44:4 61:2
121:4
smoothhound 10:16
12:6,8,10,17,21 31:20
32:5,14
smoothing 108:13,14
social 50:18 115:20
130:20
socioeconomic 71:13
software 91:21
sold 11:22
soliciting 78:18
Soltanoff 7:11,12 26:10
solved 44:5
somebody 31:16 33:7
50:20 55:14 71:16
120:18 124:21
somewhat 96:20 97:20
117:16 129:13
SONJA 2:3
soon 139:17
sorry 32:6 45:9 61:21
sort 6:20 7:6,7,7 8:18
8:21 10:17,18 25:16
25:17 28:1 29:17 39:1
48:19 49:19 66:15
96:2 97:12 102:4
131:1 138:4
soul-searching 63:4
sound 38:10 52:21
108:10
sounds 66:13 136:17
source 52:6 123:9
126:8
sourced 123:2
sources 48:8
south 2:13,20 10:6
15:18 16:13,22 56:11
96:17 123:17 126:9
southeast 8:1 9:20 10:7
11:4 28:18 43:15
57:13 64:5,17 97:17
112:13 114:10 128:12
southern 123:13
Spanish 32:1
spatial 17:22 36:12
58:22 92:8
spawning 76:12 101:11
101:11,12,14
speak 100:9,20 131:18
speaking 18:21 51:1
52:2 55:22
speaks 97:3
spearfish 83:20
special 73:20 94:11
115:6,14
specialized 129:20
species 1:5 3:10 12:13
13:14,15 14:8,11,16
15:3,20 16:3,9,12
19:15 20:6,17,17
22:14,19,21 29:7
39:16 46:11,15 51:21
52:1 58:15 59:14 60:2
60:7 64:9 65:14 68:8
68:9,12 76:5,14 77:11
81:4,11 82:18 83:17
83:17 88:7,12,14,15
88:16,22 92:18 96:1
96:20 100:8 102:22
103:6 105:13,15
107:10 108:17 109:7
110:10 111:1 118:22
120:3 122:2 127:11
128:20 130:8,10
species-specific 19:13
81:16 85:1 92:10
specific 8:17 27:14
46:3,15 91:10,14
92:12 93:10 109:7
137:11
specifically 23:4 27:4
42:7 43:5 45:16 89:1
93:16 99:4 101:16
107:9 112:18,22
121:10 135:12
specifics 35:14 74:16
specified 24:8
spend 119:4
spent 33:16,17
Sport 2:22
Sport-Ventures 2:8
Sportfishing 2:7
spot 70:10
sprawl 108:16,16
spreadsheets 23:15
Spring 1:11,11
square-one 63:15
St 1:20
staff 3:8 23:17 45:14
47:12,14 140:1,3
stage 71:21 79:16,17
83:5 101:8 103:7
stages 103:3
stakeholder 19:1
standard 44:2 97:12
standardized 11:9 12:3
standing 48:2
standpoint 47:14 68:9
97:14
Starbucks 72:19
stars 82:10
start 25:21 26:1 29:19
62:22 79:3,22 82:17
93:19 95:11 111:22
134:2 135:21
started 5:5 27:11 80:2,4
113:21
starting 25:1 33:2 35:2
55:16
state 2:19 3:4 29:6
31:18 57:10,17,21
62:1 64:4,6,16 76:16
85:15 117:14 122:11
122:13 125:20 126:1
126:15,18,18,20
127:2,6,22
statement 114:3
states 45:20 54:14
59:22 61:15 64:18
122:1,19 123:13
130:19 133:5
statistical 27:18
status 12:7 16:4,17
17:14 19:19,22 20:1,2
22:17
statutory 72:4 120:17
stay 6:3 45:21 54:18
94:22
stayed 5:21
staying 5:21 47:1
119:21
step 33:21 120:9
step-by-step 94:21
steps 76:9 90:10
137:11
Steve 30:1 31:10
125:17 130:14
STEVEN 1:18
stick 50:10
stock 15:9 17:20 22:15
41:1,1,3
stocks 59:1 105:10
stolen 69:6,11,15
stone 114:13
stop 57:10 80:13 81:9
stopped 113:7
stories 132:21
story 69:9
stovepipes 28:15
strategy 15:10 21:8
streamline 9:5 15:15
24:1 46:2 81:6
streamlining 71:8
street 56:2
stress 34:20 35:11,22
36:1
Stripped 127:11
strong 74:11 83:2
stronger 75:2
strongly 29:3 108:20
struck 99:6
struggle 35:4
study 17:9 62:11 93:5
stuff 36:8 56:7 115:4
129:18,21 130:6
131:1 135:14,16
sub 16:1
sub-legal 26:20
sub-option 16:7,8
sub-options 14:9 16:4
16:9
subgroup 126:7
submission 8:6 10:9
12:4 17:16 18:5 23:7
submit 12:13,18 15:13
23:13 24:20 55:2,4
67:9 69:4,16 70:9,15
94:14 95:1
submitted 9:22 10:2,2
10:14 23:13,14 61:3
69:8
submitting 11:3 12:14
18:14,14,15,15,17,18
79:10
subset 66:21
substantial 129:8
substrate 76:11
success 61:12
successful 98:6 133:6
succinct 66:6
suddenly 52:15
sufficient 102:22
suggest 71:20 84:10
suggested 85:19
suggestion 107:20
135:1

suggestions 53:21
93:11
suitability 87:16,18
110:22
summarized 81:16
summarizes 90:12
summary 80:9 116:3
124:3 132:2,3,7
138:17 139:6
summer 79:11 126:10
summer/early 117:10
super 46:9
supplied 28:4
support 44:17
supported 91:22
supporting 104:15
supposed 100:2
sure 29:9 33:6 39:2
42:22 45:1 46:10,13
57:17,20 74:8 82:15
90:2 97:5 121:17,19
122:3 123:1 139:13
surface 101:19
surprise 84:1
surprised 59:3
survey 15:5 21:7 38:3,8
38:13,17 52:5 97:10
survey-based 16:15
64:3
surveys 15:6 17:12
20:18 86:8 97:9,9,13
suspect 65:2
Swiechowicz 111:12
116:16,17 126:4
129:2 130:9 131:8
switch 45:1
swordfish 8:3 13:3 16:6
19:21 23:2 42:16 55:8
55:12,17,18 56:1,10
56:15 97:18 101:10
118:11 122:2 123:11
123:12,18,22
symbol 79:21
synthesis 72:11
system 15:14 49:13
53:9 58:13 124:12
systems 106:13

T

table 5:4 7:6 21:20
25:22 30:1 48:15 59:4
59:16 62:13,13 67:20
71:4 74:10,13 75:17
82:17 83:12 90:11
134:2
tables 81:17,22 82:16
tackle 2:1 39:10
tackling 121:4

tag 67:9,12 110:17
tag-based 49:13
tagging 36:22 97:15
98:14 136:18
tags 49:15
tails 115:18
Taiwan 114:4
Taiwanese 114:1
128:12 129:3
take 18:9 28:7 39:20
47:11 63:3 70:5 71:3
73:20 81:10 88:5
104:1 109:15 120:21
125:7 135:2 139:3
taken 40:4 139:2
takes 49:15 57:10
117:21
talk 7:21 25:15 37:8
45:5 60:4 76:4,9
100:14 104:4,5 109:9
116:9 124:14,15
138:17
talked 21:1 46:21 56:8
59:20 62:10
talking 8:2,10 21:17
25:10,20 35:12 36:17
51:16 52:12 71:11
74:7 91:6 93:3 104:17
130:14
tallies 11:6
target 68:13 122:7
123:8 126:18 127:10
targeted 49:1
targeting 14:5 50:22
51:15 112:20 113:9
113:17
task 39:17 52:4 54:3,3
132:12
tax 72:20
team 25:6,10,11 31:17
61:17 95:4
tear 28:14
technical 22:12 23:5,11
24:4,9 92:1 108:2
technically 100:12
118:4
technology 38:7 43:22
44:6,18
tediously 69:13
telephone 38:19
tell 33:15 95:22 100:2
tells 96:1
temperature 58:22
70:11
temperatures 105:9
106:3,7 107:1
ten 49:15 77:16 81:2
93:15 98:20 118:1

term 24:21 30:14
terminate 121:11
terms 24:8 41:5,9 56:14
65:1 130:17
test 71:21
Texas 3:3 89:5 92:14
115:19,22
text 92:6,9,11,13,16
93:8,21 102:8,10,15
108:18
th 117:10,10
thank 5:20 25:13 26:2
29:20 31:9 32:22 34:5
36:10 38:1 42:1 45:7
47:19,20 48:17 50:6
57:4,5 65:22 67:18,21
68:22 74:8 95:8,11,13
100:22 103:22 105:4
105:6 109:12 112:8
128:22 133:15 135:17
137:5 138:21,22
139:19 140:2,4
thanks 5:13 6:2 7:11
25:14 29:15,22 30:3
31:10 32:21 34:6 36:8
36:9 39:4 42:2,5 45:8
45:11 48:10,11,13
50:1,5 52:17 54:17
56:15,16 62:20,21
65:21 66:10 67:16
70:20 71:2 72:10,13
73:6 75:12 95:9 97:1
103:8 105:5 107:21
108:1 109:13,13,19
111:2,5,9 125:15,15
125:15,18 128:9
130:12,13 133:4,11
133:12 135:18,22
137:6 140:6,7
theft 115:9
they'd 51:6
thing 32:4 33:3 46:20
53:4 54:13,16 62:10
64:10 69:21 73:4 78:9
99:11 139:6
things 34:19 36:17,22
37:1 43:4,21 44:5,9
53:4 56:5 62:17,22
64:13 70:11 71:6
72:14 77:8,9,10 80:19
81:2,6,7 86:7 88:5,18
88:19 90:2 97:4 99:6
100:7,22 104:22
132:21 139:5
think 5:16 6:1 25:17
26:5 27:6,22 29:1,17
30:17,22 31:3,5,6
37:3,4,8 40:1 47:1,5,7

47:10 48:21 49:7,16
50:1 51:9,13,21 55:7
55:9,21 56:2,13 58:9
58:21 59:10 63:2,5
64:11,12 65:10,20
66:4,22 67:15 69:2,22
70:18 71:14 72:1,15
72:20 73:2 74:21 75:1
75:8 76:1 85:4,8
90:17 94:6,13 98:21
106:17 108:10 109:19
109:22 110:1,13
111:7 112:1 132:6,11
132:15 133:5 136:6
137:10,18 138:16
139:16
thinking 11:10 48:2
50:15 51:10 52:3,9,14
63:1 65:4 71:7 80:2
93:19
third 14:7,12,14 15:2,21
16:8 20:1
Thirty-three 117:13
thorough 80:5
thought 5:17,18 21:21
25:16 61:8 63:18
73:13 74:5 88:17 90:1
thoughts 50:9,11 53:2
93:14
thousands 35:8,8
threat 49:8
three 5:5 13:10 14:9
16:4 17:10 18:7 34:13
56:21,22 85:14 87:14
87:19 112:20 113:22
128:15
throw 59:2
thrust 133:10
THURSDAY 1:7
ticket 56:10 123:22
tickets 123:19 130:17
tightest 19:6
Tim 1:21 54:22
time 5:5 6:19 12:1
18:13,22 19:6 25:15
28:8 38:5 39:9 40:1
41:17 54:6 55:10,14
56:10,12 60:10,17
61:4 66:3,5 69:16,19
69:22 70:1,18 73:20
74:5 79:2 84:6 88:6
94:14 95:16 96:21
99:8 103:11,18
112:17 113:5 114:6
114:12,20 116:22
117:4,22 118:20
119:5 120:7 132:13
132:13 136:4

time-constant 55:9
timeline 24:7
times 21:1 56:9 81:1
 93:2
timing 8:5 11:18 18:4,6
 18:8 46:21 47:2 55:2
 59:1 138:18
tissue 67:9
Titan 113:14
today 5:10 6:4,5 7:1,6
 76:4 103:14 111:17
 123:10 137:5
today's 136:7
told 30:11 99:7
Tom 2:15 70:22 72:10
tomorrow 24:17,18
 30:9
tool 43:2
top 45:21 82:1 119:14
 139:10
topic 9:19 13:1 15:11
 19:11 20:20 25:11,16
 25:17 82:8 111:12
 134:3
topics 6:6 7:18 18:7
 81:11
total 57:5
totaling 115:12,15
touch 6:15 128:3,3
tough 5:15
tournament 19:21
tows 101:15
toxic 106:4
track 21:4 53:10 55:15
 56:21 128:18,21
 129:13 130:6
tracking 56:3 129:7
tracks 128:16
trans 128:22
transactions 127:22
transfer 113:6
transited 113:20
travel 139:12,15
trends 21:5
TRIAL 3:3
tributaries 106:1
tried 36:13
trip 10:5 13:13,15 17:11
 22:15 41:11,12,13
 51:11,12,13,15 53:16
trip-reporting 14:8
tripped 37:4
trips 12:13 13:12,19
 14:5,13 15:1,3 16:10
 24:11 29:6,7 57:7
 121:11 135:7,8
trolling 27:4,12
trophy 29:18 113:8

115:2
tropical 36:3
tropicals 40:7
trouble 26:4 32:1
true 109:11
truly 109:7
try 35:4 48:5 52:10 66:1
 74:20 77:16 81:5 92:7
 92:12 97:21 101:6
 109:10 110:9 123:8
 131:18 132:16,18,22
trying 21:19 56:5 69:7
 71:3 72:17 74:18
 79:18 81:19 93:8
 97:22 102:1 129:14
 133:1 136:19 138:12
tuna 1:18,22 22:19 26:9
 26:9 40:15,18 50:18
 52:13 59:13 83:19
 96:12 97:18 101:9,14
 108:6,11 113:1
 115:17,18 118:10,16
 118:19 120:2 126:6,6
 126:13 130:11 137:2
 137:13
tonas 8:2 13:2 15:9
 20:4,8 42:16 101:9
 120:5 122:2
tuned 94:22
turn 116:15 124:20
turns 36:3
tweaks 91:20
two 10:13 21:10 22:22
 24:4 31:5 32:5,6
 34:13 37:21 41:3 50:8
 70:17,21 82:4 84:16
 93:18 99:5 104:3
 115:8 118:14 124:22
 126:5 136:9 137:20
two-phase 79:14
type 8:17 37:17 53:4
 58:13 61:7 62:2 78:6
 78:7,9,21 83:12 87:19
 90:8 100:22 132:17
 132:19
types 80:6 92:21 98:10
typical 117:4 124:3
typically 76:20 80:18
 117:7 119:11 120:4
 122:13 124:3

U

U.S 1:1 30:5 41:19 43:5
 43:13 44:1,6 54:11
 113:16 115:10 117:14
 120:22
ultimately 45:22 80:11
unavailable 78:20

uncertainties 100:9
uncertainty 100:21
undercutting 56:7
undersized 68:13
understand 21:15
 35:12 40:5 58:20,20
 70:6 88:3 100:21
 104:2,3,8
understanding 36:4
 126:16 127:2,7,15
understood 37:9 82:15
undertaken 78:4,11
undertaking 39:18
undertaw 113:2,3,5,16
 113:20
unique 71:10
unit 76:15
United 54:13 121:22
 122:19
University 3:4,6
unload 128:22
update 4:4 6:10 79:6,7
 79:13 82:13 109:16
updated 32:15 83:18
 107:4
updates 80:8,12,15
 82:21 83:3,14 84:3,10
 84:12 85:13,19,20
 86:12,21,22 88:9
 89:12,19 92:6
updating 77:19 81:12
upfront 120:20
upper 79:21
urge 51:8
usable 30:6
use 9:11 30:15 34:7
 44:18 59:20 60:8 62:8
 63:19 64:12 65:11
 75:11 77:20 92:7,19
 92:20 100:4 101:21
 106:9,14 108:13
useful 64:11 65:20
 94:13
users 102:12
uses 92:19
usual 6:18 54:5
usually 54:7,9 124:15
utilize 62:4 74:1
utilized 58:17

V

VAETH 1:22
vague 129:16
valid 26:19 116:1
validation 37:17
valuable 65:7 126:8
value 63:8 66:22
various 39:12

VAUGHN 3:4
vehicle 28:21
verification 66:12
Version 63:17
versus 28:22 50:10
 72:15 73:13 119:21
vessel 8:8 9:8,14,19
 10:5 11:2 13:1 14:21
 15:11,13 17:11 19:8
 19:14 20:20,22 22:7,9
 28:3 38:16 57:11
 58:15 59:7 60:19
 113:2 114:3,6 115:16
 118:17,21 120:11,19
 122:12 126:12 127:4
 127:6,17,18
vessels 11:7 26:20
 53:14 61:2 114:1
 118:14 119:10 120:6
 121:5,5,7,22 122:4,5
 122:7,17,19 123:1,5,5
 123:8 126:22 127:9
 128:12,15 129:3,7,8
vet 39:2
viable 126:17
victim 115:12
video 137:2
Vietnamese 70:2
Vineyard 108:9
violated 124:6
violating 131:7
violation 115:15 118:14
 124:21 131:19 132:1
 132:9,18
violations 115:16 118:7
 120:4 124:4 132:9
 133:7 138:8
virtual 133:21
visibility 125:10
VMS 56:18
voices 74:22
void 35:8
volume 101:21 132:6
voluntarily 44:15
voluntary 42:12
vote 63:13
VTR 28:9
VTRs 39:13,16
vulnerability 137:17

W

wait 47:4 80:14
waiting 81:10
walk 81:13 83:11
walking 10:18
walls 5:5
Walt 3:6 34:16 36:9,11
 51:21

Walt's 62:11
Wanchese 114:21,22
want 5:3 7:20 26:12
 28:7 31:15,17 32:13
 39:6,21 40:3 42:6
 43:5 49:15,16 52:20
 60:14 61:20 66:1
 67:22 69:18,20,21
 70:21 72:20 75:2
 79:14 80:22 84:2
 87:12 88:5 90:14,19
 90:22 91:1,10 93:14
 94:8,10 95:4 97:5
 98:2,3,18 103:10,13
 103:16 104:1 107:6
 109:18 110:14 111:6
 111:11,22 124:7
 125:6 128:2 133:17
 133:20 134:1,7,15
 135:22 138:19 139:6
 139:19
wanted 8:14 81:14,20
 82:15 86:4 107:3
wanting 34:22 35:1
wants 7:8 72:3 133:19
 134:9
warden 113:21
wardens 113:17
warrant 89:1
warranted 78:15 80:8
 80:12,15 82:21 83:4,4
 83:7,7,14 84:4,11,13
 85:13,19,20 86:12,22
 87:12 88:9 89:12,14
 89:19 91:19 109:22
wasn't 83:22 122:16
 127:14
waste 106:12
watch 34:10,12
water 2:1 58:4 70:11
 85:15 106:14 119:21
 121:3 134:14
waters 32:17 64:6
 65:13 76:11,16 108:7
 125:20 126:1,18
 127:1
way 29:18 30:1 35:15
 46:17 48:14 49:4 54:5
 56:2 75:17 79:3 85:3
 85:3 91:18 96:2 97:19
 98:20 102:3 104:14
 123:7,14 129:9,11,13
ways 9:4,15 13:6 21:19
 27:7 47:17
we'll 6:6,8,10 8:10,12
 26:1 42:3 66:4 70:22
 72:12 73:7 75:8 85:21
 111:16 132:21

we're 5:9 6:5 7:6,20
 8:17,19,20,21,22 9:4
 9:7,11 10:12 11:9,10
 11:14,14 12:5,16 13:4
 13:6 15:12 16:3 17:22
 20:8 21:10,20 22:20
 23:4,6,9,18 24:4,21
 25:17,19 26:14 30:8
 31:2 32:17 33:1 36:4
 36:5 38:18 42:13,19
 43:7,12 44:3,3 46:10
 46:12,13 47:7 48:2,14
 56:2,5 58:15 66:7
 79:17 81:1,18 82:20
 83:6,10 84:3 93:16,19
 94:7,16 95:21 96:1
 97:5 99:21 100:2,3
 103:18 106:16 111:1
 116:4 117:20 119:4,8
 119:18 122:5 123:1
 124:2 132:15,22
 134:19 136:1
we've 21:1 44:16 50:1,3
 54:5,6 67:19 69:18
 74:9 75:18 95:19
 96:12 111:15 115:4
 117:11 128:15
web 132:21
WEBER 2:13 98:18
 102:17
webinar 25:2
webinars 24:22
website 13:20 14:1 25:2
 131:20 139:9
weed 109:11
week 18:20 47:1 115:3
 138:16
weekend 70:16
weigh 45:12
weigh-in 69:12
weigh-out 10:14
weighed 10:20
weighing 74:11
weighout 10:17,21 11:3
 11:5,9,12,17,18,21
 12:2
weighs 55:6
weight 55:4
weights 11:6 22:13,18
Weiss 2:1 71:1 72:11
 72:13
welcome 5:8 75:10
 134:11
Welcome/Recap 4:2
went 75:13 113:7 140:8
weren't 50:22
west 61:13 92:15
western 40:17

wheelhouse 60:19
whistles 135:15
white 89:1,15 115:21
 122:2
WHITENER 1:16
Wicked 137:2
wide 25:18 74:15
Wildlife 2:19 3:2,3
WILLEY 3:4
willing 39:20 124:15
Willy 2:6 50:4 52:19
 128:10 130:12
win 61:15 62:16
wind 18:2 35:3 36:13,16
 87:14,22 95:15
winter 99:4 113:4 117:5
wish 127:19
woefully 40:20,21
won 125:4
wonder 67:3,7
wondering 52:1 96:10
 137:2
word 37:4 83:2 100:18
 109:17 132:19,22
words 5:8 39:13 100:12
work 27:2,7 30:1,18
 39:7 42:13 44:11 48:5
 48:5,9 52:11 62:19
 63:21 66:21 78:8
 102:20 103:5 106:11
 113:22 116:7 121:1,3
 129:20 140:5
worked 64:18 95:5
 140:1
working 40:10 43:3
 45:14 48:14 65:3
 71:19 114:13,15
 116:12 125:8 131:13
 136:1 138:2,5
works 28:13 49:7
world 45:6
worry 69:15
worth 89:13
wrap 137:10
Wrap-up 4:5
writ 51:19
write 25:7 33:8 70:9
written 56:10
wrong 70:10

X

X 92:19
X's 82:7

Y

Y 92:19
YAMITZA 2:21
yeah 98:18 110:9 112:8

112:8 124:16 125:15
 126:4 128:11 129:2
 130:1,9 131:8 133:3
year 30:11,12 44:14
 50:19,21,22 51:5,6
 58:3,7 79:11 96:13
 115:11 116:22 118:15
 119:3,19 120:9
 121:11 125:20 126:5
 130:15
year-round 38:14
 106:10,13
years 31:5 49:17 57:15
 79:1,8 80:1,3 81:10
 84:7 85:10 96:14,15
 128:15 135:4
yellowfin 20:3 108:6,11
 115:18
yesterday 5:14 7:8
 19:18 20:11 21:17
 24:14 99:7 121:17
yesterday's 136:7
York 89:2,15 125:22
 127:9

Z

Z 92:19
ZACH 1:16
zero-fish 51:13
zone 2:10 76:17

0

1

1 79:5 82:17
10 79:8 85:9,12 88:13
 88:16 97:7 103:2
 107:4
10:15 6:12
10:27 75:7,14
10:40 75:7
10:41 75:14
100 34:2 98:11
11 1:8 26:6 68:1 81:17
11:45 6:14
11:58 140:9
12:15 6:5,17
121 4:4
14 19:16 20:12
145 4:4
149 4:5
15 90:11
152 4:5
16 19:18
177 40:19
18th 24:19
1999 79:3

2	9	
<p>2 63:17 20 6:1 37:15 48:18 50:3 200 92:15 126:14 2013 17:9 2015 79:7 2017 80:3 2020 40:22 89:22 2021 41:1 2022 80:4 2023 1:8 22 50:9 24 18:14,17 60:17 24,000 53:7 25 51:5 135:4 250 30:12 26,000 95:17 96:8 29 101:4</p>		
3		
<p>30 6:1 30:11 51:5 113:11 115:2 135:4 300 30:11 36 42:9 365 58:7 3rd 95:1</p>		
4		
<p>4 81:17 40 42:8,10 75:19 83:17 84:5 40-plus 97:6 41 112:16,19 114:18,21 43 117:12 48 18:15,18 60:17</p>		
5		
<p>5 4:2 101:22 5-Year 4:3 50 30:12 31:5 115:11 524 58:15 59:7 53 83:17 55 31:5</p>		
6		
<p>6 5:22 114:21 61 12:10 6th 25:1</p>		
7		
<p>7 4:3 5:22 117:11 73 26:15</p>		
8		
<p>8 117:11 82 4:3 8777 1:11</p>		

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This is to certify that the foregoing transcript

In the matter of: HIGHLY MIGRATORY SPECIES ADVISORY
PANEL MEETING

Before: NOAA

Date: 05-11-23

Place: Silver Spring, MD

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